



**Saint
Joseph's
College
of Maine**

Policy Guidebook

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GENERAL POLICIES

This Guidebook serves as a reference publication for the College's employees on employment-related matters, policies, and practices of the College. Because no two employment situations are ever exactly alike, the College may modify implementation of the policies summarized herein when it determines that particular circumstances warrant individual consideration. Throughout this guidebook, you will find reference to more detailed policy statements, or other documents that provide more specific information. The Faculty Handbook, for example, addresses those employment-related matters of central concern to faculty.

With the exception of the "at-will" employment policy, the College reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures described in this Guidebook, in whole or in part, at any time, with or without notice, at the sole and exclusive discretion of the College. The language used in this Guidebook is not intended to create, nor is it to be construed to constitute, a contract between the College and any one or all of its employees. Contact the College's Human Resources Department to discuss any questions you may have regarding this Guidebook. Should the Guidebook conflict with applicable state or federal law, such state or federal law shall govern. The College recognizes that there may be legal obligations that are not reflected in the Guidebook, or that change over time. In all cases, the College intends to comply with all applicable federal, state, and local laws relevant to employees, whether or not such obligations are described in the Guidebook.

Nothing in the College's policies prohibits or is intended to prohibit employees from engaging in protected concerted activity under Section 7 of the National Labor Relations Act, such as discussing information about the terms, conditions, wages, and benefits of employment with other College employees.

The College adheres to the policy of employment-at-will, which enables either the employee or the College to terminate the employment relationship at any time, with or without notice and for any reason or no reason.

This Guidebook supersedes any prior policies and handbooks as well as any oral communication between an employee and the College.

100 Statement of Community Principles

Being part of the Saint Joseph's College of Maine community carries with it the responsibility that each person will hold themselves and others accountable for respectable conduct at all times. Together we create the educational and professional setting that makes Saint Joseph's College of Maine unique, with an atmosphere characterized by inclusion, belonging and compassion. Our actions must support

our ability to work, study, live, and learn together productively and safely. We are dedicated as a community to intellectual honesty and to the protection of academic freedom.* We believe these values are fundamental to scholarship, teaching, and learning. We expect each other to maintain the highest integrity in all of our academic and professional undertakings. This Statement applies to all Guidebook policies.

*Professional Rights of the Ordinary Faculty can be found in the Faculty Handbook, Chapter 6, pages 60 & 61.

101 Language Statement

Saint Joseph's College of Maine recognizes and values access, within its community, to diverse cultures and traditions through practice, use, and encouragement of multiple languages. In keeping with this commitment, no College office or unit shall adopt a policy (or create an implicit expectation) which requires employees to use only the English language in the workplace.

While the College encourages employees to be sensitive to the need to communicate freely and effectively with each other, particularly in emergency situations or hazardous circumstances, the College has determined (in compliance with Title VII of the 1964 Civil Rights Act and EEOC Guidelines 29 CFR, part 1606.7) that this goal does not warrant English-only regulations in any of its operations.

102 Code of Conduct and Ethics

Trust and Credibility

The success of Saint Joseph's College of Maine is dependent upon the trust and confidence we earn from our faculty, staff, and students, as well as all other members of the College community and beyond. We gain credibility by adhering to our commitments, displaying honesty and integrity, and reaching College goals solely through honorable and ethical conduct. It is easy to say what we must do, but the proof is in our actions. Ultimately, it is actions that are most visible and, as such, demonstrate our commitment to the College's Mission, Vision and Core Values.

Respect for the Individual

We all deserve to work in an environment where we are treated with dignity and respect. Saint Joseph's College of Maine is committed to creating such an environment because it brings out the full potential in each of us, which, in turn, contributes directly to the College's success. We cannot afford to let anyone's talents go to waste.

All Saint Joseph's College of Maine employees are expected to support a professional, inclusive, and respectful workplace by adhering to the following conduct standards:

- Treat others with dignity and respect at all times.
- Address and report inappropriate behavior and comments that are discriminatory, harassing, abusive, offensive, or unwelcome.

- Foster teamwork and employee participation, encouraging the representation of different employee perspectives.
- Seek out insights from employees with different experiences, perspectives and backgrounds.
- Avoid slang or idioms that might not translate across cultures.
- Support flexible work arrangements for co-workers with different needs, abilities and/or obligations.
- Address the decisions or behaviors of others that are based on conscious or unconscious biases.
- Be open-minded and listen when given constructive feedback regarding others' perception of your conduct.
- In addition, Saint Joseph's College of Maine has developed eight College standards that all employees are expected to follow. They are:
 1. Contributes to the ongoing culture of the College
 2. Consistently works collaboratively
 3. Commits to service excellence
 4. Commits to sustainable practices
 5. Ensures the safety of self
 6. Attends and provides assistance at campus community events
 7. Maintains regular in-person attendance
 8. Performs other duties to support the College

Management Leads By Example

Management has the added responsibility for demonstrating, through their actions, the importance of this Code. In any business, ethical behavior does not simply happen; it is the product of clear and direct communication of behavioral expectations, modeled from the top and demonstrated by example, and consistent enforcement.

In adherence with this Code, managers must be responsible for promptly addressing ethical questions or concerns raised by employees and for taking the appropriate steps to deal with such issues. Managers should not consider employees' ethics concerns as threats or challenges to their authority, but rather as another encouraged form of business communication. At Saint Joseph's College of Maine, we want the ethics dialogue to become a natural part of daily work.

Uphold the Law

The College's commitment to integrity begins by complying with the applicable policies, procedures, laws and regulations where we do business. Further, each of us must have an understanding of the College's policies as well as laws, rules and regulations that apply to our specific roles. If we are unsure of whether a contemplated action is permitted by applicable law or College policy, we should seek the advice from the resource expert and speak up if we suspect possible violations. We are all responsible to conduct ourselves in accordance with the letter, spirit, and intent of all relevant laws and policies, and to refrain from any illegal, dishonest, or unethical conduct.

Because of the nature of our business (higher education), some legal requirements warrant specific mention here:

- The College is subject to the Family Educational Rights and Privacy Act (**FERPA**) law. FERPA (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- The College is also required by federal Health Insurance Portability and Accountability Act of 1993 (**HIPAA**) to maintain the privacy of your PHI and to provide you with a Notice of the Plan's privacy practices and related legal duties.

Compliance with this policy of personal, professional and business ethics and conduct is the responsibility of every Saint Joseph's College of Maine employee.

103 General Policies

This Guidebook applies to all faculty, staff (including student employees), and volunteers (where specifically noted) of Saint Joseph's College of Maine ("the College"). Certain sections of the Guidebook apply to staff members only and are duly noted by the use of the term staff in the policy title. The Faculty Handbook governs matters specific to faculty only. If there are unintended conflicts between the contents of this Guidebook and of the Faculty Handbook, the Senior Vice President of Learning and Programs will resolve conflicts in consultation with Human Resources.

104 Employment At Will

Unless otherwise agreed to in writing signed by an officer of the College, employment with Saint Joseph's College of Maine is at the mutual consent of Saint Joseph's College of Maine and the employee, and either party may terminate that relationship at any time, with or without advance notice and for any reason or no reason. Employment at will is a statement of the voluntary nature of the relationship between Saint Joseph's College of Maine and its employees.

All employees who do not have a signed employment contract/agreement for a specific term of employment are "at-will" employees. Neither an initial employment offer, nor any statement or representation in this Guidebook or in any other College communication should be construed as an implied contract of employment with a specific term or permanent employment. Nothing in this Guidebook should be read or interpreted as to alter an employee's at-will status.

This *employment-at-will* statement does not require the College to exercise this right. In addition, it does not absolve supervisors of their obligations, where appropriate, to orient, train, develop, evaluate, and counsel employees.

105 Equal Employment Opportunity, Anti-Harassment and Non-Discrimination

The College's commitment to non-discrimination and anti-harassment applies to all Saint Joseph's College of Maine ("the College") faculty, staff, students, College contractors, and visitors. The College is committed to providing equitable and inclusive opportunities and an educational and work environment free from any discrimination or harassment of, or retaliation against, any member of the College community on the basis of sex; race or traits associated with race, including hair texture, Afro hairstyles, and protective hairstyles; color; religion, belief, or spirituality; national or ethnic origin; gender, gender identity and expression; sexual orientation; age; disabilities; genetic information; pregnancy, childbirth, or related medical conditions; familial status; military status or protected veteran status; or any other characteristic protected by federal, state or local laws ("Protected Characteristics"). Saint Joseph's College of Maine shall adhere to all applicable state and federal laws and regulations, including the Maine Human Rights Act, Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and other federal and state laws in connection with hiring or employment, admission or financial aid, or other aspects of its educational programs or activities.

This Equal Employment Opportunity, Anti-Harassment and Non-Discrimination Policy (the "Policy") is intended to describe the conduct that is required or expected of employees as well as the conduct that is prohibited in furtherance of the College's commitment to providing a work environment that is free of unlawful discrimination or harassment. All employees will be required to attend yearly training on this topic.

Equal Employment Opportunity (EEO)

Saint Joseph's College of Maine affords equal employment opportunities to employees and qualified applicants without regard to an individual's actual or perceived Protected Characteristic. This applies to all aspects of the relationship between the College and its employees, including:

- Recruitment
- Employment
- Job assignment
- Promotion
- Transfer
- Training
- Working conditions
- Discipline
- Termination
- Wages and salary administration
- Employee benefits and application of policies

The College administers EEO practices fairly and consistently by:

- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees
- Advertising for job openings with the statement *"Saint Joseph's College of Maine is an EEO employer and members of underrepresented groups are encouraged to apply. We consider all qualified applicants and employees for hiring, placement, and advancement and treat all employees in all aspects of employment without regard to a person's race (including traits associated with race, including hair texture, Afro hairstyles, and protective hairstyles), color, religion, ancestry or national origin, age, genetic information, military status, sex or gender, pregnancy, sexual orientation, gender identity or expression, disabilities, familial status, protected whistleblower activity, previous assertion of workers' compensation claim, genetic information, protected veteran status, or any other status protected by applicable law."*
- Prohibiting retaliation against any employee in connection with filing a charge of discrimination, opposing a practice believed to be unlawful discrimination, reporting harassment, or assisting, testifying or participating in any investigation or proceeding
- Strongly encouraging employees to report any perceived or apparent discrimination or harassment, and requiring supervisors and managers to do the same

Managers and supervisors are responsible for implementing equal employment practices within each department. Human Resources is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

The policies and principles of non-discrimination also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies, and any other persons or entities doing business for or with the College.

Saint Joseph's College of Maine will make reasonable accommodations for qualified applicants or employees with disabilities or with known limitations related to pregnancy, childbirth, or related medical conditions, unless doing so would result in an undue hardship to the College, in accordance with applicable law.

Prohibited Conduct: Unlawful Discrimination, Harassment, and Retaliation

Any conduct that falls within any of the following prohibited conduct can be and should be reported to the College in accordance with this policy.

Unlawful discrimination refers to the denial of equal employment opportunities based upon an individual's actual or perceived Protected Characteristic, including when the result of neutral job policies has a disproportionate effect on members of a particular Protected Characteristic. The College strictly prohibits unlawful discrimination regardless of whether it was intentional or unintentional.

The College is dedicated to ensuring access, fairness, and equity for all employees. The College is committed to identifying and eliminating discriminatory practices in every phase of College operations.

Unlawful harassment refers to verbal, written, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual based on or motivated by the individual's actual or perceived Protected Characteristic and that: (a) has the purpose or effect of unreasonably interfering with an employee's work performance, or (b) has the purpose or effect of creating an intimidating, hostile, threatening, or offensive working environment. Examples of harassment include, but are not limited to:

- conduct or comments that threaten physical violence
- offensive, unsolicited remarks
- unwelcome gestures or physical contact
- display or circulation of offensive or derogatory written materials
- items or pictures degrading to any person's Protected Characteristic
- verbal abuse or insults about or directed to any student, employee, or other individual, or groups of students, employees or other individuals
- slurs, or taunts in the guise of jokes, or disparaging references to others; negative references to employees, students, or other community members
- racial slurs (e.g., use of the N word), symbols (e.g., a noose), or gestures (e.g., a gesture that ridicules the shape of an individual's eyes)
- inappropriate comments about the employee's body or physical condition, or work performance in connection with their pregnancy, or insinuations that the employee should take leave or will not return to work
- unwelcome remarks or conduct based on the employee's religion or when an employee is required or coerced to abandon, alter, or adopt a religious practice as a condition of employment (this includes examples of antisemitism and Islamophobia, such as the use of hate symbols or inappropriate comments about the employee's religious faith)

A broad range of unwelcome conduct can constitute unlawful harassment. A perpetrator of unlawful harassment can be a superior, a co-worker, or anyone else who is doing business with the College, including an independent contractor, vendor, or visitor. Unlawful harassment may occur between any individuals, regardless of their sex, sexual orientation, gender identity, or other protected status (e.g., both the harasser and the harassed belong to the same protected group).

A single incident of inappropriate behavior may or may not rise to the level of unlawful harassment. To meet the definition of unlawful conduct, the behavior must be severe or pervasive. Therefore, for example, one act, joke, or comment may not constitute harassment. Of course, a single egregious act, joke, or comment may be sufficient to violate the law depending on the circumstances.

Sexual harassment refers to any unwelcome sexual attention, sexual advances, requests for sexual favors, verbal, visual or physical comments or conduct of a sexual nature, other offensive behavior of a sexual nature, or any unwelcome conduct which is directed at an individual because of that individual's sex, when:

1. submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or education; evaluation of academic work; or participation in any aspect of a College program or activity or
2. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, such as position, pay, promotion, training or assignment; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or equal opportunity to participate in or benefit from College employment, programs, or activities, or creating an intimidating, hostile, humiliating, or sexually offensive work or academic environment for the intended target of the sexual harassment or anyone else who sees or experiences the conduct

To meet the definition of sexual harassment, the conduct must generally be sufficiently serious, pervasive, or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive work, academic, residential, or social environment.

Sexual harassment may involve individuals of the same or different sex, sexual orientation, or gender identity. Sexual harassment is often associated with those situations in which a power differential exists between persons involved; however, it also may occur between individuals of the same College status, e.g., student-student and employee-employee. Sexual harassment also includes harassment based on sexual orientation, gender, gender identity, or gender expression, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex/gender or sex/gender stereotyping, even if the acts do not involve conduct of a sexual nature.

Examples of conduct that may constitute sexual harassment as defined above may include a severe, persistent, or pervasive pattern of unwelcome conduct that includes one or more of the following:

1. *Physical conduct*

- Unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements;
- Unwanted sexual advances;
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and/or the status of being transgender, such as: interfering with, destroying, or damaging an individual's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job or participate in educational programs;

2. *Verbal conduct*

- Making or using derogatory comments, epithets, slurs, or humor;
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations;
- Objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes;
- Repeatedly asking another employee for a date after the employee has said no;

3. Visual or non-verbal conduct

- Leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons or posters in a public space or forum;
- Visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate; and

4. Written conduct

- Letters, notes, or electronic communications containing comments, words, or images described above

Sexual harassment may also include what is commonly referred to as “quid pro quo” conduct, which means unwelcome sexual advances or propositions by a supervisor or person of authority toward a subordinate where the superior:

1. Expressly or impliedly conditions an offer of employment or academic benefit in exchange for sexual favors;
2. Makes submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose; or
3. Makes or threatens reprisals after a negative response to sexual advances

Harassment may also include bias incidents and hate crimes, which are defined as follows:

Bias Incident refers to any event of intolerance or prejudice, not involving violence or other criminal conduct, intended to threaten, offend, or intimidate another because of that individual’s actual or perceived Protected Characteristics. Examples of bias incidents include: hate speech, gay bashing, racist epithets, religious slurs, sexist jokes or cartoons, hate mail, offensive graffiti, or disparaging remarks. Such incidents create a socially divisive atmosphere for members of the community targeted and negatively affect the campus climate.

Hate Crime refers to the violence of intolerance and prejudice, intended to hurt and intimidate, committed against a person, property, or society that is motivated by an offender’s bias against a specific characteristic of an individual or a group because of their race (including protective hairstyles), ethnicity, national origin, religion, sex, sexual orientation, gender identity, gender expression, age, disabilities, or other Protected Characteristic. Hate crimes are criminal offenses that include acts such as physical assault, stalking, cyberstalking, criminal threatening, intimidation, terrorizing, criminal use of explosives, arson, vandalism or other damage to property, reckless conduct, harassment, verbal abuse or insults, or hate mail.

In Maine, several statutes provide civil and/or criminal remedies for bias incidents and hate crimes, including the Maine Human Rights Act, 5 M.R.S. §4551 et seq., Maine’s Protection from Harassment Act, 5 M.R.S. §4651 et seq. and the Maine Civil Rights Act, 5 M.R.S. §4681 et seq.

Federal statutes also provide support and protection for targets of bias incidents or hate crimes, including the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq., as amended, the Violent Crime Control and Law Enforcement Act (1994) and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (2009).

Retaliation is any act of retribution or intimidation, direct or indirect, against individuals who, in good faith, assert their right to bring a complaint or participate in any part of the investigation related to a report. Retaliation against an employee for or in connection with any good-faith report of unlawful discrimination or harassment based on a Protected Characteristic, or who cooperates with an investigation or resolution of a report, is strictly prohibited, and will in itself lead to disciplinary action, up to and including termination of employment. An employee making a good-faith report of harassment or discrimination is entitled to protection from any form of retaliation in connection with such a report, even if the underlying allegations are later not proven to be a violation of College policy. Employees who submit a report (either of harassment, discrimination or retaliation experienced or observed) or who provides information regarding a report will be protected from retaliation from coworkers and supervisors. Individuals accused of unlawful discrimination or harassment, are warned that any form of retaliation taken against a person submitting a complaint or participating in an investigation of a complaint will be grounds for disciplinary action, up to and including, termination.

Any form of retaliation should be reported to Human Resources.

Standards of Conduct. The College strictly prohibits unlawful discrimination, harassment (including but not limited to sexual harassment), and retaliation. Each member of the College community has a responsibility to maintain an environment free from unlawful discrimination, harassment, and retaliation. Any person, who engages in or encourages any act constituting discrimination, retaliation, or harassment, including but not limited to sexual harassment, will be subject to disciplinary action, up to and including, termination.

Scope of Policy. This Policy applies at all times when employees are: conducting any work for the College in any location (including working from home or elsewhere); being present on the College campus at any time (including during non-work hours); using College-provided electronic communication systems, equipment, vehicle, or any other resources even if such use occurs during non-work hours or off campus; using the employee's personal electronic communication systems, equipment, vehicle, or any other resources even if such use occurs during non-working hours or off campus if the employee's conduct impacts the workplace; and/or at College-sponsored events or gatherings.

By way of example, social media usage, calls, emails, and text messages by employees can constitute unlawful workplace harassment, even if these actions occur away from the workplace or outside of work hours.

Reporting and Investigation

Reporting Process. The College maintains two separate and distinct reporting processes to receive, investigate, and remediate incidents of discrimination or harassment. Although we recognize that maintaining separate reporting processes adds complexity, our goal is to ensure compliance with all applicable laws. If you feel that you have been the target of an incident of discrimination or harassment, or if you witness or know of a situation you feel constitutes such an incident, please report it in one of the following ways:

1. **Gender-Based, Sexual Misconduct, Harassment, Discrimination, and Violence:**

All Faculty members, Staff employees, and students, except those defined as confidential, are required to promptly report to the Title IX Coordinator incidents of gender-based discrimination, harassment and/or misconduct that come to their attention. The complaint can be filed in person, by mail, or by electronic mail. The Title IX Coordinator will promptly begin addressing the matter in accordance with procedures outlined in the Gender-Based Misconduct, Violence & Discrimination Policy (<https://my.sjcme.edu/resources/administrative/title-ix-policy/>), and will involve the Deputy Coordinators as deemed appropriate.

2. **Non-Gender Based Misconduct and other forms of Discrimination and Harassment (e.g., race, ethnicity, disability, veteran status, age, religion, etc.):**

The College cannot address discrimination, harassment, and/or retaliation if it is unaware of conduct that violates this policy. All employees are strongly encouraged to promptly report to their supervisor, manager or Human Resources incidents of non-gender-based discrimination, harassment, and/or retaliation that come to their attention (e.g., race, religion, ethnicity, disability, veteran status, etc.) in the manner most comfortable to the individual (e.g., orally or in writing). Employees should not allow an incident of non-gender-based discrimination, harassment, and/or retaliation to continue by not reporting it. Human Resources will process the complaint according to the procedures outlined in this Policy.

Note: Where the Respondent is a student, the matter will be addressed by the College's expectations and processes outlined in the Student Code of Conduct.

Management Responsibility. All managerial and supervisory employees are responsible for creating a working and academic environment free of hate, bias, harassment, discrimination, and/or sexual misconduct. Should a supervisor or manager become aware of prohibited conduct, the manager or supervisor is required to promptly report in accordance with the reporting processes outlined above. *In addition to being subject to discipline for engaging in conduct that violates this policy, supervisors and managers will also be subject to discipline for failing to report suspected sexual harassment, other unlawful harassment, discrimination, or retaliation or otherwise knowingly allowing sexual harassment, other unlawful harassment, discrimination, or retaliation to continue.* Supervisors and

managers are also required to attend yearly training which will cover additional information and responsibilities.

Investigation of Complaint. In the event that the College receives a complaint of harassment, discrimination or retaliation, or otherwise has reason to believe that harassment, discrimination or retaliation may have occurred, it will take steps to ensure the matter is thoroughly, promptly, and impartially investigated by Human Resources or by another internal or external resource selected by Human Resources in such a way as to maintain confidentiality to the extent practicable under the circumstances. All employees, including supervisors and managers, are required to cooperate with investigations. Prompt and proportionate corrective action will be taken if the College concludes that an employee has engaged in discriminatory or harassing conduct.

Confidentiality:

All information will be maintained on a confidential basis to the greatest extent possible. Such information, however, may have to be disclosed to defend Saint Joseph's College of Maine in any employment related legal matters to which the information may be relevant and necessary. Further, information may need to be disclosed to those officials and employees with a need to know in order to carry out the purpose and intent of this Policy.

Resolution Process

The informal and formal resolution processes described here apply to non-gender-based discrimination and harassment. For the resolution processes for gender-based discrimination and harassment, please review the Gender-Based Misconduct, Violence & Discrimination Policy (<https://my.sjcme.edu/resources/administrative/title-ix-policy/>).

Informal Resolution Process. Informal procedures by Human Resources are aimed at stopping the behavior rather than determining culpability or intent. Participation in an Informal Resolution process is voluntary, and the Complainant or Respondent may at any time terminate the Informal Resolution process and proceed to a Formal Resolution.

While the process may vary from case to case, an informal resolution generally includes: a prompt review of the complaint; consideration of general informal strategies (e.g., facilitating a discussion between the person who made a complaint (the “Complainant”) and the person who is the subject of the complaint (the “Respondent”)); identifying appropriate method(s) of separating the Complainant and Respondent and addressing the impact on Complainant of the reported conduct; and a follow-up to determine if the action taken was successful in stopping the behavior. If satisfactory resolution is not achieved, the Complainant may choose the Formal Resolution process.

Formal Resolution Process. Formal procedures are aimed at determining responsibility for a violation of this Policy and, where violations have been found, determining what appropriate remedial action should be taken.

A Formal Resolution Process generally includes: a prompt review of the complaint; consideration of whether any interim actions are appropriate; an investigation which will include obtaining, reviewing, and preserving relevant documents, emails, or phone records and interviewing the parties involved (including any relevant witnesses); creating a confidential written record of the investigation; promptly notifying the Complainant and the Respondent of the final determination; and implementation of any corrective actions that are warranted based on the conduct.

If the Respondent is found to be in violation of this Policy, prompt corrective action, up to and including termination of employment, will be recommended to the appropriate administrator for disposition under the procedures applicable to the Respondent as follows:

- Where the Respondent is a faculty member, the matter will be referred to the Leadership Team member for Academics, and will be resolved pursuant to the policies in the Faculty Handbook.
- Where the Respondent is a non-faculty staff member, the matter will be referred to the Leadership Team member for Human Resources, and will be resolved pursuant to the policies in the Employee Handbook.
- Where the Respondent is a Leadership Team member (at the level of AVP or above), the matter will be referred to the President.

College Response to Harassment

Safety Measures. The College may choose to impose safety measures, such as a No Contact Order, at its discretion to ensure the safety of all parties, the safety of the broader college community, and/or the integrity of the resolution process. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by a safety measure. The College will take immediate and responsive action to enforce a previously implemented measure.

Corrective Action. If warranted by the investigation, disciplinary action, up to and including termination of employment, may be taken against the employee found to have engaged in discrimination, harassment, and/or retaliation. The College will also take appropriate corrective action to address discriminatory and harassing conduct by non-employees. While the College will endeavor to promptly investigate and resolve a report involving non-employees, its ability to take action may be limited. Where appropriate, however, the College will take steps necessary to protect the College community.

The College also recognizes that false accusations may have serious effects on innocent persons. Making a false report or complaint, or knowingly providing false or intentionally misleading information during an investigation, may result in disciplinary action up to and including termination.

Legal Protections and External Remedies

Legal Recourse through the Maine Human Rights Commission. Any employee who believes they have been subjected to discrimination may call or write to the Maine Human Rights Commission to register a complaint. The Commission may be contacted as follows:

Maine Human Rights Commission
51 State House Station
Augusta, ME 04333
Telephone: (207) 624-6290

<https://www.maine.gov/mhrc/>

Any complaint must be filed with the Commission within 300 days of the act of discrimination. Once the Commission has received a signed charge form, an investigation will be conducted, and a determination will be made by the Commission of whether or not there are reasonable grounds to believe discrimination occurred.

If the Commission determines that discrimination did occur, it will attempt to resolve the situation between the employee and the employer through informal means. If informal means of resolution are unsuccessful, the Commission counsel may file a civil action on the employee's behalf in the Superior Court, seeking appropriate relief.

Legal Recourse through the Equal Employment Opportunity Commission.

U.S. Equal Employment Opportunity Commission
John F. Kennedy Federal Building

15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Telephone: 1-800-669-4000

<https://www.eeoc.gov/>

Any employee may contact the EEOC by email, phone, letter, or office visit about a potential job discrimination issue. After detailed information is provided about the job discrimination complaint, the EEOC will make an initial decision whether the complaint is covered by their laws. If the complaint is covered, a questionnaire will need to be completed. They will also provide counsel about the job discrimination complaint. The employee can then decide whether or not to file a formal job discrimination complaint, called a "Charge of Discrimination," with the EEOC.

There are strict time limits for filing a job discrimination complaint with the EEOC. In some cases, the limit is only 180 days to report discrimination. Employees have 300 days if the complaint is also covered by a state or local anti-discrimination law.

106 Offensive Conduct

This Policy is intended to ensure that Saint Joseph's College of Maine takes all necessary steps to prevent offensive conduct in the workplace, and to correct conduct that does occur. .

Offensive conduct, while not unlawful, is not appropriate in the workplace and undermines the College's core values of inclusion and respect. Therefore, Saint Joseph's College of Maine prohibits any conduct that a reasonable person would find offensive and unrelated to the College's legitimate business interests where such conduct is not related to any protected characteristic (e.g., race, color, sex, disability, religion, etc.).

Examples of prohibited offensive conduct include: repeated verbal abuse (e.g., the use of derogatory remarks and insults); verbal or physical conduct that a reasonable person would find threatening or intimidating; persistent, malicious mistreatment that degrades or humiliates an employee; personal attacks (e.g., angry outbursts, excessive profanity, or name-calling); unreasonable interference with an employee's ability to do their work; and deliberate sabotage or undermining of an employee's work performance. A single act usually does not constitute offensive conduct, unless that single act is severe and egregious.

Supervisors and managers have the right and duty to manage employee performance, including directing the way in which work is performed, undertaking performance reviews, providing constructive feedback (even if negative), disciplining and counseling employees, and developing and implementing Performance Improvement Plans where applicable. Such practices when done in a reasonable manner do not constitute offensive conduct even if you disagree with the supervisor or manager.

Saint Joseph's College of Maine does not permit offensive conduct by anyone in the workplace. It is the policy of the College to maintain a work environment free from the offensive conduct described above.

Every employee shall be responsible for:

1. Acting professionally and refraining from offensive conduct.
2. Becoming familiar with the provisions of this Policy, complying with all requirements of the Policy, and cooperating with any inquiry under this Policy.
3. Employees can also ask anyone who is engaging in offensive conduct to stop.

All employees are strongly encouraged to promptly report to their supervisor, manager, or Human Resources incidents of offensive conduct before it becomes a pattern of misconduct so pervasive and offensive as to disrupt the work environment. The College cannot address offensive conduct if it is unaware of conduct that violates this policy. Employees should not allow incidents of offensive conduct to continue by not reporting it.

All supervisors and managers shall be responsible for:

1. Acting promptly and appropriately to prevent offensive conduct in the workplace and retaliation against those who report offensive conduct.
2. Reporting to Human Resources any incident of offensive conduct that they witness or is otherwise brought to their attention.
3. Receiving and handling allegations of offensive conduct promptly and appropriately.

4. In consultation with Human Resources, providing interim relief to alleged victims of offensive conduct to ensure that further misconduct does not occur.
5. In consultation with Human Resources, taking prompt and appropriate corrective and disciplinary action, up to and including termination against employees who have continued to engage in offensive conduct or who have not carried out their responsibilities under this Policy.

The College's response to an offensive conduct report:

1. Human Resources will take steps to ensure the matter is thoroughly, promptly, and impartially investigated, and determine the appropriate action to take.
2. Where the inquiry establishes that an employee did engage in offensive conduct under this Policy, they will be subject to appropriate corrective action, disciplinary or otherwise, up to and including termination.
3. Where the inquiry establishes that a manager or supervisor did not properly carry out the responsibilities provided for under this Policy, they shall be subject to appropriate corrective action, disciplinary or otherwise, up to and including termination.
4. The College also recognizes that false accusations may have serious effects on innocent persons. If an employee is found to have made bad faith false accusations of offensive conduct, the employee may be subject to disciplinary action, up to and including termination of employment.

Confidentiality: All information will be maintained on a confidential basis to the greatest extent possible. Such information, however, may have to be disclosed to defend Saint Joseph's College of Maine in any employment related legal matters to which the information may be relevant and necessary. Further, information may need to be disclosed to those officials and employees with a need to know in order to carry out the purpose and intent of this Policy.

Retaliation: Retaliation against an employee for or in connection with any good-faith report of offensive conduct, or who cooperates with an investigation or resolution of a report, is strictly prohibited, and will in itself lead to disciplinary action, up to and including termination of employment. An employee making a good-faith report is entitled to protection from any form of retaliation in connection with such a report, even if the underlying allegations are later not proven to be a violation of College policy. Employees who submit a report or who provide information regarding a report will be protected from retaliation from coworkers and supervisors. Individuals accused of offensive conduct are warned that any form of retaliation taken against a person submitting a complaint or participating in an investigation of a complaint will be grounds for disciplinary action, up to and including, discharge. Any form of retaliation should be reported to Human Resources.

107 Accommodations

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against qualified applicants and employees with disabilities and, when requested, to provide

reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

This Policy should be read and applied, when relevant, in conjunction with Policy 106 *Equal Employment Opportunity, Anti-Harassment and Non-Discrimination*. Saint Joseph's College of Maine does not discriminate against qualified individuals with disabilities in regards to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. The College will conduct its affairs in compliance with the ADA, ADAAA, and the Maine Human Rights Act ("MHRA"). It is the policy of Saint Joseph's College of Maine to comply with all federal and state laws concerning the employment of individuals with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC) and applicable state guidance.

In accordance with applicable law and this Accommodations policy, the College will make reasonable accommodation(s) for: (a) qualified applicants and employees with disabilities; (b) employees' sincerely held religious beliefs; and (c) qualified applicants and employees who are pregnant or have a condition related to pregnancy. This policy details the procedures to be followed when requesting an accommodation. The College may deny a requested accommodation if the College determines in its sole discretion that such accommodation would result in undue hardship to the College.

Please contact Human Resources with any questions about this policy or for accommodation requests that are outside the scope of this policy.

Reasonable Accommodation for Qualified Individuals with Disabilities

The College will make reasonable accommodation(s) that are medically necessary for the known physical or mental impairments of an otherwise qualified applicant or employee with a disability, unless the College determines in its sole discretion that such accommodation(s) would result in undue hardship to the College.

Subject to an undue hardship analysis, examples of accommodation(s) may include leave of absence, job restructuring, modification of work schedules, reassignment, physical accessibility, and other changes or adjustments to a job or work environment that enable a qualified applicant or employee with a disability to perform the essential functions of their job.

If you seek an accommodation, you must comply with the following process:

- Notify your supervisor, manager, or Human Resources that you are requesting an accommodation to enable you to perform the essential functions of your position.
- In connection with such a request, you are required to provide Human Resources written documentation from a medical provider supporting your need for an accommodation. The written documentation must include the name of your medical provider, the anticipated duration of the need for an accommodation (e.g., for a specified number of months or

permanently), the medical basis for the accommodation and the specific part of your job that you are not able to perform (i.e., the functional limitation caused by the disability). **The medical information required in this step of the process must be given to Human Resources and should not be given to your supervisor or manager.** All medical information provided to the College will be kept confidential in a separate file and will only be shared with other employees at the College on a need to know basis.

- All requests will be evaluated on an individual basis, through an interactive process. An interactive process means communications among the employee, supervisor, Human Resources and (when necessary) medical providers, either in person, via email, by video conference, or by telephone depending on the circumstances, to discuss the functional limitations caused by the disability and potential reasonable accommodations, if any, that are available and that would not impose an undue hardship on the College.
- The College will then determine whether to approve the requested accommodation, offer a reasonable alternative, or deny the requested accommodation.
- You will be notified in writing of the College's determination.

Do not assume that an accommodation has been granted until you receive written confirmation from the College.

All employees are required to comply with workplace safety standards. Employees who because of a disability pose a direct threat to their health or safety, or the health and safety of other individuals in the workplace, which cannot be eliminated by reasonable accommodation, will not be permitted to continue to work so long as the direct threat exists. The determination of whether a direct threat exists may involve a medical judgment, which may require the input of a qualified medical provider.

Human Resources is responsible for implementing this policy, including the resolution of reasonable accommodation, safety, and undue hardship issues.

The terms used in this policy are defined as follows:

- "Direct threat" means a significant risk to the health or safety of the employee or others that cannot be eliminated by reasonable accommodation.
- A "qualified individual" means an individual who meets the necessary skills, experience, education, and other job-related requirements of the position they hold or seek to hold, and can perform the essential functions of the position with or without a reasonable accommodation.
- An "individual with a disability" means an individual who has a physical or mental impairment that substantially limits a major life activity, an individual who has a record of such an impairment, or an individual who is regarded as having such an impairment.
- "Reasonable accommodation" is any action, assistance, modification, or adjustment to a work environment or job tasks that enables a qualified employee with a disability to substantially perform the essential functions of their position unless it would create undue hardship on the employer.
- "Undue hardship" means significant difficulty or expense by the College in connection with providing a specific accommodation. Undue hardship refers not only to financial difficulty, but

to accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business. The factors to be considered in determining an undue hardship include:

- the nature and cost of the accommodation;
- the overall financial resources of the facility at which the accommodation is to be made;
- the number of persons employed at that facility;
- the effect on expenses and resources or other impact upon that facility;
- the overall financial resources, size, and type and location of the College;
- the overall number of employees and facilities;
- the operations of the particular facility as well as the entire College; and
- the relationship of the particular facility to the College.
- “Essential job functions” means the basic job duties that an employee must be able to perform, with or without reasonable accommodation.

Religious Accommodation

When requested, the College will provide a reasonable accommodation for sincerely held religious beliefs, provided that doing so would not impose an undue hardship on the College.

To request unpaid time off for religious observance, please contact Human Resources at least 10 business days in advance. You may use paid time off to receive pay during religious leave in accordance with the College’s time-off policies.

If you need any other religious accommodation(s), such as breaks or exceptions to a College policy (e.g. dress and appearance policy), please contact Human Resources to request such accommodation(s). Human Resources will work with you to determine whether the College is able to approve the requested accommodation without imposing an undue hardship on the College.

Reasonable Accommodation for Pregnancy or a Condition Related To Pregnancy

The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP for Nursing Mothers Act or PUMP Act) and the Fair Labor Standards Act (FLSA) require employers to provide nursing employees reasonable break time each time such employee has need to pump at work.

The Pregnant Workers Fairness Act (PWFA) is a law that requires covered employers to provide “reasonable accommodations” to a worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.”

The College will make reasonable accommodation(s) for pregnancy or a condition related to pregnancy, including but not limited to lactation or the need to express breast milk for a nursing child (for up to three years following the birth of a child unless a longer period is required by applicable law) if an employee or prospective employee capable of performing the essential functions of the position requests such an accommodation, provided, however, that the College may deny such an accommodation if the accommodation would impose an undue hardship on the College.

To request an accommodation for your pregnancy or a condition related to your pregnancy, please contact Human Resources. When requesting an accommodation (or an extension of the accommodation), you are generally required to provide Human Resources written documentation from an appropriate health care or rehabilitation professional supporting the need for an accommodation. Please note that no such written documentation is required for the following accommodations: (a) more frequent restroom, food, or water breaks; (b) seating; (c) limits on lifting more than 20 pounds; (d) private non-bathroom space for expressing breast milk as well as reasonable unpaid breaks for the purpose of expressing breast milk; and (e) any other actions for which requirements of such written documentation is prohibited by applicable law. The College may require documentation from an appropriate health care or rehabilitation professional for an extension of an accommodation beyond the originally agreed to accommodation in accordance with applicable law.

Upon your request for an accommodation, you and the College will engage in a timely, good faith, and interactive process to determine an effective, reasonable accommodation to enable you to perform the essential functions of your job.

See also, *105 Equal Employment Opportunity, Anti-Harassment and Non-Discrimination Policy*

108 Impairment in the Workplace (Drug and Alcohol Policy)

Saint Joseph's College of Maine believes that illegal drugs and the abuse of alcohol have no place in the College environment. Furthermore, Congress passed the Drug-Free Workplace Act of 1988, requiring certification by federal grantees of a drug-free workplace; and the Drug-Free Schools and Communities Act Amendments of 1989 requiring institutions of higher education receiving federal funds to certify adoption and implementation of programs to prevent possession, use or distribution of illicit drugs, drugs controlled by federal law, and alcohol by students and employees. (For purposes of this Policy, illegal drugs and controlled substances are collectively referred to as “drugs.”)

The College is committed to providing a safe work environment and to fostering the well-being and health of its faculty and staff, as well as compliance with the Drug Free Workplace Act of 1988. That commitment is jeopardized when any member of the community uses drugs or alcohol on the job, comes to work while under the influence of drugs or alcohol, or possesses, purchases, consumes, ingests, distributes, or sells drugs in the workplace. The College has established the following guidelines with regard to alcohol and drugs to ensure that we can meet our obligations to faculty and staff, students, our community, and the public.

- It is a violation of our policy for any employee to possess, sell, trade, offer for sale, furnish, or engage in the use of illegal drugs, alcohol, or other controlled substances (including cannabis*) in the workplace or being present on campus at anytime, while conducting any work for the College in any location, or while operating any College vehicle or equipment at any time and in any location.

- It is a violation of our policy for anyone to report to work under the influence of/impaired by drugs, alcohol or other controlled substances (including cannabis*).
- It is a violation of our policy for anyone to use prescription drugs illegally. This policy does not prohibit employees from the lawful use and possession in the workplace of prescribed medications (other than cannabis*). Employees must, however, promptly notify Human Resources if the prescribed medication may affect the employee's ability to perform their job. Human Resources will not disclose the nature of an employee's medication but may inform the employee's supervisor of any required restrictions of duty. The College will not permit you to perform your duties while taking prescribed drugs if such drugs adversely affect your ability to safely and effectively perform your job duties. Use of cannabis, whether under medical prescription or otherwise, is not permitted in the workplace.

The violations listed above hold true for employees who are serving in an on-call capacity. While on call, an employee must refrain from drug, alcohol and/or cannabis* consumption.

Notwithstanding this, there may be certain College functions, removed from the usual work setting, at which it is permissible to consume alcohol in moderation, provided that employees behave professionally and in accordance with common standards of acceptable conduct at all times.

Employees who violate these work rules will be subjected to disciplinary action up to and including termination of employment. Saint Joseph's College of Maine reserves the right to search or inspect any and all areas of its premises (including an employee's person, work areas, or property) for alcohol, controlled substances, illegal drugs or paraphernalia relating to alcohol, controlled substances or illegal drugs, and to question any employee when it reasonably suspects that this policy or any procedure under this policy has been violated. The College expects employees to cooperate in such searches or inspections, whether with or without prior notice.

In accordance with the Drug-Free Workplace Act, employees are required to report to Human Resources any criminal drug statute conviction based on acts in the workplace within **five days of conviction**. The College, within ten days of such Report, will generally in turn report the conviction to any Federal Agency funding any program in which the employee participates. Human Resources will determine within 30 days if the charges warrant any action taking into consideration the interests of the campus community, the rights of the individual, and personnel guidelines. The action may include disciplinary action up to and including termination. It may require satisfactory participation in an approved substance abuse or rehabilitation program. If participation in a rehabilitation program is required, the College expressly reserves the right to require as a condition of continued employment the successful completion of a planned program of recovery from the identified substance abuser. This plan, which will be in writing, may stipulate that failure to fully participate in the programs or meetings required therein, or to satisfactorily complete the requirements of the plan may result in termination of employment.

For employees who voluntarily seek help for drug and/or alcohol abuse before becoming subject to discipline or discharge under our policies, the College may assist them by providing: access to the Employee Assistance Program; paid time off in accordance with our time off policies in this Guidebook; and/or a leave of absence or other reasonable accommodation(s) in accordance with applicable law.

The Human Resource Office maintains a list of local agencies that offer assistance from a trained professional for issues of drug dependency issues, treatment, and/or referral:

- [211 Maine Substance Use Treatment & Recovery Support](#)
- [Maine Recovery Hub](#)
- [Recovery Community Centers in Maine](#)

Saint Joseph's College of Maine's health insurance program has provisions for coverage of both inpatient and outpatient drug dependency and alcohol dependency treatment for both employees and dependents.

The College recognizes alcohol and drug abuse as treatable health problems that should receive the same consideration and offer of assistance extended to employees having any other health problem, including our [Employee Assistance Program](#). The employee's ability to perform their employment responsibilities will be determined on an individual basis. The College may provide time off, consistent with the College's time off or leave policies, for employees who wish to or are required to undertake inpatient drug dependency treatment.

Employee violations of these policies should be reported to Human Resources for review and action.

The College commits to continuing efforts to heighten awareness of the dangers of drug abuse in the workplace; to maintain information on available drug counseling, rehabilitation and to uphold the College's policy of maintaining a drug-free workplace.

The College shall make a good faith effort to continue to maintain a drug-free environment through the implementation of this policy, and ensure that all new employees are informed of the policy.

* Please note that although Maine has legalized, under state law, the medical and recreational use of cannabis, **use of cannabis remains illegal under the federal Controlled Substances Act ("CSA") and remains a prohibited substance under SJC's compliance obligations.** In accordance with State of Maine law, the College recognizes prescribed medical cannabis as a legally prescribed medication, however the College prohibits the smoking of cannabis for medical purposes on the College premises in accordance with the College's Tobacco Free Policy as well as the Maine law. The College is not required to accommodate the ingestion of medical cannabis in the workplace or any employee working while under the influence. The College also prohibits the use, consumption, possession, trade, display, transportation, sale or growing of cannabis for recreational purposes in the workplace. The College prohibits employees from working under the influence of recreational cannabis in the workplace.

109 Whistleblower

The College requires all employees to observe high standards of business and professional ethics in the conduct of their duties and responsibilities. As employees and representatives of the College, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all employees to comply with our policies and applicable federal and state laws and to report violations or suspected violations of such policies or applicable law in accordance with this Whistleblower Policy. As a recipient of Federal grants, the College has an obligation to disclose to Federal awarding agencies all violations of Federal criminal law involving fraud, bribery, or gratuity violations that could potentially affect one or more Federal grants. The institutional officials responsible for making mandatory disclosures to Federal agencies will be the Senior Vice President for Learning and Programs, in any cases involving Faculty of the College, or the Senior President for Finance and Administration, in any cases involving other employees of the College.

No Retaliation

This Whistleblower Policy is intended to encourage and enable employees to raise serious concerns within the College prior to seeking resolution outside the College.

The College strictly prohibits harassment, retaliation, or adverse employment action against an employee because they have:

- Reported to College management in good faith what they reasonably believe to be a violation of our policies or applicable law
- Reported to College management in good faith what they reasonably believe to be a condition or practice that risks someone's health or safety in violation of our policies or applicable law
- Refused in good faith to carry out a directive to carry out an activity that would be a violation of our policies or applicable law or that would expose someone to a condition that would result in serious injury or death, after trying unsuccessfully to get management to correct the illegal activity or dangerous condition

Employees are also protected if they are involved in an investigation or hearing conducted by the government. An employee who retaliates against someone who has made such a good-faith report or participated in such an investigation or hearing is subject to discipline up to and including termination of employment.

Reporting Violations

Employees are encouraged to share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. In cases of suspected research misconduct, defined as the fabrication,

falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results, the appropriate department is Academic Affairs.

If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations to Human Resources, who has the responsibility to oversee the investigation of all reported violations.

We ask that you allow reasonable time for the problem to be investigated and corrected; if you have reason to believe that management will not correct the problem, you are encouraged to report the problem to the proper oversight agency.

In addition, as it relates to federal grants, according to the National Defense Authorization Act, P.L. 112-239 (PDF), employees are protected from reprisal for disclosure of information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

Specifically, Section 828(a) of the NDAA, Pilot Program for Enhancement of Contractor Employee Whistleblower Protections, provides that, "An employee of a contractor, subcontractor, or grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing the aforementioned types of information to:

- A. A Member of Congress or a representative of a committee of Congress.
- B. An Inspector General.
- C. The Government Accountability Office.
- D. A Federal employee responsible for contract or grant oversight or management at the relevant agency.
- E. An authorized official of the Department of Justice or other law enforcement agency.
- F. A court or grand jury.
- G. A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct."

A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint to the Inspector General of the executive agency involved. Procedures for submitting fraud, waste, abuse, and whistleblower complaints are generally accessible on agency Office of Inspector General (OIG) Hotline or Whistleblower Internet sites, such as these:

- National Science Foundation: <http://www.nsf.gov/oig/>
- National Aeronautics and Space Administration: <http://oig.nasa.gov/contact.html>
- Department of Commerce (National Oceanic and Atmospheric Administration): <http://www.oig.doc.gov/Pages/Hotline.aspx>

Acting in Good Faith

Anyone reporting a violation or suspected violation of our policies or applicable law must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense, up to and including termination of employment.

Confidentiality

Reports of violation or suspected violation will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and to take corrective action. All reports will be promptly and thoroughly investigated and appropriate corrective action will be taken if warranted by the investigation. Employees are expected to cooperate in any investigation.

Immunity under the Defend Trade Secrets Act

An individual shall not be held criminally or civilly liable under any Federal or State trade secret law for the disclosure of a trade secret that is made in confidence to a Federal, State, or local government official or to an attorney solely for the purpose of reporting or investigating a suspected violation of law. An individual shall not be held criminally or civilly liable under any Federal or State trade secret law for the disclosure of a trade secret that is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal. An individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if the individual files any document containing the trade secret under seal; and does not disclose the trade secret, except pursuant to court order. Nothing in this Guidebook is intended to conflict with 18 U.S.C. § 1833(b) or create liability for disclosure of trade secrets that are expressly allowed by 18 U.S.C. § 1833(b).

110 Confidentiality

All members of the Saint Joseph's College of Maine community are required to maintain the integrity and protection of confidential information related but not limited to any personally-identifiable employee, volunteer, student, and parent records, financial records (including social security and credit card numbers), health records; all confidential educational records under FERPA; contracts; research data; alumni and donor records; personnel records other than an individual's own personnel records; College financial data and proprietary information/data; computer passwords, and any other information for which access, use, or disclosure is not authorized by: 1) federal, state, or local law; or 2) College policy or operations.

The protection of confidential information (defined below) is vital to the interests and the success of Saint Joseph's College of Maine and its employees. All confidential information is the property of the College, and employees are obligated to maintain the confidentiality of this information at all times

during and after their employment with the College. Employees who improperly use or disclose confidential information, whether directly or indirectly, will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information.

For purposes of this Policy, “Confidential Information” means all non-public information of the College and its licensors and suppliers that is disclosed or otherwise made available to employees in the course of their employment and that has been identified as being proprietary or confidential or that by the nature of the circumstances surrounding the disclosure or receipt, or by the nature of the information itself, would be treated as proprietary and confidential by a reasonable person.

Without limitation, Confidential Information includes:

- organization information, including plans, policies, strategies, information about new or future programs or services;
- marketing information, including marketing plans and goals, market analyses or projections;
- any personally identifiable constituent information including, but not limited to employee, volunteer, student, and parent records, financial records (including social security and credit card numbers), and health records
- all confidential educational records protected from disclosure by the Americans with Disabilities Act (“ADA”), the Family Educational Rights and Privacy Act (“FERPA”), the Health Insurance Portability and Accountability Act (“HIPAA”), and all other federal and state laws governing the confidentiality of personally-identifiable information;
- contracts;
- research data;
- alumni and donor records;
- information protected from disclosure by the HIPAA, ADA, and all other federal and state laws governing the confidentiality of employee information;
- College financial data;
- operational and technological information, including information regarding the policies and practices of the College and passwords or login credentials to any system used by the College;
- College proprietary information/data;
- trade secrets (as defined under the Defend Trade Secrets Act or the Maine Uniform Trade Secrets Act);
- intellectual property information, including any confidential information or intellectual property which provides the College with a competitive advantage
- confidential information of third parties regarding which the College has accepted obligations of confidentiality;
- information regarding claims, lawsuits, and internal or external investigations relating to the College; and
- any other information for which confidentiality obligations are imposed on the College or employees by law or College policy

In accordance with applicable Maine law, reporting or discussing unlawful employment discrimination occurring in the workplace or at work-related events does not violate this policy.

The College is not interested in acquiring from employees or volunteers any trade secrets or confidential business information that they may have acquired from others. Therefore, employees shall not, during their employment with the College, improperly use or disclose any proprietary information or trade secrets of any former employer, or any other person or entity with whom they have an agreement or to whom they owe a duty to keep such information in confidence.

To protect confidential information, employees, contractors and volunteers are required to comply with the data security standards set forth in [Acceptable Use Policy for Information Technology](#), including but not limited to:

- Always lock the computer or log out when leaving your computer unattended.
- Never share confidential information, including personal information, with another employee unless the employee has been authorized by the department head that collects and maintains the data.
- Never send confidential information to your personal email address or use confidential information for personal reasons.
- Strictly limit the amount of confidential information, including personal information, stored on desktop/laptop computers and network drives to that which is necessary to accomplish the legitimate purpose for which it was collected or extracted from institutional databases and remove confidential data from the desktop/laptop computers and network drives upon completion of the work.
- Never store confidential data, including personal information, on portable storage devices such as portable hard drives, USB flash drives, CDs, DVDs, mobile phones, and personal digital assistants.
- Avoid sending confidential data and never send personal information in an electronic mail message; password protect or encrypt email attachments that contain confidential or sensitive data.
- Never transmit confidential data, including personal information to third-party service providers, unless all of the following conditions are met: there is a legitimate business purpose, the data is encrypted during transmission (such as using a secure website or secure file transfer protocol), and the recipient encrypts or stores the data on a secure host or in a secure location.
- Follow all protocols designed to protect confidential information.
- Confidential information is the property of Saint Joseph's College of Maine and must be returned upon request or at the end of employment.
- You are prohibited from using any online storage services – except for storage services that the College provides -- for business-related information. Prohibited services include, but are not limited to, applications such as, iCloud, Readdle, DropBox, or Box.net.

Report all suspected information security breaches to the Information Technology Department at iteam@sjcme.edu. If reporting after hours (4:30 p.m. - 8:30 a.m.), please also contact the Campus Safety Office at (207) 893-6687 or 207-893-7911 (emergency line).

Leadership Team Members of the College are required to sign a Confidentiality and Non-Disclosure Agreement.

If you are in receipt of confidential information that is not included in your daily routine, please bring it to the attention of your manager and/or Human Resources.

The restrictions listed in the Policy are indefinite. Violations of College policies are addressed according to the procedures in this handbook, and may result in disciplinary action, up to and including termination of employment or volunteer relationship. Some offenses are punishable under state and federal laws. By way of example, under federal law, an individual may be liable for, among other things, treble damages, and attorney's fees for having wrongly misappropriated Trade Secrets.

111 Social Media

Because an employee's activities on social media can impact Saint Joseph's College of Maine's legitimate business interests and mission, this policy is intended to provide guidance to employees in making responsible decisions about their use of social media. Social media presents certain risks and carries certain responsibilities with it as well.

All employees of Saint Joseph's College of Maine are expected to follow the guidelines in this policy when participating in social media activities whether on-or-off duty or using our equipment or your own equipment. You are solely responsible for anything you post online. Before creating online content, consider some of the risks associated with the content that you are posting. Employees must always be respectful, courteous, and fair to fellow employees who work on behalf of the College. Also, make sure to be honest and accurate when posting information or news, and if there is a mistake, correct it quickly. Keep in mind that any of your conduct that adversely affects your job performance or the performance of fellow staff or that presents a conflict of interest with or adverse impact on the College's lawful interests or mission, may result in disciplinary action up to and including termination.

Procedure:

1. Consistent with other College policies, internet postings may not disclose any information that is confidential or proprietary to Saint Joseph's College of Maine or to any third party that has disclosed information to the College in confidence. Do not post internal reports, procedures, or other internal College-related confidential communications.
2. Internet postings must respect copyright, privacy, fair use, financial disclosure and other applicable laws.
3. Never represent yourself as a spokesperson for the College. If Saint Joseph's College of Maine is a subject of the content you are creating, be clear and open about the fact that you are an employee. Do not represent your personal views as those of the College and/or as on behalf of the College.
4. Employees should always use discretion and follow the guidance of the Saint Joseph's College of Maine mission and core values when posting anything related to the College.

5. Refrain from using social media while on work time or on the equipment that the College provides, unless it is work-related as authorized by the College.
6. Do not use Saint Joseph's College of Maine email address to register on social networks, blogs, or other online tools utilized for personal use.
7. Do not create social media groups representing the College without the approval of the College Marketing Committee. The College Marketing Committee manages the social media sites and communications for the College.
8. The College prohibits hiring managers and members of a search committee from examining or searching private social media user profiles when evaluating candidates for employment or promotion. Saint Joseph's College of Maine will not compel any employee or applicant to disclose any information about their private social media accounts (this does not apply to investigations of workplace related violations or misconduct).
9. Examples of prohibited activity include, but are not limited to:
 - Posts that include discriminatory remarks, harassment, or threats of violence
 - Posts that contribute to a hostile work environment on the basis of race, sex, national origin, religion, sexual preference, gender identity or any other status protected by law or by Saint Joseph's College of Maine policy
 - Anything that could be viewed as malicious, obscene, threatening, or intimidating
 - Offensive posts meant to or that have been determined to intentionally disparage co-workers, students, parents, or vendors

To be clear, the College's policies against unlawful discrimination, harassment (whether gender-based or non-gender based), and retaliation fully apply to your use of social media regardless of the time and location of such use.

The College, in its sole discretion, will determine whether a particular social media communication or activity violates College policies. The College reserves the right to request that you edit or remove any communications or posts, in accordance with the College's policies and applicable law.

Human Resources will take prompt and appropriate corrective and disciplinary action, up to and including termination against employees who have continued to not carry out their responsibilities under this Policy.

This policy will not be interpreted in any manner to infringe upon an employee's legal rights or legally-protected activities under Section 7 of the National Labor Relations Act (such as discussing information about the terms, conditions, wages, and benefits of employment with other College employees).

See also, [Acceptable Use Policy for Information Technology](#)

- 105 Equal Employment Opportunity, Anti-Harassment and Non-Discrimination Policy
- 210 Conflict or Complaint Resolution
- 211 Disciplinary Action

112 Staff Attendance

Saint Joseph's College of Maine expects all employees to assume diligent responsibility for their punctual and prompt attendance. Employees are expected to be on the job, on time, every day they are scheduled to work. Wherever possible, employees should schedule personal appointments outside of work hours.

Continuity of service coverage relies on the dependability of staff to be at work on a regular basis. Except for unforeseeable situations (e.g., emergency or sick time), employees are required to seek approval of and give notice to their supervisor for time off. If employees need to take an unscheduled day off, they must leave a message directly with their supervisor prior to the start of their scheduled work hours (with as much notice time as possible).

Tardiness and absenteeism affect our operations and may result in disciplinary action, up to and including termination of employment.

Excessive absenteeism includes: three or more instances of unscheduled absences without proper notification to your supervisor or Human Resources in a three-month period; unauthorized unpaid time off after exhausting paid time off (e.g., Earned Time or leave under the Maine Earned Paid Leave law); an unscheduled absence the day before or after a scheduled time off (e.g., holiday, Earned Time) or scheduled paid or unpaid leaves of absence; and repeated unscheduled absences on a specific day of the week or a specific time of the day. If an employee has excessive absenteeism they will be placed on absenteeism alert status. Absenteeism alert status means that all time off shall be pre-approved and scheduled in advance directly with their supervisor. If the time off is illness or injury related, the absences will require written notification from a licensed medical practitioner supporting the need for the absence from work.

It is expected that employees will use their time off in a responsible way keeping unscheduled absenteeism to a minimum. Excessive unscheduled absences, late arrivals, and early departures may be grounds for disciplinary action.

Absences or instances of lateness covered by an employee's use of approved medical leave of absence, work-related injury or illness, or any other leave of absence protected by applicable law (e.g., FMLA, Maine Earned Paid Leave, Maine Family and Medical Leave, if applicable) are not considered grounds for disciplinary action.

113 Remote Work

Remote work entails a work-at-home arrangement or a remote-access arrangement for at least part of the workweek on a regular basis. In general, working remotely is a privilege, which may be granted under appropriate circumstances, and each request to work remotely will be decided on an individual basis.

Initiation of a remote work arrangement can be at the request of either the College or the employee. Permission to engage in remote work is at the discretion of the divisional Vice President in which the employee is employed.

Remote work is not intended to permit employees to have time to work at other jobs, to run their own businesses, or to attend to personal responsibilities (e.g., dependent care) during their regularly scheduled hours with the College. Failure to fulfill normal work requirements, both qualitative and quantitative, because of other employment or personal responsibilities, may lead to disciplinary action up to and including termination of employment.

Remote work arrangements are conditioned upon employees working in a particular location that has been mutually agreed-upon. If an employee plans to work remotely for more than a few weeks from any other location, they are required to obtain approval in advance from the divisional Vice President. The College may deny the employee's request for continued remote work arrangement following a relocation. In addition, all remote work arrangements are granted on a temporary and revocable basis at the College's sole discretion, and may be discontinued by the College at any time and for any reason or no reason. In addition, an employee may discontinue participation in a remote work arrangement at any time.

Equipment and services may be provided by and paid for by the employee's department at the department's sole discretion. In many cases, because remote work is not required, but voluntary, employees will be expected to provide their own equipment, such as computers and telephone lines, if they wish to work remotely. Equipment such as computers, printers, software, and services such as fax lines provided on loan by the College remain the property of the College while on loan, and must be returned upon termination of the remote work arrangement or at any time upon the College's request. If College equipment is provided, each piece of equipment must be listed with its serial number when the employee takes possession. Employees must return the equipment in the same condition in which it was originally received, minus normal wear and tear. Employees are personally liable for missing or damaged equipment.

If an injury occurs or an employee becomes aware of any health or safety issues in their home workspace (or in any other location where they are working on behalf of the College), they are responsible for immediately reporting it to their supervisor or Human Resources. Employees are required to cooperate in the investigation of a workers' compensation claim and to permit inspection of their home workspace (or any other location where they are working on behalf of the College), by the College and/or its agents (e.g., our workers' compensation carrier). The College prohibits any in-person meetings with co-workers, students, or other persons who do business with the College in your home workspace or at your personal residence (whether inside or outside).

The College assumes no liability for injuries occurring in the employee's home workspace outside of work hours or outside of the scope of employment. Employees should note that some homeowner policies do not automatically cover injuries arising out of, or relating to, the business use of the home. For the employee's protection, employees should have their homeowners/tenants liability policy endorsed to cover bodily injury and property damage to all third parties arising out of or relating to the business use of their home. Employees who live in rented property should be aware that their lease may not permit business use of the premises.

The following guidelines apply to remote work arrangements:

- A specific work schedule, including work days and hours, must be agreed upon in advance.
- Employees must come on-site as necessary to attend meetings, training sessions, or similar events or occurrences.
- Employees must maintain a normal workload.
- Employees who are unable to work due to illness must report their absence to their supervisor.
- Employees who wish to be relieved of responsibility for work on a particular day or days must use Earned Time.
- Employees are responsible for the safety and security of all College property and proprietary information.
- College property such as computers, printers, fax machines and other equipment loaned to an employee is the employee's responsibility while it is not on College premises. It is the employee's responsibility to make sure that their homeowners or renters insurance covers injury arising out of or relating to business use of the home.
- All of the College's policies apply to employees regardless of where they work (including but not limited to safeguarding of confidential information; prohibition harassment; attendance policy, etc.). Any violation of our policies may result in preclusion from remote work arrangements and/or disciplinary action, up to and including termination of employment.

Employees who wish to work remotely must first discuss the request with their immediate supervisor, who must support the request. The immediate supervisor will notify Human Resources and the department head for approval. If approval is granted, the request will be forwarded to the divisional Vice President.

Once approval is obtained from all relevant parties (Supervisor, Human Resources and divisional SVP/VP/AVP), Human Resources will provide a letter outlining the approved location of remote work, specific details, and length of the remote work opportunity for signature. This signed letter will be returned to the Human Resources Department for tracking and will be placed in the employee's personnel file. All remote work arrangements will be reviewed every 6 months, if a shorter time period is not specified.

114 Personnel Files

To review or obtain a copy of your personnel file, please submit your written request to Human Resources. We will schedule a time for you to review or copy your personnel file during normal business hours, in the presence of a Human Resources representative, at the location where your personnel file is maintained, within ten days after receipt of your written request, unless otherwise required by applicable law. Please review Appendix A for more information.

115 Personal Data Changes

It is the responsibility of each employee to notify Saint Joseph's College of Maine promptly of any changes in personal data. Name changes, preferred pronouns, personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, and other such status changes must be accurate and current at all times. Certain information can be updated in ADP (e.g., preferred pronouns, emergency phone numbers), while some information may require additional documentation that must be submitted to Human Resources.

Personal information is updated through the self-service feature in the [ADP Portal](#). Your personal profile is located by clicking on **Myself > My Information > Profile**. From there you are able to make the changes necessary. Login and view your personal information periodically to be sure it is accurate (especially Emergency Contacts).

For employees who have benefit coverage through the College, information for dependents and beneficiaries is stored in the Plan Source portal. The Plan Source portal can be accessed via the link on the ADP homepage.

116 Personal Communications and Cell Phone Usage

Occasionally personal emergencies and other events occur which require an employee's attention and need to communicate during the working day. Personal calls are permitted if they are brief and infrequent. College 800 numbers are for business purposes only.

Only personal mail and packages that have appropriate required postage should be dropped at the mail pick-up sites. Utilizing Campus Services for receipt of personal mail and packages should be infrequent.

The SJC assigned email account is intended for SJC business communications only. All personal emails should be handled through a separate personal email account. Communication for personal reasons during the working day should be brief and infrequent.

Saint Joseph's College of Maine understands that cell phones have given staff members increased access to other faculty and staff members, as well as students, making those individuals more available

to connect to. However, cell phones have also increased distractions and the potential exposure to certain liabilities for Faculty and Staff members.

1. Cell phones shall be turned off or silent during meetings, conferences, and in other locations where incoming calls may disrupt the normal workflow.
2. Employees may carry and use personal cell phones while at work within the parameters of this policy. If the use of a personal cell phone for non-business related matters causes disruptions or loss in productivity, the employee may become subject to disciplinary action.
3. Non-exempt employees shall be paid for all hours worked regardless of place or time. Accordingly, non-exempt employees working off the clock are entitled to pay. That off the clock work can be via a cell phone, laptop or with pen and paper. All off-the-clock work must be approved in advance.

117 Professional and Personal Appearance

Employees are expected to use their best judgment and dress appropriately to conduct their job and to ensure we maintain the image expected of the College. For certain positions, uniforms are required. Each supervisor or department head is responsible for establishing reasonable standards of dress appropriate to the work performed in that area. If an employee needs any reasonable accommodation(s) in connection with a sincerely held religious belief (including religious dress and grooming practices) or medical condition or exceptions to the College's professional appearance policy, the employee should contact Human Resources to request such accommodation(s).

118 Romantic Relationships

Saint Joseph's College of Maine strives to provide a work environment that is collegial, respectful and productive. The College acknowledges its responsibility to provide clear direction to the College community about the professional risks associated with romantic relationships. Such relationships have the potential for adverse consequences, including real or perceived favoritism, bias, unfair treatment or the filing of sexual harassment complaints.

For the purpose of this policy, a "personal relationship" is defined as a relationship between two individuals that has the potential to adversely affect morale, productivity, and the operation of the College's business because of real or perceived favoritism, bias, or unfair treatment with respect to terms, conditions, or privileges of employment or education. Examples of romantic relationships include but are not limited to a romantic, dating, intimate, or other similar relationships.

An employee who is involved in a personal relationship with another employee may not supervise the employee. This policy applies to all employees (including student employees). If a supervisor employee develops such a personal relationship with a subordinate, it is the responsibility and obligation of that supervisory employee to disclose the existence of the relationship to Human Resources.

Saint Joseph's College of Maine reserves the right to take prompt action if an actual or potential conflict of interest arises concerning employees who engage in a personal relationship that may affect the terms and conditions of employment or that negatively impacts the workplace. When a conflict or the potential for conflict arises because of a personal relationship between employees, Saint Joseph's

College of Maine will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage. In some cases, other measures may be necessary, such as transfer of one or both parties to other positions or departments.

If one or both parties refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments based on the overall spirit and intent of this policy. Any concerns about the administration of this policy should be addressed to Human Resources.

119 Student Relations

The College recognizes and values the critically important role that faculty and staff play in all aspects of student life on campus. We count on faculty and staff to get to know students, to care about their well-being, and to guide them through their academic work and their life on campus. We celebrate the many positive interactions between adults and students that occur every day on our campus.

The College also recognizes the fundamental asymmetric nature of the relationships where one party has the power to give grades or recommendations, which may cause serious concerns about conflict of interest as well as unfair treatment of others. Therefore, the College expects faculty and staff to have professional relationships with students and to refrain from having an inappropriate personal relationship or a relationship that creates or would create a conflict of interest or that negatively impacts the learning environment.

We do not intend this policy to discourage a student who is an immediate family member of a faculty member or staff from enrolling in a course taught by or related to the faculty or staff.

120 Animals on Campus

General Guidelines

There are safety, health, and environmental concerns for pets on campus and in the workplace. Pet owners should realize that not all members of the campus community are comfortable with the presence of pets, and some will have negative reactions to pets. Pet owners who bring pets to campus will be held liable for damage to property or physical injury to others if caused by the pet. Pet owners must be sensitive and courteous to other members of the campus community; pet owners should take steps to avoid putting employees who may not be comfortable with the presence of pets in a situation where they may come into contact with a pet. The College requires that pet owners comply with the city of Standish's leash law when on campus. The pet owner must remove waste produced by pets on campus; the Facilities staff of the College will not be asked to clean up after pets. In outside areas of the College, pet owners are expected to bring receptacles with them to care for and clean up after their

pets. Managers and supervisors may place restrictions on the presence of pets in their workspaces consistent with the work being performed and the demands of that work area.

Assistance Animals in College Housing

This section applies only to individuals with disabilities who are an authorized resident (or authorized prospective resident) of College housing. For employment related accommodation, please review the “Accommodation to Perform the Essential Functions of the Job” section below.

In accordance with applicable law and subject to the provisions of this policy, the College may permit assistance animal as reasonable accommodation in connection with residency in College housing, unless doing so would pose a direct threat to the health or safety of others or would result in substantial physical damage to the property of others or would substantially interfere with the reasonable enjoyment of the housing accommodation by others.

Under federal and Maine fair housing laws, assistance animal means: (a) an animal individually trained to do work or perform tasks for the benefit of an individual with a physical or mental disability; or (b) an animal that has been determined necessary for an individual with a physical or mental disability to mitigate the effects of a physical or mental disability by a physician, psychologist, physician assistant, nurse practitioner, or licensed social worker, licensed professional counselor, or other licensed health professional with knowledge of the disability-related need for an assistance animal. Assistance animal is not a pet. The animal must demonstrate a good temperament and reliable, predictable behavior.

Requests for accommodation(s) under this section should be made to Human Resources.

Accommodation to Perform the Essential Functions of the Job

Qualified applicants and employees with disabilities who seek services or assistance of an animal as an accommodation to enable them to perform the essential functions of their job should review the Accommodations policy in this Guidebook for more information.

Please contact Human Resources to request accommodation(s) under this section.

Service Animals in a Place of Public Accommodations

Employees who manage College premises open to the general public (e.g., cafeteria, athletic facilities) may receive inquiries from the general public regarding service animals. Please review the Service Animals in Public Accommodations in Appendix B for information.

121 Children in the Workplace

Saint Joseph's College of Maine fosters a community environment by welcoming Faculty and Staff (and their respective families), Students, volunteers, and visitors to engage in activities across the campus. This policy provides provision for when the children of Faculty and Staff are on campus while their

parents are working. It is important to balance the community environment with proper child supervision to ensure the safety of the child and others while on campus.

Saint Joseph's College of Maine recognizes that many members of our campus community, in addition to their workplace obligations, have young children for whom they are primarily responsible. The College understands that, in spite of best efforts, it is sometimes impossible to secure adequate child care, particularly for school-aged children when schools are not in session. It may be irregularly and unavoidably necessary for employees to bring their children to campus and into their office.

In situations when the employee (faculty or staff) needs to be at work and their child(ren) will be onsite, the following process must be followed:

1. In such cases, the employee should get approval from their immediate manager/department chair/Dean for the presence of the child.
2. There are safety, health, and environmental concerns for children in the workplace. Some areas are inappropriate for non-employees of any age, but particularly for children. In the more industrial areas (laboratories, facilities, kitchens, etc.) on campus, there are many imminent dangers for children and a great potential for accidents and incidents in which children either harm themselves or create hazards for others. The presence of children may be prohibited in certain areas by the appropriate supervisor.
3. Parents should plan accordingly for the care of their children on days when children may be sick, on snow days, during school holidays, or other occasions. Parents must have viable child care or caretaking arrangements. Bringing your child to work should not be considered a substitute for those arrangements.
4. Supervisors may place restrictions on the presence of children in their workspaces consistent with the work being performed and the demands of that work area.
5. The parent must be aware that they assume full responsibility for the wellbeing of the child, the adequate completion of their professional duties, and maintaining a work environment that causes little distraction for their professional colleagues.

In the instance when alternative childcare arrangements cannot be made, Staff may request from their supervisor to take an Earned Time day. If the Staff member does not have accrued, unused Earned Time to use, they may take the time away from work as unpaid.

122 Visitors in the Workplace

Visitors and the public are welcome at the College. Personal visitors, including family and friends of employees, must not decrease productivity for both employees and co-workers or create a potential liability for the College and risk of harm to the visitors.

Employees' personal visitors are allowed in the workplace for short visits that do not impede the work of the employee or others. Employees are responsible for the conduct and safety of their visitors. Individual department managers may impose restrictions, which are considered appropriate to the

successful operation of the individual unit, on visitors in the workplace. Other kinds of visits are not permitted.

123 SJC Identification Card and Building Keys

Faculty and Staff will be issued an SJC identification card (ID) and building key(s) to their own office and/or designated work area(s) that are regularly locked. The SJC ID card is an employee's official College identification. Building keys are necessary to protect and provide stewardship of the College's assets. It is the requirement and responsibility of the employee to maintain their SJC ID and building key(s) in a secure manner. No person may duplicate a College key or request the unauthorized duplication of a College key (the unauthorized duplication of building keys and access cards is strictly prohibited). Lending building key(s), and/or the SJC ID to anyone, or failure to present the SJC ID card upon request of a college official, may result in disciplinary action.

ID cards can be used to:

- open authorized electronic door readers for designated work areas
- engage print and copy equipment across campus
- serve as a library card in the Wellehan Library
- serve as a 'debit card' for purchases in Pearson's Café, Baggot Street, and the Campus Store (with preloaded funds)
- access facilities and equipment in the Alford Center

Building keys, including, but not limited to, office keys, desk keys, etc., are required to be used to safeguard the College's assets and information. If not occupied, private offices should be locked and sensitive and/or confidential data secured in a locked office and/or desk.

New faculty and staff should report to Facilities Management and upon signing a record of key issuance, will be issued the appropriate key(s). One key is issued to an employee for any one area at no cost. The employee/department may be charged for replacement keys.

In addition, new faculty and staff are issued an SJC ID when they begin employment. For identification purposes, the employee will be required to email a headshot to iteam@sjcme.edu. The SJC ID is produced at the IT Help Desk in the Campus Campus Services building and the employee will be notified when the ID card is ready for pickup.

If an employee loses their building key(s) and/or SJC ID, they must return to Facilities Management and/or the IT Help Desk to report the loss and request a new one. The employee or department may incur a charge for the cost of a replacement SJC ID card and/or key(s).

If an employee finds an SJC ID and/or lost key(s), they are to return them to Campus Services and Facilities Management respectively.

When an employee separates from the College for any reason, all building keys and their SJC ID must be returned to their manager or Human Resources.

Faculty and Staff who meet the College's definition of retirement* will receive a Retiree ID card. The SJC Retiree ID Card features:

- Access to the Alfond Center & all its resources
- Admission to Athletic Events
- Ability to add money to be used in Pearson's Café, Baggot Street and the Campus Store
- Utilize all of the resources at the Wellehan Library

*Retirement Definition: Employees who notify Human Resources of retirement and have been employed at SJC for 15 or more years of full-time service to the College and are of retirement age as detailed in the Voluntary Separation policy in this Guidebook.

124 Parking on Campus

Faculty and Staff (F/S) may park on campus by displaying a parking decal on their vehicles provided by the Information Technology Department. The decals are available through the [online parking portal](#). Automobiles without permits, parked in non-designated areas, or parked improperly (i.e., in two parking spots) may be ticketed and towed at the owner's expense.

When the College experiences a delayed opening or early release (usually due to inclement weather, affecting class schedules and administrative office operating hours), F/S should adjust accordingly. This allows for appropriate care and clearance of parking lots, walkways, and general areas to minimize risk of injury due to snow, ice, sleet, etc.

F/S and students are notified of such conditions through the College's emergency notification system via phone call, email, and text. In addition, local television stations and the SJC website will provide this information.

Accessible Parking

Only vehicles with a valid, clearly visible State-issued handicapped permit may park in handicap spaces located on campus. All handicap spaces, including the lined yellow areas beside/between "van accessible" handicapped spaces, will be subject to the state minimum \$200 fine by all violators. The Alfond Hall lot is primarily designated for handicapped parking (there is one service vehicle space); no other parking is allowed in that lot and all violators will be subject to the state minimum \$200 fine. All persons making unauthorized use of a marked handicapped space are subject to ticketing as well as mandatory towing of their vehicle to an off-campus lot (minimum additional fine of \$50 imposed by the College, plus applicable fees imposed by the contract towing service). Vehicles found in violation of handicapped areas/lots will be subject to fine/tow without the right to appeal. This policy applies 24 hours a day, 7 days a week.

Handicapped parking spaces are only available for vehicles with **valid, clearly visible State- issued handicapped permits**. Valid use of these spaces on campus are on a first-come-first-serve basis. No 'reserved' parking spaces are permitted on campus for handicap permits.

Parking Guidelines

All faculty and staff vehicles must be registered and display a valid campus-issued parking decal. They must be permanently affixed to the lower right side of the front windshield (above the wiper blade on passenger side).

Parking for faculty and staff is available across campus. Parking spaces are normally paved with asphalt and marked with white lines on either side. Any vehicle parked on grass, loose gravel or dirt is not parked in a legitimate parking spot except for the Ballfield Lot and St. Joe's Field.

Faculty and Staff must abide by the guidelines and violations include but are not limited to:

- Displaying a stolen, expired, or fraudulent SJC permit
- Failure to display a valid SJC permit
- Parking in reserved spaces (e.g., Visitor, Service Vehicles, etc.)
- Parking in a designated handicap area, or blocking handicap access
- Parking or blocking a fire lane
- Parking on grass areas and lawns (St. Joe's Field is the exception)
- Failure to immediately move a vehicle upon notification from Campus Safety

Designated Faculty and Staff areas and restrictions:

- Alfond Center
- Xavier Hall (except for reserved spaces)
- Mercy Hall
- Heffernan Row
- St. Joseph's Hall (along the back side of the building)
- Service Lot (the six rows of marked spaces as you enter the lot)
- Ballfield Lot
- St. Joe's Field

Please avoid parking in designated visitor/guest spaces and all residence hall lots (St. Joseph's Hall is the exception).

All faculty and staff are encouraged to contact Campus Safety (893-6687) immediately if they encounter difficulty finding a legitimate parking space.

125 Tobacco Free Campus

Saint Joseph's College of Maine joined the American College Health Association (ACHA) in supporting the findings of the Surgeon General that tobacco use in any form, active and passive, is a significant health hazard. Saint Joseph's College of Maine further recognizes that second-hand smoke is classified as a Group A carcinogen by the United States Environmental Protection Agency (EPA). This policy may

have an immediate effect on individuals who use tobacco; therefore, Saint Joseph's College of Maine provides prevention, education and cessation resources to all members of its community. Saint Joseph's College of Maine recognizes that smoking and the use of tobacco products on campus grounds is detrimental to the health and safety of everyone. This institution supports an environment where students, faculty, staff, contractors, vendors and visitors are not exposed to the harmful effects of secondhand smoke and are supported in efforts to live tobacco-free.

Saint Joseph's College of Maine is committed to providing a healthy working and learning environment for the entire campus community. To support this initiative, the College is a smoke and tobacco-free campus. The purpose of this policy is to reduce harm from tobacco use and secondhand smoke, provide an environment that encourages persons to be tobacco-free, and promote a campus culture of wellness.

This policy applies to faculty, staff, students, alumni, contractors, vendors, visitors, and anyone else on College property. The use of tobacco and all smoking products are prohibited at all times on any College property (whether owned, leased, affiliated, or rented), which includes but is not limited to, buildings, College grounds, rights of way, parking areas, walkways, recreational and sporting facilities, and College-owned vehicles. Smoking and tobacco use is also prohibited at all College sponsored events, both indoor and outdoor. In addition, the use of tobacco and all smoking products are not permitted in personal vehicles while on the College property.

In addition to prohibiting smoking and tobacco use and to best support smoke and tobacco-free lifestyles, Saint Joseph's College of Maine prohibits:

- The sale or free distribution of all tobacco products and paraphernalia on campus or at any campus sponsored events.
- The advertising and promotion of tobacco products on any College property.
- The advertising and promotion of tobacco products in College publications, including but not limited to, newspapers and magazines.
- Accepting money or goods from tobacco companies, this includes campus groups, events, individuals and athletic events.
- All donations from the tobacco industry.
- Littering the remains of smoking or tobacco products or packaging on any campus owned, leased and affiliated property.

Definitions

- A. "Smoking" means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or joint, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral

smoking device for the purpose of circumventing the prohibition of smoking in this policy, regardless of whether they contain tobacco.

- B. "Tobacco" is defined as all tobacco-derived or containing products, including but not limited to, cigarettes, cigars, little cigars, cigarillos, bidis, kreteks; all smokeless and dissolvable tobacco products, including but not limited to, dip, spit/spit-less, chew, snuff, snus and nasal tobacco; and any product intended to mimic tobacco, containing tobacco flavoring or delivering nicotine, including but not limited to, electronic nicotine delivery systems, e-cigarettes, e-cigars, e-hookahs, vape pen or any other product name or descriptor. Or the use of any other type of tobacco or nicotine product for the purpose of circumventing the prohibition of tobacco in this policy. This does not include products specifically approved by the US Food and Drug Administration (FDA) for the purpose of cessation or nicotine replacement therapy.

This policy is communicated by the following methods:

- Appropriate signage is posted in campus facilities, on the Saint Joseph's College of Maine website and elsewhere to inform members of the campus community and visitors of the Tobacco-Free Campus Policy.
- The policy will be communicated in appropriate college publications and contracts. College publications include but are not limited to electronic communications, handbooks, brochures and other college-generated materials, including the Athletic Code of Conduct.
- Reminder cards with Saint Joseph's College of Maine's smoke and tobacco-free messaging are available to hand out. Cards are available in the counseling center, in the Health and Wellness Center, and in the Human Resources Office.
- Review of Saint Joseph's College of Maine tobacco policy will be covered with new hire orientation, new student orientation, and with all athletes periodically.

The success of this policy depends on the thoughtfulness, consideration, and cooperation of everyone. It is the responsibility of all members of the Saint Joseph's College of Maine community to comply with this policy.

Enforcement

Everyone is required to observe the Saint Joseph's College of Maine smoke and tobacco-free policy. Enforcement of this policy is viewed as a shared responsibility of all those in the campus community. The primary goal is to achieve voluntary compliance by educating students, faculty, staff, contractors, vendors and visitors about the policy and providing smoking cessation assistance to those who seek it.

- Members of the campus community who see individuals using tobacco on the Saint Joseph's College of Maine campus are asked to politely inform these individuals that Saint Joseph's College of Maine policy prohibits smoking and the use of tobacco anywhere on campus grounds. Communication should be polite, brief, educational and non-confrontational.
- Campus Community members who wish to report abuse of this policy may submit an anonymous tip to Campus Safety here:

<https://www.sjcme.edu/life-and-community/safety-and-security/anonymous-tip-form/oncamp>

[us/](#). Campus Safety and all employees will monitor policy compliance. Violations of this policy will follow appropriate conduct and/or discipline procedures.

- The President, Vice Presidents, Deans, Directors, Supervisors and Department Heads shall ensure that this policy is communicated to everyone within their areas of responsibility. Campus Life will be responsible for student violations. Deans, Supervisors and Human Resources will be responsible for faculty and staff violations. The policy relies on the courtesy and cooperation of the entire campus community. All members of the campus community, including vendors and visitors, are asked to observe this policy. Problems should be brought to the attention of the appropriate supervisor, faculty members or responsible administrator.

Education and Support

- Saint Joseph's College of Maine encourages faculty and staff and students not to smoke by offering educational information and providing information about smoking cessation classes offered through college departments or offices, health care providers, nonprofit organizations or other groups.
- The Saint Joseph's College of Maine Wellness Program will provide prevention and cessation programs to staff/faculty, spouses, dependents and students upon request

Resources

- Saint Joseph's College of Maine Department of Campus Recreation/Wellness
 - <http://www.sjcme.edu/wellness>
 - 207-893-6627
- The Standard Employee Assistance Program (EAP)
 - healthadvocate.com/standard3
 - Employer ID: sjcme
 - 888-371-1125
- Saint Joseph's College of Maine Health and Wellness Center
 - <https://www.sjcme.edu/life-at-sjc/health-wellness/>
 - 207-893-6634
- Students can contact:
 - Saint Joseph's College of Maine Counseling Center
 - <https://www.sjcme.edu/life-at-sjc/health-wellness/counseling-center>
 - 207-893-6630 or 207-893-6628
- Partnership for a Tobacco Free Maine
 - <http://www.tobaccofreemaine.org>
- Maine Tobacco Hotline
 - <https://preventionforme.org/quit/>
 - 800-207-1230
- Breathe Easy Coalition of Maine
 - <http://breatheeasymaine.org/>
- Maine Tobacco-Free College Network

- <http://www.maintobaccofreecollegenetwork.org/>
- 207-874-8774
- info@maintobaccofreecollegenetwork.org

126 College Property

The College provides a wide variety of communication tools and property to employees for use in running day-to-day business activities. College provided technology should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

“Property”, as the term is used in this policy, is defined as any piece of equipment, furnishings, office space, electronic devices (such as: computers, laptops, cell phones, tablets, printers, copiers, etc.), ID badges, keys, College credit cards, cars, and uniform.

Employees should not have any expectation of privacy in their use of College computer, laptop, tablet, phone, or other communication tools (see also the [Acceptable Use Policy for Information Technology](#)).

College credit card purchases for personal items or services are not permitted. Any authorized personal charges are to be reimbursed to the College. Any charges not substantiated with timely coding and receipts will be the responsibility of the employee and will be due to the College (see also the [College Credit Card Policy](#)).

It is expected that employees act as stewards of College property and preserve all assets in their possession in order to keep them in the best possible working condition. Any employee who is found to have neglected or misused College property will be subject to disciplinary action up to and including termination. All employees must maintain their working environment in an orderly fashion and must ensure College property is used and maintained in accordance with applicable policies. Any employee who has neglected or misused College property may be subject to disciplinary action, up to and including termination. All College property, including cars, smartphones, laptops, uniform, etc., are for business use only.

Upon termination of employment (voluntary or involuntary), it is required that the employees return any College property (including but not limited to laptops) assigned to them to the Human Resources office. College property, including but not limited to, any and all technology (computers, laptops, zip drives, power cords, etc.), College keys, an SJC ID, uniforms (with the department name on the clothing), physical and electronic files, classroom and office furniture, ergonomic equipment, remote work items/materials, etc., are to remain at the College. Employees are expected to return all College property on their last day of employment. Arrangements to return College property after the last day of employment can be made in advance with Human Resources approval. The College reserves the right

to seek legal action to recover any College property (including but not limited to laptops) that have not been returned to the College in a timely manner.

127 Employee Requests for Campus Housing

The College is not in a position to act as a leasing agent for campus housing rentals and is generally not able to accommodate campus housing requests for Staff and Faculty of the College. Campus housing is primarily for the purpose of student housing. During the summer months, onsite housing accommodations are also arranged for our students who are working on campus and also as part of the many community events held at the college.

On occasion, exceptions to this policy may be granted to assist any newly hired employee with temporary housing accommodations when a relocation is necessary as part of the new employment with the college. Also, if an employee has faced a catastrophic personal situation that impacts living arrangements, such as a house fire, the College may be able to provide temporary housing. Arrangements will be on a short-term basis providing the temporary housing is available.

Employee requests for temporary campus housing must be submitted to the Human Resource Department. Human Resources will review all temporary campus housing requests from staff and faculty, and if appropriate, will coordinate the arrangements and necessary approval from Residential Life. Approval will be based on 1) New employment involving relocation; or 2) Unforeseen catastrophic events involving an employee and impact on their living arrangements.

An agreement will be prepared outlining the specific details, housing fee (if applicable) and duration of the employee campus housing arrangement. This agreement will be signed by the Employee, Manager/Supervisor, Campus Housing Coordinator and Human Resources.

Any employee of the College, who has a room to rent and/or has a personal rental property which would be appropriate to offer to the Staff and Faculty, should inform the Human Resources Department of this option. Human Resources will maintain a listing of known available rental properties within the SJC community. The property location, description, rental amount and contact information should be provided to Human Resources. Also, notification should be made to HR when the rental is no longer available.

128 Solicitation and Distribution

In an effort to ensure a productive work environment, the College prohibits persons who are not our employees from soliciting or distributing literature or other materials, for any purpose and at any time, within our buildings, premises, or property.

The College prohibits its employees from soliciting or distributing literature or other materials regarding any such activities during their working time and during the working time of the employee(s) being

solicited or receiving the distributions. In addition, the College prohibits employees from distributing literature or other materials at any time in our work areas.

All employees have the right to say no to unwelcome solicitation and distribution. Supervisors have the additional responsibility of administering this policy and of assuring that concerns about solicitation and distribution are addressed. Human Resources staff are available to support these efforts.

129 Inquiries from Attorneys

In response to oral, written or electronic inquiries from attorneys regarding employee & legal matters, the attorney should be referred to the Human Resources Office and any written or electronic communications from outside attorneys should be referred to the Human Resources Office.

The Human Resources Office will determine if the matter should be handled by another office within the campus or may refer such communications to the College's legal counsel who will handle and/or coordinate an appropriate response.

130 Media Relations

The College Marketing Committee of Saint Joseph's College of Maine coordinates media relations activities for the College and acts as the official news source and the principal contact for all official College-related communications between Saint Joseph's College of Maine and any media representative. Only individuals specifically authorized to do so will publicly speak on behalf of the College. Faculty members contacted by the media for input as subject matter experts (SME), not about College business, may continue the practice of responding to the SME requests. It is the responsibility of the faculty member to notify the College Marketing Committee of the media contact for administrative purposes.

If you are contacted by a member of the media or would like to publicize an event or activity related to the College, please contact the College Marketing Committee before providing any quotes or materials to the media (marketing@sjcme.edu). The College Marketing Committee must be notified of all potentially sensitive, contentious or controversial media inquiries with respect to Saint Joseph's College of Maine activities (marketing@sjcme.edu).

Media relations and the distribution of information for the Saint Joseph's College of Maine Athletic programs are managed by the Director of Communication and Game Management.

If you receive a contact or inquiry concerning concerted activity protected by the National Labor Relations Act (such as discussing information about the terms, conditions, wages, and benefits of employment with other College employees), and you choose to respond to such contact or inquiry, you are required to make clear that they are speaking for themselves only and not on behalf of the College.

131 Acceptable Use Policy for Information Technology (IT)

This policy and procedure is governed by the Information Technology Department.

Full details are available on this page:

<https://my.sjcme.edu/administrative/aup/>

EMPLOYMENT

200 Employment of Minors and Child Abuse/Neglect Reporting

Employment of Minors

To comply with state legislation governing the employment of minors. Youth employment laws protect minors from working in unsafe or unhealthy conditions. They also ensure that work does not compromise the education of minors. These laws include:

- minimum ages for employment
- work permits
- hours of work
- prohibited occupations

The College is committed to ensuring that working conditions meet the requirements of all four areas.

Definition of a Minor

For the purpose of this policy, a minor is defined as anyone who is under the age of eighteen (18).

Minimum Age for Employment

Employment at Saint Joseph's College of Maine is available only to a person who has reached their fourteenth birthday. A person under fourteen years of age is not permitted to work for the College under any circumstances.

Work Permits

Minors under 16 years old must obtain a work permit before beginning a job. This includes home-schoolers. Minors must get a new permit every time they begin a new job until they reach 16 years old.

In order to apply for a work permit, the minor must be:

- enrolled in school;
- not habitually truant or under suspension; and
- passing a majority of courses during the current grading period.

Saint Joseph's College of Maine must have a stamped, approved work permit on file before allowing any minor under 16 years old to work. Once the minor has an employment offer, they must provide proof of age to the office of the superintendent of schools. Parental permission is required to work. The superintendent's office will complete the permit and submit the form to the Maine Department of Labor. A copy of the [Maine Work Permit Form can be downloaded here](#). The Department will review the permit to ensure that the minor is of legal age to work at the business and that the occupation is not hazardous. If the permit is in order, the Department will validate the form, and return a copy to the superintendent's office. The superintendent's office will provide a copy to Saint Joseph's College of Maine.

The minor cannot work until the Department of Labor approves the permit. The Department of Labor issues permits for specific jobs with specific employers. Permits are not transferable to other jobs.

A minor can have one active permit during the school year and two during the summer. Upon leaving a job, the minor or the College should return the copy of the permit to the Department of Labor so that it can be deactivated.

Work Schedule Limits

The College must keep daily time records for minors. The records must show what time the minor began work, total hours worked, and what time the minor finished for the day.

Child labor laws specify how early, how late and how long minors can work. See below for details.

The following are the hours and times minors may work:

Minors under 16 years old

- Work Hours
 - Between 7:00 AM and 7:00 PM during the school year
 - Between 7:00 AM and 9:00 PM during summer vacations only
 - Not during school hours
- Maximum Hours
 - 3 hours a day on school days, including Fridays
 - 18 hours in any week during a school week
 - 40 hours in a week with no school
 - 8 hours on days without school (during weekends, holidays, vacations, storm days, etc.)
 - No more than 6 days in a row

Minors 16 and 17 year old (enrolled in school, including home-school)

Please Note: *Maine law which limits hours for 16- and 17-year-old workers includes several exceptions.*

- Work hours (may work)
 - After 7 a.m. on a school day
 - After 5 a.m. on a non school day
 - Until 10:15 p.m. on a day before a school day
 - Until midnight if no school the next day
 - Minors under 17 may NOT work during school hours
- Maximum hours (may work)
 - 6 hours on a school day;
 - 8 hours on the last school day of the week
 - 10 hours in any day when the minors school is not in session
 - 24 hours a week in any week with 3 or more school days
 - 50 hours a week each week there are less than 3 scheduled school days or during 1st and last week of school year

- **May NOT** work more than 6 days in a row

Exceptions

- Students enrolled in an approved alternative education plan or an approved cooperative/vocational education program can work the daily or weekly hours required for the program without having those hours count toward the regular maximums allowed. For example, a 17-year-old student could work 15 hours under a cooperative/vocational education plan plus the 24 hours that the law would normally allow for a student under 18 years old.
- The following are exempt from all of the State hourly restrictions:
 - A minor working at a children's camp;
 - A minor who is legally emancipated.
- **Please reach to Human Resources (207-893-7757, humanresources@sjcme.edu) for review and approval of an exception**

CHILD ABUSE/NEGLECT REPORTING

Saint Joseph's College of Maine strives to safeguard the well-being of children under the age of 18 who are Saint Joseph's College of Maine students. This Child Abuse/Neglect Reporting procedure addresses Saint Joseph's College of Maine employees' mandatory reporting obligations when child abuse or neglect is suspected.

Duty to Report

In accordance with Maine law, all employees of the College must promptly report suspected child abuse or neglect (see procedure below). This duty is triggered when there is reasonable cause to suspect that a Saint Joseph's College of Maine student under the age of 18 has been or is likely to be abused or neglected or has died under suspicious circumstances.

Definitions and Warning Signs to Look For

- **Physical Abuse** is defined as injury inflicted on a child by a caregiver by other than accidental means.
 - **Warning signs** can include the following: unexpected burns, bruises, broken bones, black eyes, or fading bruises. The child may seem frightened of parents or adults, or may not want to go home.
- **Sexual Abuse** is the subjection of a child to a criminal sexual act or threatened act by a person responsible for the child's care or has a significant relationship to the child or is in a position of authority.
 - **Warning signs** may include: difficulty walking or sitting, bizarre, sophisticated or unusual sexual knowledge, refusal to change clothes or engage in physical activity, pregnancy, and avoiding certain adults or situations.

- **Emotional abuse** is defined as harm to the child’s psychological capacity or emotional stability evidenced by an observable and substantial impairment of the child’s functioning.
 - **Warning signs** often include extreme shifts in behavior, overly compliant, demanding or passive/aggressive, inappropriate adult behavior, parenting other children, and infantile behavior. It can be exhibited by severe anxiety, depression or aggression. It can include head-banging or rocking, delayed physical or emotional development, or attempted suicide.
- **Neglect** is the inability, failure or refusal of the child’s caregiver to provide necessary care, food, clothing, shelter, medical, dental or mental health care or appropriate supervision.
 - **Warning signs** often include youth consistently being dirty and/or severe body odor. The youth may lack sufficient clothing or lack needed medical, dental or vision care. Consistent hunger or theft of money or food may also signal neglect.

If any of these signs occur, or you notice a pattern, or a combination of warning signs, it may be cause to take a closer look at the situation.

Procedure

All employees are required to take steps to protect the minor. This means you must report if you witness or suspect child abuse or neglect to the appropriate authorities. The following protocol should be followed:

- If the situation is deemed urgent, or the child is in imminent danger, immediately contact 7-911 (on-campus) or 911 (off campus).
- If an employee suspects child abuse or neglect, employees must inform their manager/supervisor or Human Resources (207-893-7757) immediately. If after business hours, contact Campus Safety at (207) 893-6687 or 207-893-7911 (emergency line).
- An employee may be subject to disciplinary action, up to and including termination of employment, for knowingly failing to report a situation of suspected neglect or abuse. The manager/supervisor or Human Resources will review the information immediately and may consult with the College’s Leadership Team, and, if appropriate, the child’s family. If appropriate, legal counsel and/or a consultant specializing in the care and protection of children also may be involved in these reviews. Efforts will be made to protect the confidentiality of the child and their family to the extent permissible under the law. If the abuse or neglect is suspected to be caused by the child’s family, the family may be notified of the College’s obligation to report the information to the Department of Health and Human Services, Office of Child and Family Services (“OCFS”).
- In conjunction with a manager/supervisor or Human Resources, if the College determines that a report should be made, the College will make the report to the OCFS (if the alleged perpetrator is a person responsible for the child) or to the district attorney’s office (if the alleged perpetrator is a person not responsible for the child) as soon as possible, but within 24 hours (Child Protective Intake at 1-800-452-1999 or for deaf or hard of hearing individuals 711 [Maine Relay]). In the event it is not clear whether conduct reaches a level of reportable abuse or

neglect or there is a disagreement between an employee and the College's administration, any party who believes that the incident rises to the threshold for making a report must make the report.

- Employees are required to complete [Documentation of Suspected Abuse or Neglect of a Minor](#) and send to Human Resources (humanresources@sjme.edu)
- Although employees are asked to make a report, it is not the role of the employee to conduct an investigation.
- **Any time an employee is aware of potential sexual abuse and /or sex trafficking of any student or employee, they have an obligation to contact the Title IX Coordinator regardless of age and who the alleged perpetrator is.**

201 Employment of Family Members

The College is committed to employment and advancement based on qualifications, skills, and merit and does not discriminate in favor of or in opposition to the employment of relatives.

The employment of relatives in the same work area of an organization may cause potential or perceived conflicts and problems with favoritism and employee morale.

For purposes of this policy, a family member or relative is defined as: spouse or significant other, parent/step parent, child/step child, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, niece, nephew, and in-laws (father, mother, son, daughter).

The College will allow the employment of a family member in separate departments. If a situation arises that includes employment of relatives in the same department, there will be further discussion with the appropriate leadership team member and Human Resources. Multiple factors will be considered, including but not limited to: type of job, shifts worked, size of department, etc. There will not be a direct reporting relationship between relatives. Another consideration in hiring a family member is if the vacant position is in the same line of authority in which employees can initiate or participate in direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages, and leave requests.

Candidates are asked to disclose any current family relationships at the College during the online application process. This allows the hiring manager to determine if there is a potential conflict based on the vacancy and family member's position.

Hiring managers are responsible to disclose any family relationships to Human Resources when a finalist(s) is selected. As noted above, the appropriate leadership team member and Human Resources will have a discussion and determine if the family member candidate is appropriate for the vacancy.

Internal employment changes, including promotions, lateral moves, transfers, etc., will determine if a family member relationship exists and if yes, what is the potential conflict with regards to reporting structure, appropriateness, etc.

If a family member relationship is established during existing employment, the individuals concerned are required to report any relationship status changes to Human Resources as soon as possible.

202 Background Checks

Saint Joseph's College of Maine is committed to hiring and retaining the most qualified Faculty and Staff to perform their functions while ensuring the safety and minimizing the risk of violence and other criminal conduct towards members of the community and to comply with applicable laws. Background checks are conducted for all new hires and periodically, as deemed a business necessity, for current faculty and staff based on position. Background checks refer to the totality of activities associated with determining a candidate's suitability for a position and may include reference checks, criminal history checks, education verification, motor vehicle checks, employment verification, credit reports, sex offender, and civil searches.

Type	Faculty	Staff
References	Yes	Yes
Criminal History	Yes	Yes
Education Verification	Yes	Yes, if applicable
Sexual Offender	Yes	Yes
Employment Verification	Yes	Yes
Motor Vehicle	Yes, if applicable	Yes, if applicable
Credit	No	Yes, Officers and Finance Office positions if applicable
Civil Searches	No	Yes, Officers if applicable

Saint Joseph's College of Maine recognizes that its interests in obtaining information about employees' backgrounds must be balanced with the need to protect the privacy of employees and prospective employees. Information gathered in the criminal history check process is provided by a third party specializing in obtaining this data, except for the sex offender registry check (see below). The College complies with the Fair Credit Reporting Act and applicable state and federal laws, recognizes an individual's right to privacy and prohibits College employees from seeking, using, or disclosing information except within the scope of their assigned duties.

Information obtained from the reference and background check process will only be used as part of the

employment process and kept strictly confidential. Criminal history records will not be an automatic barrier to employment and will be judged on its own merits with respect to time, circumstances, seriousness, and the extent to which it is related to the job in accordance with applicable law.

Job postings will state that a criminal history record check is required as a condition of employment. The criminal history record check, and others as deemed necessary, will be initiated after a contingent offer is extended and accepted. A new employee should not begin work until the Human Resources Department has received and reviewed the results of the checks.

For rehires, if it has been more than three years from the last background check completion date, the rehire will be required to complete the background check process again.

Checks on Current Employees

Should a current employee receive a conviction, the employee is obligated to self-report and disclose the conviction to the Human Resources Department within five (5) days of the conviction date. Doing so allows the College to determine if the conviction may or may not impact the ability to complete the essential functions of the employee's position.

Current employees may be required to participate in additional background checks, e.g., criminal history record, motor vehicle record, etc., if there is evidence that they may have falsified their employment application when initially hired or have subsequently been convicted of law violations that may be job related.

The College also reserves the right to conduct ongoing background checks on current employees. Reasons for conducting such background checks include current employees being hired into new positions that require new responsibilities, i.e. driving an SJC fleet vehicle would require a motor vehicle records check and catch up background checks as policies change. In addition, the increased tenure of employees can allow for background checks to alert the College of any potential employment matters that may risk the College's credibility and reputation.

Checks on Student Employees

Student employees will only be subject to a motor vehicle records check should their position require driving a fleet vehicle. They will not undergo any additional background checks while they remain in a student status at the College.

Similar to non-student positions, students and student employees may not drive fleet vehicles until the results of the motor vehicle records check is returned and reviewed and the student completes fleet vehicle driver training provided by the Campus Safety Department.

Access to Records

All criminal background records are confidential, and access to the information is limited to those

individuals who have a need to know. This may include, but not be limited to, hiring managers and the Human Resources Department. Only authorized personnel at Saint Joseph's College of Maine will have access to this information.

Procedure for Background Checks

The FCRA requires the College to disclose to the candidate and current employees that it intends to obtain a consumer report from a third party agency for employment purposes. Candidates will be informed during the interview process that employment will be contingent on successful completion of the background checks (post offer and pre-employment). In the rare instances when a candidate begins employment before the background checks are complete, the same procedure applies in that employment is contingent upon successfully completing the background checks.

When the College makes a conditional offer of employment to a candidate and prior to conducting a background check through a consumer reporting agency, the individual will be provided with a consumer report disclosure and authorization form and a copy of A Summary of Your Rights under the Fair Credit Reporting Act. Prior to conducting background checks, a signed, written consent form will be obtained from the candidate or employee. Candidates or employees who refuse to consent to any form of required background check, refuse to provide information necessary to conduct a background check, or provide false or misleading information in regard to the background check, may be prevented from consideration for the position.

Human Resources will initiate all necessary background checks.

Pre-Adverse and Adverse Action

If the background check reveals information that raises a question about the suitability of the candidate or employee for employment at Saint Joseph's College of Maine and the College is inclined to take an adverse action (such as withdrawal of the conditional offer of employment or termination of employment) based on such information, Saint Joseph's College of Maine will provide the candidate or employee with a Pre-Adverse Action Notice indicating that adverse action may be taken, along with a complete copy of the report and a copy of A Summary of Your Rights under the Fair Credit Reporting Act. The College will also inform the individual of the specific part of the background check report that requires further follow-up/research and provide the individual with an opportunity to correct any errors or to dispute the accuracy of the information obtained in the background check (including criminal records) before any adverse action is taken. A dispute will not necessarily impact the hiring decision. A candidate or employee disputing the accuracy of the information will then have five (5) business days to conclusively demonstrate the inaccuracy of the information. The College's Human Resources Department may grant extensions on a case-by-case basis. If after five (5) business days the candidate or employee does not respond, or fails to adequately dispute the background check results, the decision will be made based, in whole or in part, on the information obtained in the background check.

The following factors will be considered for those applicants with a criminal history in determining whether to hire the external applicant or transfer or promote the internal applicant:

- the nature and gravity of the offense or conduct and its relationship to the position;
- the time since the offense, conduct, and/or completion of the sentence;
- the number (if more than one) of offenses or convictions; and
- whether hiring, transferring or promoting the applicant would pose an unreasonable risk to the business.

If any applicant is found to have falsified any information regarding conviction history, the applicant will not be considered for employment. If an employee seeking a transfer or promotion to a position requiring a criminal history record check is found to have falsified any information regarding conviction history, the employee may be immediately discharged.

For the purpose of a criminal history record check, the definition of a conviction is the result of a trial that ends in judgment or sentence that the person is guilty as charged.

If the decision not to hire is based, in whole or in part, on information obtained in the background check, a Final Adverse Action Notice will be mailed by Human Resources via certified mail to the candidate explaining the reason for not hiring, along with an additional copy of the background report, a written description of the employee or candidate's rights under the FCRA, the contact information of the consumer reporting agency, a statement that the agency did not take the adverse action and cannot explain why it was made, and a copy of A Summary of Your Rights under the Fair Credit Reporting Act.

Sex Offender Registry Checks

The College conducts a sex offender registry check by checking sex offender registration information maintained by the Maine Sex Offender Registry and other state and federal sex offender registries. The College will review the information available on such registries to determine whether the offender is the specific candidate or current employee. The College will take the reported offenses into consideration as additional factors in interpreting sex offender search results.

203 Form I-9 and the Immigration Reform & Control Act of 1986

In accordance with the Immigration Reform and Control Act of 1986, it is Saint Joseph College policy to hire only those individuals who are authorized to work in the United States and to comply with applicable laws and regulations requiring the verification of employment eligibility and related recordkeeping for employees hired to work in the United States.

On or before the first day of employment, each new employee must fully complete Section 1 ("Employee Information and Attestation") of Form I-9.

No later than 3 business days from the first day of employment, an authorized representative must complete Section 2 (“Employer or Authorized Representative Review and Verification”) of Form I-9. The employee must personally present original documentation establishing the employee’s work eligibility and identity to the authorized representative during that time. This documentation must reasonably appear to be genuine and relate to the employee.

Employees may be asked to complete Section 1 of Form I-9 or to present Form I-9 documentation only after an offer of employment has been made and accepted by the employee.

If an individual is authorized to work in this country for a limited period of time, before the expiration of that period, they will be required to submit proof of continued employment authorization in order to remain employed. The College will not discriminate based upon national origin and citizenship. The College will not require more or different documents than the documents specified on Form I-9, and the employee may choose what valid document or combination of documents to present for Form I-9 purposes in accordance with applicable law.

Former employees who are rehired must also complete the form if they have not completed a Form I-9 with Saint Joseph's College of Maine within the previous three years, or if their previous Form I-9 is no longer retained or valid.

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

204 Employee Training

Training is an important function to provide employees with information to perform their position well, remain current on new applications, regulations, and processes, and to maintain a healthy and safe work environment.

Employee training is designated by the following categories:

New Employee Training

Training for new employees is conducted at the start of employment and consists of both mandatory and specific job related training focused on safety. This includes, but is not limited to, Anti-Harassment and Non-Discrimination (which includes Sexual Harassment training); Title IX (specific to a higher education environment); Video Display Terminal (VDT), Hazard Communication & The Global Harmonizing System, Working Conditions in Hot & Cold Environments, Bloodborne Pathogens, and Motor Vehicle Training.

Job Training

Training for a new job may include training for the job subject, the technology platforms used to perform the position, compliance and regulatory topics, reading materials, and on-the-job training. This type of training is specific to the job, and varies greatly from position to position.

Annual College-Wide Training

Saint Joseph's College of Maine requires training for all employees that is necessary and, in some cases, required annually. This includes Sexual Harassment in the Workplace, VDT, Hazard Communication & The Global Harmonizing System, Working Conditions in Hot & Cold Environment, and Bloodborne Pathogens training. Training may be delivered in multiple formats such as a virtual training tutorial, reviewing existing and/or new policies, or in-person training led by a facilitator.

Managers are responsible to ensure their employees are properly trained to accurately perform their position and understand the department's policies and procedures. Oftentimes, changes occur in either regulations, compliance, and/or techniques. Managers and employees should be aware of these changes, and train themselves and others if appropriate to make certain that Saint Joseph's College of Maine is operating properly and minimizing risk and/or safety.

Managers and Human Resources partner together to provide necessary training as required and needed. Annual college-wide training may be provided, documented, and retained either by department (decentralized) or centralized (in most cases Human Resources).

205 Onboarding and New Hire Orientation

Please see Appendix C for additional information on the onboarding process.

Upon hire, all new Faculty, Staff, and Student employees will meet with the Human Resources to review and finalize employment paperwork. Full Time Staff also participate in New Hire Orientation. Human Resources will coordinate orientation with the new hire's supervisor to be scheduled on the first day of employment.

The direct supervisor is responsible to introduce a new employee to their position responsibilities and expectations, to other employees in the department, and acclimate the new employee to the department operations. Human Resources has developed checklists for managers to utilize during the initial orientation of new employees. Completion of the First Day/First Week checklist for full-time staff is required and should be returned to Human Resources during the second week of their employment.

206 Adaptation Period (Staff)

The adaptation period provides employees in a new position the opportunity to demonstrate their skills to achieve an acceptable level of performance and determine whether the new position meets their expectations. It also allows the manager to observe the employee's performance and work habits

to determine if the employee is progressing well, needs further training and/or coaching, or if the position is not a fit to the employee's skill set.

Saint Joseph's College of Maine applies the adaptation period to evaluate employee capabilities, work habits, and overall performance. If the employee is not achieving a satisfactory level of performance during this adaptation period, the College may either extend the adaptation period for a specific amount of time or inform the employee that their employment is terminated. If the adaptation period is extended, it will have a specific end date by which the employee's performance will be evaluated again. This will result in either the employee being removed from the adaptation period or being terminated from employment. The College will not ordinarily utilize its disciplinary process during the adaptation period, but reserves its right to do so.

Any significant absence will automatically extend an adaptation period by the length of the absence. If Saint Joseph's College of Maine determines that the extended adaptation period does not allow sufficient time to thoroughly evaluate the employee's performance, the adaptation period may be extended further.

At the end of an adaptation period, an employee also decides if this position is a good fit for them as well. If the employee decides to leave, and depending upon the nature of the role, the employee will be requested to work through an appropriate notice period. For hourly, non-exempt employees, the notice period is two weeks; for exempt, salaried employees, the notice period is four weeks. Those in leadership roles, such as Senior Vice President, Associate Vice President, Directors, and Managers, should consider the overall impact and timing of their departure with regards to the length of notice. In some situations, it may be in the best interest of the employee and/or College if the employee does not complete a notice. This will be determined on a case by case basis.

All full time employees assigned a new position (both new and current employees) will have an adaptation period:

- Directors and senior leaders have a 12-month adaptation period.
- All other full-time staff have a 6-month adaptation period.
 - For full-time employees who work in a temp-to-hire position prior to formally joining Saint Joseph's College of Maine, the 6-month adaptation is inclusive of the time served in a temp-to-hire capacity. Managers will incorporate previous temporary staffing performance into the review.
 - Current employees in a new position at Saint Joseph's College of Maine will have another adaptation review period relative in length to the level of position.

An adaptation review is completed by the manager and shared with the employee at the end of the adaptation period. It is at this time that feedback is provided by the manager and employee, to each other, in regards to the employee's performance, behavior, and overall fit to the position. It is also at this time that a manager may decide to remove the employee from the adaptation period, extend the

adaptation period, terminate employment, or that the employee may decide the position is not a good fit.

The adaptation period does not alter an employee's "at-will" employment status. Either the employee or the College may terminate the employment relationship at any time during or after the adaption period, with or without notice and for any reason or no reason.

207 Hiring Employees Into a Second Position

Employees of the College may serve in more than one position with the approval of the Human Resources Department. This approval must occur prior to the agreement with the employee to work in the secondary job. The hiring manager of the secondary department must contact Human Resources to ensure the following considerations are addressed:

1. the correct employment status of both positions – full time, part time, per diem;
2. classification of both positions – exempt, non-exempt;
3. classification effect on overtime and benefits; and
4. determination of which position is primary employment status.

Employees are required to inform their current supervisor prior to beginning work in a second job at the College so issues regarding work schedules and overtime pay may be explored.

208 Rehiring a Previous Employee

Previous employees interested in returning to Saint Joseph's College of Maine for employment are encouraged to review the College's Career page for current career openings. When an individual discovers a position they are interested in, they are encouraged to apply online. The Applicant Tracking System (ATS) asks questions of each candidate, including has the candidate worked for the College before. It is important to respond "yes" to this question as the hiring manager may not be familiar with you. Previous employees returning to the same role do not need to submit an online application.

Rehires will have their personnel file reviewed, and may need to submit/complete the following information upon return:

- Signed offer letter/contract/agreement
- Background check/education credential verification authorization (If it has been more than three years from the last background check completion date)
- Motor Vehicle Record check, if applicable
- Form I-9
- Trainings
- Hepatitis B vaccination or declination form
- Handbook Acknowledgement Form
- License/ Registration/ Certification verification (if applicable and warranted)
- Remote work Form, if applicable

Full Time Staff Employees also participate in New Hire Orientation.

Employees who were employed for more than one year, who return to Saint Joseph's College of Maine within one year of separation, will have their tenure reinstated for the College discretionary pension contribution eligibility and service recognition. Time between separation and rehire is counted in service-recognition calculation.

209 Conflicts of Interest & Outside Employment

Conflicts of Interest

It is the policy of the College that its officers, faculty, staff and others acting on its behalf have the obligation to avoid ethical, legal, financial or other conflicts of interest and to ensure that their activities and interests do not conflict with their obligation to the College or to its welfare. An actual or potential conflict of interest occurs when an employee, a close relative, or a person or organization with whom the employee is associated has an existing or potential financial or other interest or obligation which relates to or influences the employee's College responsibilities.

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

It is the responsibility of a faculty or staff member to inform their manager and Human Resources of a real or potential conflict of interest. A conflict of interest includes a situation that results in personal gain and may include family members and their outside affiliation.

No "presumption of guilt" is created by the mere existence of a relationship with outside entities. However, if a conflict of interest may arguably exist, it is expected that the faculty or staff member will discuss and provide in writing the nature of the conflict with their manager and Human Resources.

This policy does not prohibit an employee from pursuing those teaching, research, and professional and public service activities which will not result in such a conflict, nor prohibit an employee from accepting pay, compensation, fees, honoraria, or reimbursement of expenses which may be offered in connection with such activities, provided that any such activities do not otherwise violate this Handbook or other College policy or applicable law.

If an employee believes a conflict of interest may exist, the employee shall promptly and fully disclose the conflict to the appropriate administrator - generally the employee's supervisor or departmental head - and shall refrain from participating in any way in the matter to which the conflict relates until the conflict question has been resolved. An employee may consult with Human Resources to identify the appropriate administrator if the sensitivity of the situation suggests the employee's supervisor may not be appropriate.

If it appears that a material conflict may arise between the personal interest of an employee and the employee's responsibilities to the College, the employee shall notify the appropriate administrator by submitting a written statement describing the nature of the possible conflict.

If an employee is in doubt as to whether the situation is a potential conflict of interest, they shall consult with the appropriate administrator to determine if the outside interests could conflict impermissibly with their obligations to the College.

The appropriate administrator shall promptly notify the employee or associate in writing that: (a) there is no conflict and the employee may proceed; (b) there may be a conflict and further consultation is necessary prior to reaching a determination; or (c) there is a conflict and the employee shall not proceed. In some cases it may be determined that after full disclosure, the College's interests are best served by participation of the employee despite the conflict or appearance of conflict.

The employee may appeal the administrator's decision to the Senior Vice President of Finance and Administration.

The employee must report any significant changes in the outside interest that occur during the year and consult with the appropriate administrator if the undertaking of a new outside interest is considered.

Outside Employment

At times, faculty and staff may engage in employment opportunities outside of Saint Joseph's College of Maine. In most situations, this scenario is fine and poses no issues.

To promote transparency and proactivity, faculty and staff are strongly encouraged to inform the College of outside employment to negate an actual or perceived conflict of interest with their SJC employment.

Outside employment is permissible if it does not interfere or conflict with Saint Joseph's College of Maine interests, and provided it does not hinder the faculty or staff member's ability to meet the responsibilities and demands of their required work. Factors considered for the outside employment include the days worked and number of hours, a potential conflict of interest, etc. It will be confirmed that the outside employment will not interfere or conflict in time or content with the employee's role and responsibilities at the College.

The College encourages outside involvement in community, industry and charitable activities, including directorships and committee memberships in non-profit community organizations, as long as it does not cause conflicts of interest or create demands that interfere with an employee's job responsibilities.

If we determine that an employee's outside employment interferes with their performance or presents a conflict of interest or the appearance of a conflict of interest, they may be asked to terminate the outside employment or risk termination of employment from the College.

210 Conflict or Complaint Resolution

Saint Joseph's College of Maine recognizes that at times problems, misunderstandings and frustrations may arise in the workplace. It is the College's intent to be responsive to its faculty and staff and their concerns, and treat them with respect. They will be given careful consideration and prompt action.

Saint Joseph's College of Maine will not permit any supervisor, manager, department director or employee to engage in any form of retaliation against an employee based solely on their good faith use of this process. Employees are allowed and encouraged to use or participate in this procedure reasonably and in good faith.

Open communication and informal, proactive, and flexible approaches are consistent with Saint Joseph's culture and are the hallmark of conflict or complaint resolution. Employees are encouraged to share their questions, concerns, suggestions or complaints with someone who can address them properly and resolve any issues or concerns that they may have at the earliest opportunity. In most cases, an employee's supervisor is in the best position to address an area of concern. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching.

At any time, an employee may seek support and guidance from Human Resources for assistance in resolving issues or concerns.

211 Disciplinary Action

Saint Joseph's College of Maine is committed to treating all employees fairly, and to administering policies, procedures, and rules consistently. When an employee's performance is unsatisfactory, or when an employee violates College policy, disciplinary action may be taken.

The College's discipline measures short of termination of employment focuses on correcting employee performance. Supervisors are expected to work with employees to:

- ensure that the employee understands the standards and expectations for satisfactory performance;
- provide the employee with the opportunity to correct work performance which does not meet the standards of the position;
- address workplace misconduct or policy violations; and
- document performance issues and maintain records of actions taken to address performance problems.

The implementation of this policy and procedure should not be construed as preventing, limiting, or delaying the College from taking disciplinary action against an employee at any point in the procedure, including termination without prior warning, where the College, in its sole discretion, finds such action appropriate.

Types of Disciplinary Action and Corresponding Procedure

Whenever disciplinary action is warranted, an employee's supervisor, in partnership with Human Resources, may begin disciplinary action using any of the types of discipline listed below, depending on the nature and seriousness of the conduct, the employee's past performance record, the impact on the employee's team and the College, and any mitigating or aggravating circumstances. Supervisors are required to contact and **inform Human Resources first prior to issuing disciplinary action.**

In general, disciplinary action may include any or all of the following measures:

1. **Employee counseling or oral warning.** The employee is counseled by the supervisor about the employee's performance or conduct following a *minor offense* in an effort to eliminate possible misunderstandings, improve job performance, or to explain what constitutes proper conduct.
2. **Written warning.** The employee receives a written notice of discipline following continued poor job performance or repeated minor offenses. The purpose of a written warning is to make certain that the employee is fully aware of the level of the misconduct the employee has committed, or for those areas of performance that must be improved. The written warning should also inform the employee of what is expected, thereby enabling the employee to correct performance problems or avoid a recurrence of the incident.
3. **Continuous Improvement Plan** (see information below).
4. **Final written warning.** A final warning indicates the seriousness of the infraction and is intended to alert the employee that the next step is termination. The employee receives final written notice if sufficient progress in job performance has not occurred after prior counseling or written reprimands following repeated minor offenses, or certain levels of misconduct. A *First and final written warning* may be issued if the supervisor in consultation with Human Resources believes that an offense in the first instance is serious enough to warrant a final written warning.
5. **Suspension.** If investigation is necessary at any stage during a disciplinary process, an employee may be placed on leave with or without pay pending the results of an investigation.
6. **Termination.** Termination of employment is the most serious consequence the College can impose upon an employee.

A Coaching Improvement Plan (CIP), also known as a performance action plan, is a tool given to an employee with performance deficiencies providing them with the opportunity to succeed. The purpose of this CIP is to document serious employment concerns, note gaps in work performance, define the College's expectations, and allow the opportunity to demonstrate improvement and commitment, including:

- Areas of concern
- Observations, previous discussions or coaching sessions from manager/supervisor

- Improvement goals to address areas of concern
- Activities and actions to help the employee reach their goals
- Clearly stated consequences for not meeting the objectives of the plan

Managers/supervisors are required to inform Human Resources first and receive approval prior to implementing a CIP. Once the need for a CIP has been established (based on an interactive dialogue between the manager/supervisor and the employee), a draft of the plan is developed and provided to Human Resources to review.

You may be subject to disciplinary action, up to and including termination of employment, if the College determines in its sole discretion that your conduct, whether on- or off-duty, makes you unsuitable for your position, interferes with your job performance, or presents a conflict of interest with the College's mission and educational interests, unless such conduct is otherwise protected by applicable law.

The nature of the conduct and the particular circumstances determine whether any or all of these measures are implemented. The purpose of disciplinary measures short of termination of employment is corrective, to encourage you to improve your conduct. However, this policy does not create or constitute any contractual rights, promises, or binding obligations of any kind with respect to the terms and conditions of your employment.

212 Voluntary Separation

A voluntary separation is initiated by an employee who decides to leave the College. The types of separations vary by definition, criteria, and expectations.

Resignation

A resignation is a severance action by which an employee voluntarily severs their relationship with the College. To ensure an orderly transition, Staff are asked to give at least the minimum requested notice defined below:

- After the adaptation period is completed, non-exempt (hourly) employees are requested to provide a minimum requested notice of two-weeks.
- After the adaptation period is completed, exempt (salaried) employees wishing to terminate their employment are requested to give a minimum requested notice of four-weeks.

Those in leadership roles, such as Senior Vice President, Vice President, Associate Vice President, Directors, and Managers, should consider the overall impact and timing of their departure with regards to the length of notice.

Staff are expected to work their last day of employment. The resignation date may not be on a College observed holiday or an Earned Time day.

Depending upon the type of position and/or length of notice provided, the College may accept the employee's resignation effective immediately or as of another date prior to the end of their notice period, in which case the employee will be paid through the notice period.

College Retirement

A College Retirement is defined by an employee who has fifteen (15) years of consecutive years of service to the College and is a minimum of sixty (60) years of age at the time of the retirement date.

Employees who achieve this milestone accomplishment receive the following College Retirement benefits:

- Maintain their SJC email
- Receive an SJC Retiree College ID card and have the ability to add "flex" dollars to the ID card for ease of purchases
- Ability to participate in activities, including a free gym membership, at the Alford Center (the cost for classes remains at the employee rate)
- Ability to utilize the Wellehan Library resources and services

Employees should provide as much notice as possible to the College if they intend to retire (following the requested notice time frames defined above for Resignation).

Retirement Transition

An employee may decide to "retire" from the College. In this scenario, the employee does not meet the criteria for the formal College Retirement (outlined above). There is no mandatory age for retirement.

Employees should provide as much notice as possible to the College if they intend to retire (following the requested notice time frames defined above for Resignation).

Job Abandonment

Employees who are absent from work for three (3) consecutive working days or more without notice are deemed to have resigned. On the fourth day of absence with no communication from the employee, the employee will be officially considered as separated from the College. The last day of employment on record will be the last day worked.

213 Exit Interviews

An exit interview is expected to be completed by separating full-time faculty and staff. Employees are allowed and encouraged to participate in this procedure reasonably and in good faith. Human Resources will schedule an exit interview with an employee who has given notice of their resignation or retirement. A written letter describing the employee benefits transition will be provided.

Part of the Exit Interview process will include Human Resource staff arranging the return of College property including (but not limited to):

- Picture Identification Card
- Office keys
- College-issued credit cards
- Laptops
- Any additional College-owned or issued property

214 Involuntary Separation (Staff)

The guidelines noted here in no way limit the College's policy of employment-at-will, which enables either the employee or the employer to terminate the employment relationship at any time with or without notice for any reason or no reason. The only exception would be expressly defined in writing by a designated official authorized to enter into an employment agreement or contract deviating from this policy.

Prolonged Illness - Termination for prolonged illness will be based upon medical evidence that the employee is or will be unable to perform the essential functions of their position and that all applicable paid or unpaid leave periods to which the individual is entitled or has been approved for have been exhausted and additional extended leave would cause undue hardship and therefore would not be considered reasonable accommodation under applicable law. The decision to terminate for prolonged illness will be made only after the employee or their representative has been informed in writing of the basis of the proposed action.

Termination for this reason will not affect eligibility for any elected disability benefits. Human Resources will work collaboratively with the employee and the carrier to ensure proper claims processing procedures are adhered to in this situation.

Reorganization - Reorganization may result from program redirection, enrollment changes, lack of funding, staff reduction, or similar circumstances in which a position is eliminated.

Dismissal for Disciplinary or Performance Reasons The following guidelines have been established for all administrative staff and student employees (not faculty). They are fundamental in character and are designed for the convenience and protection of everyone. Breach of these guidelines will result in disciplinary action, up to and including termination.

The absence of an illustration from this list will not be a basis for avoiding disciplinary action when the College believes such action is warranted. The activities prohibited by the College include, but are not limited to, the following:

- Violation of personnel policies including but not limited to policies in this Guidebook;
- Violation of local, state, or federal laws;
- Theft or inappropriate removal, use, or possession of property of the College, co-workers, students, visitors or any other community members;
- Continued neglect of employment duties including unauthorized absence from work station during the workday;

- Unsatisfactory work performance;
- Excessive absenteeism or tardiness;
- Professional incompetence;
- Serious personal misconduct in violation of College policies;
- Fighting, threatening violence, or causing harm to others in the workplace;
- Behavior that prevents or interferes with others from doing their work;
- Deliberate violation of the rights and freedom of fellow members of the Saint Joseph's College of Maine community;
- Violation of professional ethics or criminal statutes;
- Sexual or other unlawful harassment or discrimination;
- Insubordination or other disrespectful conduct;
- Conduct which reflects unfavorably on Saint Joseph's College of Maine's mission or legitimate business interests;
- Fabrication of credentials, falsification of employment applications, resumes, Form I-9, or any College-related pre- or post-employment forms, or any other form of dishonesty;
- Reporting to work intoxicated or under the influence of drugs or controlled substances (including marijuana). *Any employee under the care of a physician prescribing a specific drug should bring this to the attention of their supervisor;*
- Violating the College's Drug and Alcohol Policy
- Altering or making misrepresentations in time tracking or other employment and work records;
- Violation of the smoking policy;
- Any willful behavior, negligence or improper conduct leading to damage of College, student, or employee-owned property; or which brings injury to another person;
- Possession of weapons, explosives or unauthorized materials on the Saint Joseph's College of Maine campus which includes all buildings, spaces and motor vehicles on College property. *In accordance with Maine State law, an employee with a valid concealed firearms permit may keep a firearm in the employee's vehicle as long as the vehicle is locked and the firearm is not visible;*
- Unauthorized, excessive or improper use of telephones, email system, or other College-owned equipment;
- Failure to adhere to safety regulations or health rules, including ergonomic work practices and safety protocols implemented. Failing to promptly report work-related accidents or safety violations to their direct supervisor is also in violation of this policy;
- Intentional tampering with fire and safety equipment;
- Unauthorized disclosure of confidential employee and/or College information;
- Use of Saint Joseph's College of Maine supplies, equipment, property, or services to carry out private business ventures
- Unethical, dishonest, or criminal conduct
- Conduct, whether on- or off-duty, which makes an employee unsuitable for their position, interferes with their job performance, or presents a conflict of interest with the College's mission or legitimate business interests, unless such conduct is otherwise protected by applicable law.
- Physical, verbal, or emotional abuse of a student

- Endangering the safety of a student
- Inappropriate conduct, including inappropriate friendships, relationships, and socialization with students of the College
- Failure to report suspected or actual student abuse or neglect
- Failure to report student bullying, student hazing, or student harassment

Depending on the seriousness of the offense committed, disciplinary action may be warranted. An employee's supervisor, in collaboration with Human Resources, may begin disciplinary action following the procedures defined in the Disciplinary Action Policy (211).

This policy does not prohibit employees from engaging in protected activity under the National Labor Relations Act (such as discussing information about the terms, conditions, wages, and benefits of employment with other employees at the College).

215 Final Pay

Employees separating from the College (whether voluntarily or involuntarily) will receive final payment via the regular payroll process no later than the next regular payday following their last day worked or within two weeks of the employee's demand for payment, whichever comes first. Final paycheck will include payment through the last day worked and any accrued and unused Earned Time if applicable.

If the employee is eligible for Earned Time, the following processes will apply:

- The dollar value of a positive balance will be paid in the final paycheck;
- The dollar value of a negative balance will be deducted from the final paycheck to the extent permitted by applicable law. If no final payment is produced, the employee will be expected to repay the College for any amount owed

Human Resources will provide a letter detailing the transition of any elected benefits after the last day of employment with the College. Any benefits that are applicable through the end of the termination month will have premiums deducted from the final paycheck. If there is no final paycheck, the employee will be expected to provide payment for applicable benefit premiums.

216 Return of College Property

Upon termination of employment, it is required that the employees return any College property assigned to them to the Human Resources office. College property, including but not limited to, any and all technology (computers, laptops, zip drives, power cords, etc.), College keys, an SJC ID, uniforms (with the department name on the clothing), physical and electronic files, classroom and office furniture, ergonomic equipment, remote work items/materials, etc., are to remain at the College. Employees are required to return all College property on their last day of employment. Employees may not retain copies of such College property. Arrangements to return College property after the last day of employment can be made in advance with Human Resources approval.

217 Providing a Reference

Saint Joseph's College of Maine will respond to all reference check inquiries from other employers. All telephone reference inquiries shall be forwarded to the Human Resources Office. No employment data other than verification of job title and dates of employment should be released without a written authorization and release signed by the individual who is the subject of the inquiry.

Those approached for reference information must coordinate with the Human Resources Office to determine whether the employee has a signed authorization on file, and what information may appropriately be released. The Human Resources department shall review all written employment references.

TIME AWAY FROM WORK

300 Holiday Time Schedule

Full time staff and 12M faculty are paid for the holidays listed in each category. A 9M* non-exempt employee, who works during a week in which a College holiday is recognized but not listed for their category, will be paid for the holiday. Regular part-time non-exempt staff are eligible for holiday pay if the holiday is on a day the employee is normally scheduled to work.

Depending upon unique circumstances, the College reserves the right to change the holiday schedule and observation dates. If a change is made, the College community will be informed with as much advance notice as possible.

Should a Staff member resign from the College, they are expected to work on their last day of employment and not resign on a designated holiday.

Non-exempt (hourly) employees scheduled to work on a holiday will receive holiday pay for the number of hours for their regularly scheduled shift. They will receive regular pay for hours actually worked. For example, if an employee is regularly scheduled to work an eight-hour shift and works for five hours on a holiday, they will receive eight hours of holiday pay and five hours of regular pay for a total of thirteen hours. Holiday hours are not counted as hours worked for purposes of computing overtime hours, except that any hours non-exempt employees actually work on a scheduled holiday will count as hours worked.

During the College's Christmas Extended Holiday (see below), specific departments and/or positions are determined to be "essential" for critical calendar year end and new year College operations. Non-exempt (hourly) employees scheduled to work during this holiday time will receive holiday pay for hours worked.

Non-exempt (hourly) employees must receive management approval prior to working on a holiday.

NOTE: If a recognized holiday falls on a Saturday, it will be observed on the Friday preceding. If a recognized holiday falls on a Sunday, it will be observed on the following Monday.

9M, 10M, 11M, and 12M Exempt (Salary) and 12M Non-Exempt (Hourly) Staff

- | | |
|-------------------------------|--------------------------|
| ● New Year's Day | ● Juneteenth |
| ● Martin Luther King, Jr. Day | ● Independence Day |
| ● Good Friday | ● Labor Day |
| ● Memorial Day | ● Indigenous Peoples Day |

- Day before Thanksgiving the College closes at Noon
- Thanksgiving Day
- Day after the Thanksgiving Holiday
- Christmas Eve Day College closes at Noon
- Christmas Day
- Christmas Extended Holiday (4) days

9M Non-Exempt (Hourly) Staff

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Labor Day
- Indigenous Peoples Day
- Day before Thanksgiving the College closes at Noon
- Thanksgiving Day
- Day after the Thanksgiving Holiday
- Christmas Day

*“M” refers to the number of months an employee is scheduled to work.

Employees are eligible for holiday pay during leave.

Employees who are classified as Part Time Scheduled Staff, whose regular schedule includes a College Holiday, will receive holiday pay for the number of hours of their regularly assigned shift.

Religious Holidays

A staff member may arrange for time off without pay in observance of religious holidays or may use these days from accrued time off. Requests for time off for religious holidays must be submitted and approved in advance by an employee's supervisor. Supervisors must consult Human Resources if approving the time off would create undue hardship on the College.

301 Maine Earned Paid Leave (MEPL)

All employees are eligible for MEPL (e.g., all faculty, staff, and summer student employees (not enrolled in any classes) working in Maine). This includes full-time, part-time, temporary (SJC payroll), and per diem employee categories.

The Maine Earned Paid Leave (MEPL) law requires employers to provide up to 40 hours of paid leave annually to their employees. It applies to employers with more than 10 employees across the State of Maine who work more than 120 hours per calendar year.

Accrual of hours begins the first day of the calendar year or first day of employment, whichever is later. Employees will accrue one (1) hour of MEPL for every forty (40) hours worked, up to forty (40) hours in

a calendar year. Employees may use the leave for any reason, including but not limited to sick time to care for their own or their family member's illness.

Employee Notice

An employee must request MEPL for a planned absence, i.e. a vacation, a scheduled doctor's appointment, etc., at least four (4) weeks in advance. In the case of an unplanned absence, i.e. a sudden illness or emergency, the employee must make a good faith effort to inform their manager of their need to use MEPL. If using MEPL, employees will be asked for their general reason for the need for leave. They are not required to provide a specific reason for their leave, but are required to abide by these notice requirements.

A manager may only deny MEPL requests for the following reasons: 1) the request is within a department blackout period (noted below), 2) the leave was planned and the employee did not provide adequate notice, or 3) the leave is planned and granting it would create undue hardship.

Department Considerations (Blackout Dates)

Depending upon the nature of a specific department and operational needs, departments may institute "blackout" dates. Blackout dates are times throughout the year that employees may not utilize MEPL or Earned Time for planned purposes. Specific periods may include, but are not limited to, time around Commencement, the start or end of the academic year, fiscal year, or calendar year, etc. To understand if your department has blackout dates, please see your manager. Employees needing to take MEPL on an unplanned basis (e.g., emergency, illness, or sudden necessity) may use available MEPL on a blackout date.

MEPL Pay Rate

For salaried exempt employees, MEPL is paid at the hourly equivalent of their base salary, typically their weekly salary divided by 40 hours. For hourly non-exempt employees, MEPL is paid out at the regular rate of pay in effect the week immediately prior to the taking of leave. This rate is calculated by dividing the total straight time earnings which includes any additional compensation included in the definition of the regular rate for the week, by total hours worked. By way of examples, additional compensation could be in the form of additional compensation as provided in adjunct/additional faculty contracts, stipend pay, on-call pay, non-discretionary bonuses, and other compensation that is paid or due based on actual work performed. Additional pay does not include overtime pay.

MEPL Carry Over

Employees may carry over up to 40 hours of accrued, unused MEPL into the following calendar year. However, the number of hours carried over will limit the number of hours an employee is eligible to

accrue in the following year. Example: if an employee carries over 10 MEPL hours, they are eligible to accrue an additional 30 MEPL hours maximum in the new calendar year.

Payout at Separation from Employment

Any accrued, unused MEPL will be paid out in the employee's last paycheck. However, if the employee has a negative MEPL balance, the MEPL time owed will be deducted from the employee's last paycheck to the extent permitted by applicable law.

Procedure

MEPL may be requested before it is accrued for the sole benefit of the employee. As such, the College considers an advance of unearned MEPL as a debt to the College, and reserves the right to deduct the value of used but unearned MEPL from the employee's final pay. MEPL may be taken in the following increments.

- Non-exempt (hourly) employees may take MEPL in 15-minute increments.
- Exempt (salaried) employees may take MEPL in one-hour increments.

To Request MEPL

Employees request the use of MEPL through the ADP portal.

It is recommended that employees use all 40 hours of MEPL accrued in a calendar year during the accrual year to ensure that they take advantage of the full allotment of time off hours provided by the College.

302 Earned Time (Staff)

This policy applies only to regularly scheduled staff members of the College. In addition to time off under the Maine Earned Paid Leave policy, regular scheduled staff members are eligible to take time off under this policy.

(Temporary staff or other types of employees are not eligible for Earned Time under this policy, but may be eligible for time off under the Maine Earned Paid Leave policy.)

Earned Time is a paid time off benefit offered by Saint Joseph's College of Maine. It offers staff the most flexibility to meet their needs as it's inclusive of vacation, sick time (whether for your own or your family member's illness), and personal time. The College encourages the use of Earned Time as necessary for staff to recharge and rejuvenate. The use of Earned Time should be planned and scheduled when at all possible. Specific departments may develop departmental procedures for scheduling and approving time off in order to meet the needs of the students and College.

Earned Time Pay Rate

Earned Time pay is an employee's regular base pay rate times the number of hours of requested Earned Time. It does not consider additional pay, including but not limited to stipends, overtime, on-call pay, etc.

Employee Notice

An employee must provide a reasonable amount of notice to use Earned Time for a planned absence, i.e. a vacation, a scheduled doctor's appointment, etc. In the case of an unplanned absence, i.e. a sudden illness or emergency, the employee must make a good faith effort to inform their manager of their request to use Earned Time in advance of not working.

Earned Time Accrual

Earned Time accruals are different depending upon non-exempt and exempt status, and years of service.

Employee Type	Status	Tenure (Years)	Accrual Rate Per Hour Worked	Max Annual ET Balance
12M Non-Exempt	FT - 35 hours/week	0-4	.036 hours	65 hours
		5-10	.055 hours	100 hours
		11+	.074 hours	135 hours
	FT - 40 hours/week	0-4	.038 hours	80 hours
		5-10	.058 hours	120 hours
		11+	.077 hours	160 hours
	PT – 24 hours/week	0-4	.026 hours	65 hours
		5-10	.045 hours	100 hours
		11+	.064 hours	135 hours
9M Non-Exempt	FT - 40 hours/week	0-4	.024 hours	50 hours
		5-10	.038 hours	80 hours
		11+	.053 hours	110 hours

Employee Type	Status	Tenure (Years)	Accrual Rate Per Hour Worked	Max Annual ET Balance
12M Exempt & 12M Faculty	FT – 35 hours/week	N/A	6.54 hours	170 hours
11M Exempt			6.50 hours	156 hours
10M Exempt			6.14 hours	135 hours
9M Exempt			4.65 hours	121 hours
Earned Time for Exempt Non-Maine Residents (ORET)			8.08 hours	210 hours

Department Considerations

Depending upon the nature of a specific department and operational needs, departments may institute “blackout” dates. Blackout dates are times throughout the year that employees may not be able to utilize Earned Time (or MEPL) for planned purposes. Specific periods may include time around Commencement, the start or end of the academic year, fiscal year, or calendar year, etc. To understand if your department has blackout dates, please see your manager.

A manager may demonstrate flexibility for approval of Earned Time requests, however, due to departmental needs, may deny Earned Time requests for business necessity.

Earned Time Carry Over

Earned Time will not be carried over into the following calendar year. Any accrued, unused Earned Time that remains at the end of the calendar year will be deposited in the employee’s Long Term Illness bank if it has not reached the maximum amount of time allowed to accrue. If an employee has a negative Earned Time balance at the end of the calendar year, it will be carried over into the following calendar year.

Payout at Separation from Employment

Any remaining accrued and unused Earned Time on the last day worked will be paid out in the employee’s last paycheck. However, if the employee has a negative Earned Time balance, the Earned Time owed will be deducted from the employee’s last paycheck to the maximum extent permitted by applicable law.

Procedure

Employees should schedule Earned Time when they have accrued enough to cover their absence. If an employee does not have enough Earned Time to cover their absence, they may go into the negative up to five (5) Earned Time days for a sole benefit of the employee. As such, the College considers such advances as debt, and reserves the right to deduct from the employee's last paycheck and/or to seek legal action to recover any remaining unearned balance to the maximum extent permitted by applicable law.

Earned Time will not accrue during any time of leave of absence.

To Request Earned Time

Employees should request Earned Time through the ADP portal.

NOTE: Exempt/Salaried employees must request Earned Time in full-day increments (i.e. 7 hours).

NOTE: An employee must be present at the workplace on their last day of employment. As a result, they may not request Earned Time on their last day of employment with the College.

303 Compassion Earned Time Donation

Compassion Earned Time Donation provides financial assistance and support to employees by providing pay continuation during a personal catastrophic situation.

- Eligibility to Receive a Compassion Earned Time Donation: Regular full time and part time (24-31) staff and twelve (12) month full time faculty experiencing a catastrophic situation and have exhausted all eligible Earned Time (ET) and/or Long Term Illness (LTI) as applicable.
- Eligibility to Give a Compassion Earned Time Donation: Regular full time and part time (24-31) staff and twelve (12) month full time faculty are eligible to donate already accrued ET and must have a minimum balance of one (1) week of ET remaining in a calendar year.

Catastrophic situations are events that have an overwhelming impact on one's ability to work (e.g. serious illness, needing to care for a seriously ill family member, tragic acts of nature e.g. destruction of primary residence). NOTE: Acts of nature will be reviewed on a case by case basis.

Donating Staff and Faculty

Non-exempt (hourly) staff may donate up to 16 hours, in four (4) hour increments. Exempt (salary) staff and twelve (12) month faculty may donate up to three (3) days in one (1) day increments of ET per calendar year to a qualifying employee. Part time employees (24 to 31 hours per week) may donate on a prorated basis. For example, a 24 hour/week employee may donate 11 hours per calendar year. The proration formula is as follows $24/35 = .687$; $.687 * 16 \text{ hours} = 10.97 \text{ hours}$ and rounds to 11 hours.

Employees who wish to donate ET must complete a Compassion Earned Time Donation Google form to Human Resources. A copy of the form will be kept in the donating employee's file. Donations to employees cannot be accepted until the receiving employee is on a qualified leave of absence as defined in the existing employee handbook. ET is used in the order it is received and any unused ET is returned to the donating employee.

Receiving Staff and twelve (12) month Faculty

Employees may receive up to a maximum of six (6) weeks of donated ET, per catastrophic event. A week in this policy is determined by the employee's budgeted position. For a 24 hour budgeted position, the employee's week would be 24 hours and therefore he/she could receive up to six (24 hour weeks) of donated time.

ET is added in the order it was donated to the receiving employee's ET bank each pay period as it is needed. Use of donated ET will be capped at the amount needed to make the receiving employee whole on a pay period by pay period basis.

Employees who are on a leave and utilizing Compassion Earned Time Donations remain eligible to accrue Earned Time. Employees are not eligible to utilize Compassion Earned Time Donations unless their ET and/or LTI, as applicable, banks are at a zero balance or will be before the end of the pay period. Using donated time to 'preserve' ET is not allowed under this policy.

Example of circumstances where ET donation can be approved:

1. An employee is out of work for 4 weeks caring for a seriously ill family member. LTI cannot be used because it is not for the employee's personal illness or disability. The employee has 2 weeks of ET in the bank, but needs to be out of work for 4 weeks and cannot afford to go into unpaid status. The request would be approved and any donated ET would be given to the employee each pay period until his/her return to work or ET donations are exhausted.
2. An employee has been out of work because of a serious health condition for 7 weeks. The employee is expected to be out for an additional 3 weeks. The employee has used all of their ET and LTI. The request would be approved and any donated ET would be given to the employee each pay period until their return to work or ET donations are exhausted.

Example of a circumstance where ET donation would be denied:

1. An employee is out of work for 4 weeks caring for a sick family member. LTI cannot be used because it applies to the employee illness only, not the sick family member. The employee has 4 weeks of ET in the bank and a week vacation scheduled later in the year. The request would be denied because the employee has enough ET in the bank to cover the time to care for the family member. Donations cannot be used to preserve ET for future usage.

Procedure

1. Employees interested in receiving a Compassion Earned Time Donation inform Human Resources of their situation. Specific details required for Human Resources approval include the reason and anticipated dates for the need.
2. Human Resources will assess the requesting employee's reason for the need and ET and LTI balances before approving a Compassion Earned Time Donation.
3. After approval, Human Resources sends an email to full and part time Staff and twelve (12) month Faculty stating there is a need for a Compassion Earned Time Donation within the College Community. The Compassion Earned Time Donation Google form will be attached for employees to complete.
4. Confidentiality will be maintained during this process. The name of the receiving and donating employees will not be shared.
5. Employees complete and submit the Google form and HR verifies the employee is eligible to donate ET.
6. All donations and receipts are documented.
7. The Compassion Earned Time Donation Google form is placed in the donating employee's file.

304 Long Term Illness (LTI) (Staff)

Long Term Illness is a benefit that provides employees with their standard biweekly pay amount while on an approved leave for their own serious health condition. This benefit is effective on the first day of employment.

LTI will accrue at the following rates per pay period for *salaried employees*:

- Employed: 0-6 years: **11.83 hours**/pay period to a maximum benefit of **2520 hours**
- Employed: 7+ years: **17.64 hours**/pay period to a maximum benefit of **2520 hours**

LTI will accrue at the following rates per pay period for *hourly employees*:

- Employed: 0-6 years: **.168**/budgeted hours to a maximum benefit of **2520 hours (2880 hours for 40 hour budgeted positions)**
- Employed: 7+ years: **.252**/budgeted hours to a maximum benefit of **2520 hours (2880 hours for 40 hour budgeted positions)**

Accrued and unused Long Term Illness hours will not be paid out upon separation from employment. Long Term Illness balances will be reinstated for employees who are rehired or return to full time status within six months of a change of employment status.

Upon the start of an approved leave, eligible employees will receive Long Term Illness pay. The College supports an employee's time away from work (due to their own serious health condition) so the

employee can focus on their health. As a result, access to College computer systems (including but not limited to drives, folders, files, programs, and external websites) will be suspended until the employee receives approval from their physician to return to work. Email and voicemail will also be suspended and redirected to another member of their department to maintain continuity of College operations.

Long-term illness benefits will not accrue during any type of leave of absence. Long-term illness benefits will be paid at the employee's base rate of pay (excluding overtime or any special forms of compensation such as a bonus) at the time of the approved absence.

305 Bereavement Leave

Bereavement Leave is time away from the College to grieve the loss of an immediate family member. This leave allows an individual to make arrangements for and/or attend services without having to attend to work.

Regular full-time, benefit-eligible part-time staff and 12 Month Faculty, may take up to five (5) paid working days of bereavement leave upon request. Bereavement days are meant to be taken consecutively. An immediate family member is understood to include:

- mother,
- father,
- child,
- grandchildren,
- stepchildren,
- stepparents
- brother,
- sister,
- spouse/Legally Domiciled Adult (LDA)
- LDA's immediate family member (as defined above)
- mother-in-law,
- father-in-law,
- brother-in-law,
- sister-in-law,
- employee's grandparents,
- any minor child for whom the employee is standing in loco parentis; and
- any relative or significant other living in the household of the employee

One (1) day may be taken to attend the funeral of other relatives of the employee or for any friend living in the household. If additional time is required, the employee may request to use Earned Time.

An employee is required to inform their Manager of the dates Bereavement Leave will be taken. These days will be assigned as Bereavement within the ADP Workforce Now system.

306 Family and Medical Leave

The federal Family and Medical Leave Act (FMLA) legally entitles eligible faculty and staff to take time off up to a maximum of 12 work weeks during any rolling 12-month period.

Employees who have 12 months of service and have worked at least 1250 hours during the current or preceding FMLA year at Saint Joseph's College of Maine are entitled to up to 12 weeks of Family and Medical Leave. FMLA is a rolling 12 month period, measured backward from the initial date of any FMLA usage.

If you are taking a leave to care for a covered military service family member with a serious injury or illness, FMLA grants up to 26 weeks of unpaid leave in a single 12-month period.

Policy

The Family and Medical Leave Act (FMLA) legally entitles eligible employees to take time off for one or more of the following reasons:

- A. for the birth and care of a newborn child of the employee (Family Leave);
- B. for placement with the employee of a son or daughter for adoption or foster care (Family Leave);
- C. to care for a spouse, son, daughter, or parent with a serious health condition (Family Leave);
- D. to take medical leave when the employee is unable to work because of a serious health condition. Incapacity due to pregnancy, prenatal medical care, or childbirth is considered a serious health condition (Medical Leave);
- E. for qualifying circumstances arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or called to active duty status as a member of the National Guard or Reserves in support of a contingency operation (Qualifying Exigency Leave);
- F. a covered employer also must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a "single 12-month period" to care for the service member (Military Caregiver Leave).

The maximum amount of leave that may be taken in a rolling 12-month period for all of these reasons combined is 12 weeks, except for military caregiver leave. FMLA leave already taken for other qualifying reasons will be deducted from the total of 26 weeks available for military caregiver leave. Spouses employed by the College are limited in the amount of Family and Medical Leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered service family member with a serious injury or illness is also used). Leave for birth and

care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

Definition of Serious Health Condition

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

Subject to certain conditions, the continuing treatment requirement is met by:

- a period of incapacity of more than three consecutive calendar days combined with at least 2 visits to a health care provider;
- one visit to a health care provider and a regimen of continuing treatment;
- incapacity due to pregnancy or prenatal care; or
- incapacity due to a chronic condition.

Other conditions may also meet the definition of continuing treatment.

Procedure

Requesting a Leave

Employees seeking a Family and Medical Leave must request a leave to the Human Resources Office. If the need for leave is foreseeable, 30 days' prior notice must be given. Failure to provide such notice may be grounds for delay of leave (until 30 days' notice has been given). If the need for leave is due to a planned medical treatment, please make every attempt to schedule the treatment so as not to unduly disrupt the work. If the need for family/medical leave is not foreseeable, request must be submitted as soon as practicable, but no later than two business days after the need for leave arises.

Upon request or otherwise the College becomes aware of a situation that may qualify for FMLA leave, the College will provide an employee with an FMLA packet that includes the request form, HIPPA release form, Certification of Health Care Provider, Fitness for Duty form, the employee's job description, the FMLA policy, a US Department of Labor fact sheet and a help sheet, and any other notices required by applicable law.

Within five (5) days of receipt of an FMLA request, Human Resources will verify if the employee meets eligibility requirements for an FMLA leave. If so, the leave will be conditionally approved, pending receipt of the Certification of Health Care Provider.

An employee has 15 days to return the Certification of Health Care Provider form to Human Resources. If the medical certification provided is insufficient, the employee is notified in writing and will be granted 7 days to obtain additional information. Once the employee returns the Certification of Health Care Provider form to Human Resources, the final approval or denial will be communicated to the employee in writing.

Family and Medical Leave is intended to allow an employee to focus on and care for themselves and/or a qualified family member during a specific timeframe. In order to support this time away, the College will temporarily suspend email and systems access and retain any technology devices onsite, i.e. laptop, mobile devices, etc. If an employee has a cell phone subsidy due to work requirements, the subsidy will be temporarily suspended until the employee is approved to return to work.

While an employee is out of work on FMLA leave, they are required to inform the College of any change in status, including but not limited to a release to return to work, a need for additional leave, or a decision not to return to the College. Failure to inform us of a change in status may result in disciplinary action. If the employee has not exhausted the full 12 weeks of FMLA leave and needs to request additional leave, a medical recertification will be required.

Intermittent Leave

When medically necessary, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee's usual weekly or daily work schedule. However, intermittent, or reduced schedule leave is not permitted for the birth of a child, to care for a newly born child, or for placement of a child for adoption or foster care.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to disrupt the College's operation.

The completion of a Fitness for Duty Certification may be required once every 30 days for an employee taking an intermittent leave.

Pay During Leave

FMLA leave is unpaid except to the extent that the absence is covered under an applicable salary continuation program, such as workers' compensation, College-provided long-term illness benefits, or applicable state paid leave/benefits.

Saint Joseph's College of Maine provides paid long-term illness and Earned Time, in accordance with the terms outlined in said policies. When starting FMLA leave, employees are required to take any paid

leave for which they are eligible. Employees are paid first through their Long Term Illness (LTI) bank while they are on an approved leave until that balance is exhausted. Additional weeks are paid through the Earned Time bank. Once paid leave is exhausted, the employee goes on unpaid leave. Paid and unpaid leave both count toward the 12-week limit and run concurrently to the maximum extent permitted by applicable law.

Any non-worked hours associated with a FMLA leave will be recorded within the ADP Workforce Now payroll system with the code LTI.

Tracking FMLA hours

For employees on full leave, all leave hours are communicated to Payroll and Human Resources by the appropriate supervisor each pay-period.

For employees on intermittent leave:

- **Non-exempt/hourly employees** clock worked hours following their normal clocking process in the ADP Workforce Now system. Unworked FMLA hours are communicated to Payroll and Human Resources by the appropriate supervisor each pay-period for pay and tracking of FMLA hours.
- **Exempt/Salary employees** complete a paper timesheet noting all worked and unworked FMLA hours. This timesheet is submitted to their supervisor for approval. It is then forwarded to Payroll and Human Resources for pay and tracking of FMLA hours.

Benefits During Leave

Healthcare benefits will continue during leave on the same terms as if the employee has continued to work. Employees on FMLA are not charged more than other employees for health insurance premiums, but are responsible to pay their share of premiums during leave. Earned Time and long-term illness benefits shall not accrue on FMLA hours. Employees are eligible for holiday pay during a FMLA leave. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

Key Employees

Although higher-paid employees (generally those in the top 10 percent of pay) are eligible for FMLA leave, the College reserves the right under the law to deny reinstatement to key employees if doing so would cause substantial and grievous economic injury. Employees whose job restoration is likely to be denied will be so informed when they request leave. If the judgment that reinstatement would cause the business economic injury is made after leave commences, the key employee will be informed in a timely manner and given a reasonable opportunity to return to work at that time. Decisions are made on a case-by-case basis and must take into account the impact on business operations by the absence of a key employee.

Taking More Than 12 Weeks of Leave

Unless applicable law requires otherwise, employees who fail to return to work after exhausting their 12 weeks of FMLA leave or who fail to request additional leave at the end of their approved FMLA leave may be subject to discharge. Decisions will be made on a case-by-case basis.

Extensions

Employees, who because of disability, remain temporarily unable to perform their jobs after exhausting FMLA leave may request extensions of leave beyond the 12-week limit. Any extensions must have the written approval of both Human Resources and the employee's immediate supervisor. In accordance with the Americans with Disabilities Act, if an employee requests additional FMLA leave because of a disability, the request will be considered in accordance with the Accommodations policy.

Returning from a Leave

Employees returning from leave will be restored to their former jobs, pay and benefits, wherever practicable in accordance with FMLA law. If the employee's former job is not available, the employee will be restored to an equivalent position for which the employee is qualified. Saint Joseph's College of Maine reserves the right not to restore an employee if this would cause the College undue hardship.

When the employee is ready to return from FMLA leave for their own serious health condition, he or she must provide a Fitness for Duty certification form to Human Resources before work commences. The Fitness for Duty certification and job description must be given to their health care provider to make an appropriate return to work plan.

If an employee has been on a leave to care for a spouse, child, or parent with a serious health condition, for qualifying exigencies from the employee's spouse, child, or parent due to active duty or to care for a service member with a serious illness or injury, a fitness for duty certification is not required.

Interplay with Other Leave Laws

To the greatest extent permitted under applicable law, if employees are eligible for both FMLA and state or local leave (e.g., Maine Family and Medical Leave, etc.), such leaves run concurrently.

307 Maine Family and Medical Leave

If you have been employed by the College for 12 consecutive months, you are eligible for up to 10 workweeks of unpaid family medical leave in any two-year period under the following circumstances:

- The employee's own serious health condition;

- The birth of the employee's child or the employee's domestic partner's child;
- The placement of a child 16 years of age or less with the employee or the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner;
- The serious health condition of the employee's parent, child, grandchild, sibling, spouse/domestic partner, or the employee's domestic partner's child;
- The donation of the employee's organ for a human organ transplant; or
- The death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child if the spouse, domestic partner, parent, sibling or child as a member of the state military forces, as defined in Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, dies or incurs a serious health condition while on active duty.

The two-year leave period shall be calculated as a rolling two-year period measured backward from the first day of any family or medical leave. The leave may be taken in consecutive weeks or intermittently.

"Serious health condition" means an illness, injury, impairment or physical or mental condition that involves: (a) inpatient care in a hospital, hospice or residential medical care facility; or (b) continuing treatment by a health care provider.

Employees must give at least 30 days' notice of the intended date upon which family medical leave will commence and terminate, unless prevented by medical emergency from giving that notice.

The College may require certification from a health care provider to verify the need for and the amount of leave requested by the employee. Employees may also be required to provide verification of the relevant family relationship or domestic partnership.

Any leave taken under the Maine Family Medical Leave Act runs concurrently with leave taken under the federal Family and Medical Leave Act and applicable state leave/benefit programs, to the extent allowed by law. The College complies with both applicable federal and state law when administering its family medical leave policy, and if both apply to the employee, the College will give the employee the benefit of the more generous leave law.

Employees will be required to use accrued Earned Time and Long-Term Illness benefits, if applicable, during a family medical leave. During any family medical leave taken under this policy, employees may continue their employee benefits at their expense.

Upon return from an approved leave under this policy, employees will ordinarily be restored to their former position or to a position with equivalent seniority status, employee benefits, pay and other

terms and conditions of employment. Restoration may be denied for reasons unrelated to the employee's exercise of family medical rights, such as a business downturn or reorganization.

308 Maine Paid Family and Medical Leave

To support employees taking care of themselves and their family members, Maine enacted its Paid Family & Medical Leave ("PFML") law in 2023. Starting in January 2025, Maine employers and employees are required to begin paying premiums to fund the PFML program, which will ultimately begin paying benefits to eligible employees starting in May 2026. With some exceptions, the PFML program will generally apply to all employers and employees in the State of Maine, and will provide eligible employees up to 12 weeks of paid leave per benefit year for qualifying personal and family medical, military, and safe leave reasons. The Maine Department of Labor is responsible for PFML program implementation, and continues to publish guidance and resources as the program is rolled out.

Employees should note that, as required by law, beginning with the first payroll period in January of 2025, the College will withhold 0.5% of employee compensation from employees' paychecks for the premium required to fund the PFML program. Separately, the College will also contribute 0.5% of employee compensation for its employer-share of premiums. Should there be any changes in premium contribution rates, or should the College elect to substitute its own fully or self-insured paid leave program for the Maine program, the College will provide notice to employees accordingly.

Because this benefit is new, and the details of how the PFML program will work are yet to be determined, the College will update this section in 2025 as more information becomes available. If you have questions about the PFML program, please see the "Maine Paid Family and Medical Leave" poster included as Appendix D, or contact Human Resources.

309 College Medical Leave (Staff)

The College Medical Leave is a benefit unique to Saint Joseph's College of Maine. It provides approved full and part time Staff members with unpaid leave if they need time away from work for their own medical reasons. This leave is only available if an employee is not eligible for FMLA or Maine Family and Medical Leave or if an employee has already exhausted such leave.

Requests for leave under this policy must be in writing and will be evaluated against institutional needs, length of requested leave and budgetary constraints. The College will have sole discretion in determining if an employee's position will or will not be held for the duration of the leave.

The College Medical Leave is an unpaid leave with a maximum duration of three (3) consecutive months. The leave is re-evaluated, with the Staff member, during each month to assess and determine the continuation of the leave for the following month. Failure for Staff to participate in these discussions, pay benefit premiums, etc., may jeopardize the continued approval of the College Medical Leave.

If available, staff must use Earned Time and/or long-term illness benefits during their medical leave. If these accrued balances have been exhausted, the College Medical Leave will be unpaid. Earned Time (ET) or long-Term Illness (LTI) hours will not accrue during the College Medical leave. To the maximum extent permitted under applicable law, leave under this policy will run concurrently with applicable state paid leave/benefit program.

The College will continue the temporary suspension of email and systems access and retain any technology devices onsite, i.e. laptop, mobile devices, etc. If an employee has a cell phone subsidy due to work requirements, the subsidy will also continue to be temporarily suspended until the employee is approved to return to work.

The College Medical Leave will be considered in conjunction with the following factors, including but not limited to, the employee's position, overall responsibility, length of service, and performance, department and College needs, anticipated length of leave needed, budgetary impacts, and any other pertinent factors. Granting of leave under this policy is determined by Human Resources. In addition, department leadership input will be considered from an operational perspective.

If approved, arrangements for the continuation of College benefits, including but not limited to premium payments, will be made through Human Resources.

Employees returning from a medical leave of absence generally return to the position held prior to the leave of absence. In determining whether an employee on a leave of absence will be returned to a position at the College, the College will evaluate the duration of the leave, the nature of the work performed, and the needs of the business, and any other pertinent factors.

If an employee does not return to work at the expiration of their medical leave or any approved extension, the College will terminate their employment. In such an event, all College benefits will terminate in accordance with the College's benefit plans and applicable law. Employees will be required to reimburse the College for all health insurance premiums paid on their behalf during the portion of their leave that was unpaid.

310 Jury Duty and Witness Leave

Members of the College community are encouraged to serve, as a matter of good citizenship, when called upon for jury duty or as a court witness.

Staff members are expected to have their responsibilities covered according to the individual needs of their departments and to return to work after they have discharged their court obligations for the day. If the jury duty period requested would represent a hardship to the staff members' department, they should request a deferment from the court. Such a request must be made in writing to the appropriate court explaining the hardship and providing an alternate available time to serve. Employees who, during their regular working hours, actively serve on jury duty or are under subpoena as a witness in a criminal court proceeding, when not a principal, continue to receive their regular pay.

When faculty members are called for jury duty during the Semester/Term in which they are teaching, their obligation to their students may be adversely affected by prolonged or unpredictable absences. Faculty members called for jury duty during regular teaching periods may have significant problems meeting their academic responsibilities and may request a deferment from the court. Such a request must be made in writing to the appropriate court, and should explain that the faculty member's teaching obligations cannot be met by a substitute. The faculty member may consider requesting a deferment of their service until the summer or the next semester/term in which they are not teaching.

Any employee appearing on behalf of the College before a court, legislative committee, or judicial or quasi-judicial body will also be excused from work with pay.

When requesting jury duty pay, employees should provide a copy of their subpoena to their supervisor, Payroll and Human Resources. Supervisors will enter Jury Duty hours in the ADP Workforce Now system for the employee.

Employees shall return to work within a reasonable time on days released from such duty.

311 Military Leave

Saint Joseph's College of Maine complies with applicable state law and the Uniformed Services Employment and Reemployment Rights Act (USERRA) which protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. The U.S. Department of Labor's (DOL) Veterans' Employment and Training Service (VETS) administers USERRA.

Reservists and members of the National Guard. Employees serving in the reserve or National Guard will be granted military leave to enable them to attend training as reservists or guard members. Regular employees will be eligible for unpaid leave for up to ten days of training leave each year.

Active Duty. Employees entering active duty either voluntarily or through the draft will be granted unpaid leave. Upon completion of service, those employees who satisfy the reporting, notification, reapplication, and honorable service provision of USERRA will be accorded the reemployment and benefits rights as provided by USERRA. In general, you must return to your regular work schedule without delay.

Although benefits will not accrue while an employee is in the service, the employee will not lose any seniority and time spent on active duty will be treated as if continuously employed and given credit for vesting and benefit accrual purposes. Employees returning to the College have the right to be reinstated to the previously elected benefit plans without any waiting periods or exclusions (except for service-connected illnesses or injuries). Saint Joseph's College of Maine will not make contributions to the retirement account during a military leave, but upon return to work the College will contribute amounts not contributed during the leave. The College will allow the employee to choose to use their Earned Time to cover some of the unpaid leave time. The College will continue to pay the basic life premiums.

Employees on military leave for more than 31 days are permitted to elect, through COBRA, to extend all health, dental, vision and reimbursement accounts for themselves or covered dependents for up to 24 months from the date the military absence begins. Regulations require that all other benefits be continued for employees on military leave to the same extent they are continued for employees on other types of leave. This means that for employees on military leave, the College will make payment arrangements with the employee requesting leave to continue insurance until the employee is eligible to receive COBRA benefits.

Employees who will require leave are expected to show their orders to Human Resources as soon as they are received.

312 Maine Family Military Leave

If an employee has worked with the College for at least 12 months (prior to the commencement of the leave) and has at least 1,250 service hours during the 12-month period immediately preceding the leave, the employee is eligible for unpaid leave under Maine's Family Military Leave Act. If the employee's spouse, domestic partner, or child is called to military service that is expected to last longer

than 180 days, then the employee is entitled to up to 15 days of unpaid leave to spend time with their spouse, domestic partner, or child immediately before, during, or following deployment.

Advance notice is required to receive this benefit for a covered deployment. A covered deployment is a deployment: a) of the employee's spouse, domestic partner, or child, who is a resident of Maine, b) for longer than 180 days, and c) into active military or National Guard duty when the duty assignment is in a combat theater or in an area where armed conflict is taking place.

The College will maintain the employee's benefits during the leave and restore their employment (or equivalent employment) after the leave.

313 Unpaid Personal Leave (Staff)

Unpaid Personal Leave is a benefit consideration for a full time staff employee who wishes to take time off to further their education or for public service for a specified period. This is an unpaid leave, which may be granted for up to 12 months. The College will have sole discretion in determining if an employee's position will or will not be held for the duration of the leave.

All such leaves are contingent upon the department(s) either securing satisfactory replacements or making arrangements to cover the staff member's responsibilities. Such leaves require the approval of the appropriate vice president. Any request for a leave of absence of more than 90 days will require the approval of the President.

Employees on unpaid personal leave are permitted to elect, through COBRA, to extend all health, dental, vision and reimbursement accounts for themselves or covered dependents from the date the leave begins. All other benefits for the employee are suspended at the start of the leave period. Benefit accruals, such as Earned Time, long-term-illness or holiday benefits, will also be suspended during the leave and will resume upon return to active employment.

The College will suspend email and systems access and retain any technology devices onsite, i.e. laptop, mobile devices, etc. If an employee has a cell phone subsidy due to work requirements, the subsidy will also be suspended until the employee returns to work.

When a leave of absence ends, every reasonable effort will be made to return the staff member to the same position, if it is available, or to a similar available position for which the staff member is qualified. Saint Joseph's College of Maine cannot guarantee reinstatement in all cases. If a staff member fails to report to work promptly at the expiration of the approved leave period, he or she will be deemed to have resigned.

Arrangements for length of time, continuation of benefits and reallocation of workload will be made through Human Resources to accommodate the specific circumstances.

314 Victims of Violence Leave of Absence

Employees are entitled to leave to attend to needs resulting from acts of violence against themselves or their immediate family in compliance with applicable Maine law.

Saint Joseph's College of Maine will grant reasonable and necessary leave from work, for an employee to:

1. Prepare for and attend court proceedings;
2. Receive personal medical treatment or attend to medical treatment for a victim who is the employee's daughter, son, parent, or spouse; or
3. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault, or stalking.

The leave must be needed because the employee or the employee's daughter, son, parent, or spouse/partner is a victim of violence, assault, sexual assaults, stalking or any act that would support an order for protection under Maine's protection from domestic abuse law.

Saint Joseph's College of Maine will delay or deny a request for a leave if:

1. The employer would sustain undue hardship from the employee's absence;
2. The request for leave is not communicated to the employer within a reasonable time under the circumstances; or
3. The requested leave is impractical, unreasonable or unnecessary based on the facts then made known to the employer.

Saint Joseph's College of Maine will not sanction an employee or deprive an employee of pay or benefits for exercising a right granted by applicable Maine law.

Saint Joseph's College of Maine does require the employee to use Earned Time for time away from work.

Arrangements for length of time, continuation of benefits and reallocation of workload will be made through Human Resources to accommodate the specific circumstances.

315 Maine Emergency Responder Leave

Employees may not be subject to any disciplinary action because of their failure to report for work at the beginning of their regular working hours if they failed to do so because they were responding to an emergency in their capacity as a firefighter or an emergency medical service personnel (including

volunteers) and they reported for work as soon as reasonably possible after being released from the emergency. The College may charge the lost time against the employee's regular pay or against the employee's available Earned Time.

If time permits, when an employee is responding as a firefighter or an emergency medical service personnel (including volunteers) to an emergency, the employee, the employee's designee or the fire department supervisor shall notify the College that the employee will not report to work at the appointed time. The College may request that an employee provide the College with a statement from the chief of the fire department or the chief's designee stating that the employee was responding to an emergency call and the time of release from the call.

BENEFITS

400 Benefit Eligibility

The College offers a range of benefits to eligible employees. A number of the programs (such as Social Security, workers' compensation, and unemployment insurance) cover all employees in the manner prescribed by applicable law. Some benefit programs require contributions from you and others are fully paid by the College.

Separate booklets that describe the various benefit plans are available from Human Resources. The actual provisions of each formal plan, policy, or contract govern in determining eligibility for benefits, benefit levels, and all other matters. The College may amend, modify, and/or terminate any of these benefits. Also, to the extent the College is the plan administrator of its benefit plans and programs, the College has full discretion to administer them in all of their details, subject to the requirements of applicable law. Any interpretation or determination the College makes as the plan administrator regarding these plans and programs will be final and conclusive.

Please contact Human Resources for more details about the benefits programs the College offers.

Eligibility

Saint Joseph's College of Maine benefit eligibility varies by specific plan options. Plan participation is governed by the specific eligibility types:

- Full Time Employees working 30+ hours
- Part time Administrative Staff working a minimum of 24-29 hours
- Faculty Full Time/Pro-Rata – 12 credit hours or designated Full Time (Department Chairs may not have 12 credit hours but receive credit hours for chairing the department)
- Gradual Retirement Program (Faculty with 15 years higher education and 10 years at Saint Joseph's College of Maine)
- Retired Sisters of Mercy – past age 65 with 5 years of full time service - retiree benefit for life
- Retirees – at least age 60 with 20 years of service – can be covered to 65 then (Medicare)
- Sabbatical Leave – Must be an Assistant Professor or higher who has served full-time for seven or more years at Saint Joseph's College of Maine is eligible for consideration for sabbatical leave.
- Full time 9 – 11 Month Academic Year Employees

Temporary and Per Diem Employees

Receive only legally mandated benefits, which are social security, Worker's Compensation, and unemployment benefits. Time served as a temporary or per diem employee is not credited as years of service to determine benefit (excluding SJC Retirement Plan) or leave eligibility or accrual.

Dependent Children

Dependent Children may be covered in the Saint Joseph's College of Maine Medical, Vision and Dental Plans up to age 26 without regard to whether they are full-time students, married or dependent upon you for support.

401 Tuition Remission

Eligibility

Employees: Regular full-time administrative staff after six months of full time continuous service or its equivalent in continuous part time service.

IRS Eligible Dependents Child(ren) and/or Spouse: One year of continuous full time service by sponsoring employee or its equivalent in prior continuous part time service.

Note: Service requirements must be met by the beginning of the semester in which an employee requests tuition remission.

Dependent Child(ren) are defined for this purpose as those claimed for federal income tax purposes.

IRS Eligible Dependent Definition: The student must be claimed as a “qualifying child” and meet all (5) five tests:

1. Relationship,
2. Age,
 - a. To meet this test, a “Qualifying Child” must be:
 - i. Under age 19 at the end of the year and younger than you (or your spouse if filing jointly),
 - ii. A student under age 24 at the end of the year and younger than you (or your spouse if filing jointly), or
 - iii. Permanently and totally disabled at any time during the year, regardless of age.
3. Residency,
4. Support, and
5. Joint return

Procedure

Employee Undergraduate Benefit:

Employees requesting the benefit must be academically qualified and may attend classes at Saint Joseph's College of Maine on a space available basis during non-working hours (or during working hours with written approval of their supervisor). A maximum of four classes may be taken per academic year. There will be no charge for tuition. The employee is responsible for any incidental costs including but not limited to books, lab fees, etc. Continued participation in this plan requires that the employee remain current with all charges.

Employee Graduate Benefit:

Employees requesting the benefit must be academically qualified and may attend classes at Saint Joseph's College of Maine on a space available basis. A maximum of four classes may be taken per academic year. There will be no charge for tuition. The employee is responsible for any incidental costs including, but not limited to, books, lab fees, etc. Continued participation in this plan requires that the employee remain current with all charges.

Each calendar year, the first \$5,250 of graduate level tuition is non-taxable. Once the \$5,250 threshold has been met, any amount over becomes a taxable benefit subject to Federal, State, Social Security, and Medicare taxes. The tuition amount will be added to your gross earnings the pay period after the add/drop period in accordance with IRS Code. Federal, State, Social Security and Medicare taxes will be withheld on the tuition benefit amount.

IRS Dependent Child(ren) and/or Spouse Undergraduate Benefit:

After twelve months of continuous full time service or its equivalent at the College, a full-time employee's dependent child(ren) and/or spouse are eligible to attend classes at the College as long as the employee's full-time employment continues. The customary admission procedures apply, only tuition is waived. The dependent and/or spouse is responsible for any incidental costs including but not limited to books, lab fees, etc. The IRS dependent's and/or spouse's undergraduate tuition remission is a tax-free benefit to the sponsoring employee. Continued participation in this plan requires that the dependent and/or spouse remain current with all charges. All dependents and/or spouse participating in this plan are considered sponsored by the full-time employee. Should a dependent and/or spouse fail to remain current with all charges, the sponsoring employee will be held responsible. No additional family participation will be allowed until all charges are paid.

IRS Dependent Child(ren) and/or Spouse Graduate Benefit:

After twelve months of continuous full time service or its equivalent at the College, a full-time employee's dependent child(ren) and/or spouse are eligible to attend graduate classes at the College as long as the employee's full-time employment continues. The customary admission procedures apply, only tuition is waived. The dependent child(ren) and/or spouse is responsible for any incidental costs including but not limited to books, lab fees, etc. IRS dependent's and/or the spouse's graduate tuition remission is a taxable benefit subject to Federal, State, Social Security, and Medicare taxes taxable to the sponsoring employee. Continued participation in this plan requires that the dependent and/or spouse remain current with all charges. All dependents and/or spouses participating in this plan are considered sponsored by the full-time employee. Should a dependent and/or spouse fail to remain current with all charges, the sponsoring employee will be held responsible. No additional family participation will be allowed until all charges are paid.

NON-IRS Dependent Undergraduate Benefit:

After twelve months of continuous full time service or its equivalent at the College, a full-time employee's natural or adopted child under the age of 30 is eligible to attend classes at the College as long as the employee's full-time employment continues. The customary admission procedures apply. This benefit will be set at 90% of the current tuition cost and is a taxable benefit. The amount of the tuition will be added to sponsoring employee's gross pay and taxes withheld. Sponsoring employees are advised that additional federal and/or state tax liability may remain at the end of the year. Continued participation in this plan requires that the child remain current with all charges. All child(ren) participating in this plan are considered sponsored by the full-time employee. Should a child fail to remain current with all charges, the sponsoring employee will be held responsible. No additional family participation will be allowed until all charges are paid.

The College requires all full-time and part-time (if a matriculated undergraduate student enrolled at least half time) tuition remission recipients to apply for federal and state grant aid. This aid, if any, is applied first toward the tuition costs. The tuition remission benefit will cover the remaining tuition. To be eligible for tuition remission, the Free Application for Federal Student Aid (FAFSA) **must** be completed by May 1st to meet the priority deadline for any State or Pell grant funds. To apply for the FAFSA, please go to www.fafsa.ed.gov. Failure to do so by the May 1st deadline, **will result** in the forfeiture of this benefit. Also, before your tuition remission benefit will be approved, a copy of your federal tax return (tax year used to complete the FAFSA) listing the student as a "qualifying child" will need to be submitted to Human Resources.

402 Tuition Remission Part-time Clinical Nursing Faculty**Eligibility**

Part-time clinical nursing faculty are eligible for the equivalent of one course in the Master's of Science in Nursing Program for each clinical taught with a maximum of four per academic year. A faculty member has up to one year from the end of their teaching responsibilities to start an eligible course and be in good standing in the Department of Nursing. Continued eligibility for tuition remission benefits will be contingent on the student's ability to meet the Satisfactory Academic Progress Policy set forth by the Chief Learning Officer and the Financial Aid Department. All fees and other costs owed to the College must be paid prior to receiving the tuition remission. Failure to complete a teaching contract will result in revoking eligibility for tuition remission.

Procedure

Following approval from the Human Resource Office, the College will grant the tuition remission benefit up to full tuition of the course. The first \$5,250 of graduate level tuition each calendar year is non-taxable. However, after that has been met, then it becomes a taxable benefit subject to Federal, State, Social Security, and Medicare taxes. The tuition amount will be added to the employee's gross

earnings in the pay period *30 days from the start of the course* in accordance with IRS Code. If the course is taken while the clinical nursing faculty is in an unpaid status, the amount of the tuition will be added as income for the faculty member when they return to paid status as long as it is in the same tax year. If not, they will be issued a Form 1099 at the end of the year. *Note: this may result in taxes owed for that year.*

This taxable tuition remission benefit is subject to the refund policy defined in the Saint Joseph's College of Maine Catalog. If a withdrawal is processed within the first 30 days from the start of the course for less than 100%, the course will still be counted toward your maximum course count per the benefit policy. *Tuition Remission is just to cover tuition costs. Any costs for books or fees will not be covered.*

403 Tuition Exchange

The College is a member of two national scholarship exchange programs for institutions of higher education: Tuition Exchange Inc. (TE), and the Council of Independent Colleges (CIC). Both are headquartered in Washington, D.C. Each organization consists of a network of over 500 mostly private colleges in the United States and exists to offer tuition reimbursement for the dependent child(ren) of full-time college employees.

Each member institution determines eligibility criteria for students it “exports,” and also sets criteria including the value of its scholarship for those students who are accepted or “imported.” Member institutions, according to their own criteria, award TE and CIC scholarships. The Tuition Exchange, Inc. (TE) program requires a proper balance between “imports” and “exports,” and restricts institutions whose record shows excessive exports.

Saint Joseph's College of Maine Export Policy

1. CIC

- a. Eligibility: The program is available only to full time faculty, administration and staff who have completed one year of uninterrupted service with the College by the enrollment date of the sponsored dependent child(ren). Employees must continue to be employed full time by Saint Joseph's College of Maine for the full duration of the tuition exchange period in order for the benefits to continue.
Dependent Child(ren) are defined for this purpose as those claimed for federal income tax purposes. IRS Eligible Dependent Definition: The student must be claimed as a “qualifying child” and meet all (5) five tests:

- i. Relationship,
- ii. Age,

1. To meet this test, a “Qualifying Child” must be:
 2. Under age 19 at the end of the year and younger than you (or your spouse if filing jointly),
 3. A student under age 24 at the end of the year and younger than you (or your spouse if filing jointly), or
 4. Permanently and totally disabled at any time during the year, regardless of age.
- iii. Residency,
 - iv. Support, and
 - v. Joint return

The scholarships are limited to full time undergraduate study for the nine-month on-campus program only. **NOTE:** scholarships may not be available for part-time study, graduate school, distance education degree programs or study abroad.

- b. Duration and Coverage: The College does not restrict the number of exports authorized under this program. Authorization is granted on a year-by-year basis. Students renewing their CIC scholarship must meet College eligibility guidelines anew each year and be recertified by the Assistant Director of HR/College Liaison Officer. The SJC TE/CIC Application/Dependent Certification form and a copy of your federal tax return (tax year used to complete the FAFSA for that academic year) listing the student as a “qualifying child” must be submitted by October for the next academic year.

2. TE

- a. Eligibility: The program is available only to full time faculty, administration and staff who have completed four years of uninterrupted service with the College by the enrollment date of the sponsored dependent child(ren). Employees must continue to be employed full time by Saint Joseph's College of Maine for the full duration of the tuition exchange period in order for the benefits to continue.

Dependent Child(ren) are defined for this purpose as those claimed for federal income tax purposes. IRS Eligible Dependent Definition: The student must be claimed as a “qualifying child” and meet all (5) five tests:

- i. Relationship,
 - ii. Age,
1. To meet this test, a “Qualifying Child” must be:

2. Under age 19 at the end of the year and younger than you (or your spouse if filing jointly),
 3. A student under age 24 at the end of the year and younger than you (or your spouse if filing jointly), or
 4. Permanently and totally disabled at any time during the year, regardless of age.
- iii. Residency,
 - iv. Support, and
 - v. Joint return

The scholarships are limited to full time undergraduate study for the nine-month on-campus program only. **NOTE:** scholarships may not be available for part-time study, graduate school, distance education degree programs or study abroad.

- b. Duration and Coverage: Because the College must balance the number of TE students it “exports” with those it “imports” or enrolls at the College, there may be a limited number of export scholarships available. The actual number of TE scholarship semesters granted in any year also depends upon the status of the export/import record of the College. If there is an export scholarship slot available, the TE benefit will be eight semesters. Students renewing their TE scholarship must meet College eligibility guidelines anew each year and be recertified by the Assistant Director of HR/College Liaison Officer. The SJC TE/CIC Application/Dependent Certification form and a copy of your federal tax return (tax year used to complete the FAFSA for that academic year) listing the student as a “qualifying child” must be submitted by October for the next academic year.

Saint Joseph's College of Maine Export Procedure

Interested employees should visit the websites of Tuition Exchange, Inc. (www.tuitionexchange.org) and Council of Independent Colleges (www.cic.org) to see the list of participating schools. Identify the schools to which you plan to apply for admission.

- I. Initial Application Timetable
 1. During September/October of the senior year in high school, candidates should meet with the Assistant Director HR/College Liaison Officer or attend the fall informational meeting to obtain information about the TE/CIC scholarships program.
 2. Candidates must submit the SJC Preliminary Application/Dependent Certification for TE/CIC scholarships to the Human Resources Office by October of that year. Before your tuition exchange application is approved for processing, a copy of your federal tax return (tax year used to complete the FAFSA) listing the student as a “qualifying child” will need

to be submitted to Human Resources with the SJS Preliminary Application/Dependent Certification.

3. The SJC Preliminary Application/Certification Form will be reviewed for approval by Assistant Director of HR/College Liaison Officer.
4. Once approved, employees must submit online applications to any institutions under the TE scholarship program. The Assistant Director of HR/College Liaison Officer submits online applications to those under the CIC scholarship program.
 - a. **Note:** Saint Joseph's Certification only confirms that you and your dependent child(ren) have met eligibility requirements to receive the TE/CIC benefit. **(Each importing college has its own guidelines for awarding the scholarship.)**
5. After October, additional Colleges applied to may be added by notifying the Assistant Director of HR/College Liaison Officer.
6. December through June importing institutions will approve or deny the scholarship.
7. By June 30, all candidates should submit the TE/CIC scholarship acceptance form to the Assistant Director of HR/College Liaison Officer. This form will indicate the college to be attended and the amount of the TE/CIC scholarship awarded by the importing institution.

404 Staff & Faculty Retiree Benefits

The following criteria are applicable to the indicated retirement category:

- **SJC Retiree:** Staff & Faculty who have completed 15 full-time years of service and are of retirement age of 59 ½.
 - a. Awarded an SJC Adirondack Chair upon retirement at the annual Employee Celebration
 - b. Retain SJC Email Address
 - c. Issued an SJC ID Card that Features:
 - Access to the Alford Center & all its resources
 - Admission to Athletic Events
 - Ability to add money to be used in Pearson's Café, Baggot Street, Brewed Awakenings and the Campus Store
 - Utilize all of the resources at the Wellehan Library
 - d. Continue current SJC medical insurance by purchasing it (at full group cost) up to age 65, then eligible for Medicare
- **Professor Emeritus** (as noted in the Faculty Handbook): This rank may be assigned to Assistant Professors, Associate Professors, or Professors who have limited or terminated their responsibilities as a ranked faculty member for valid reasons (e.g., retirement, illness) after ten or more years of distinguished service to the College. A Professor Emeritus is so designated and appointed by the President, the Dean of the College, the Committee on Rank and Tenure and the Board of Trustees.

- a. The College will provide meeting facilities for such former faculty members who may wish to meet as a group.
- b. After retirement, a faculty member may exchange his or her SJC Employee Identification Card for an SJC Emeritus Employee Card at the IT Help Desk. This card will provide (subject to the current policies, restrictions and fees applicable to full-time faculty) access to Saint Joseph's College of Maine recreational and athletic facilities, Library, Bookstore, campus parking permits, and its cultural, athletic, and educational events.
- c. Such a faculty member may take any course(s) at the College tuition free.
- d. The Office of Institution Advancement – Alumni, at the request of an emeritus faculty member and provided that this person keeps his or her current address on file, will assure that notices of major campus activities are sent to the emeritus faculty member.
- e. Emeritus faculty members may attend the Faculty Senate meetings and the meetings and other activities of their former department. However, only those who have active faculty status by current appointment may vote in these meetings and only in accordance with the voting rights attendant to the status they hold.
- f. All emeritus faculty members may participate in the College's graduation and Commencement exercises with appropriate academic dress if they so wish. They will also be invited to social functions, receptions, etc.
- g. The emeritus faculty members may make use of the faculty and/or departmental secretarial services on a low priority basis.
- h. The emeritus faculty will retain full use of the college library and all of its services without charge for professional use, including photocopying, interlibrary loan, use of library search engines, etc. i. The emeritus faculty will be permitted to continue to use college e-mail and college Internet services and retain/develop web pages on the College's server for professional purposes.
- i. The emeritus faculty will have access to office space when and if available while working on campus.
- j. They will receive the same discount offered to current faculty in the dining hall and college bookstore and retain free use of the exercise facilities in the Alford Center.
- k. The emeritus faculty will be permitted to use departmental stationery and the college mail service for professional purposes only.
- l. Such faculty will be permitted to apply for non-college grants through the college's office of Institutional Advancement.
- m. Emeritus faculty will be allowed to park their cars in the lots assigned to active faculty on a first-come, first-serve basis.
- n. All such faculty will be allowed to use departmental phones for professional purposes while on campus.
- ***Gradual Retirement Program*** (as noted in the Faculty Handbook): This program is available for those full-time tenured faculty members who (a) have been teaching full-time in higher education for 15 or more years (at least 10 years of which have been at Saint Joseph's College of Maine), and (b) who wish to gradually reduce their teaching obligation at Saint Joseph's College of Maine over a five-year period.

- a. Faculty who elect to participate in the Gradual Retirement Program are eligible for medical, dental and vision insurance throughout the 5-year program.
- b. During the first, second, and third years after entry into the program, the faculty member's responsibilities will be reduced to 2/3 time and his/her salary will be prorated accordingly.
 - Benefit changes: no longer eligible for Life and Long Term Disability Insurances
- c. During the fourth and fifth years of the program, the faculty member's responsibilities will be reduced to 1/3 time, which may be fulfilled in one term of the year, and his/her salary will be prorated accordingly.
 - Benefit changes: no longer eligible for College discretionary employer contribution to SJC Retirement Plan
- ***Retired Sisters of Mercy***: past age 65 with 5 years of full time service at SJC
 - a. retiree can continue elected medical, dental and vision benefit for life

Procedure

To be assigned eligibility in any of the categories listed above, the employee must notify the appropriate area in writing their intention to **"Retire"** including specific date. Faculty must notify the Senior Vice President of Learning and Programs. Staff must notify their supervisor and Human Resources. If 'resignation' is noted in documentation, retirement benefits will not be applicable.

405 Legally Mandated Benefits

The College is required to provide the following legally required benefit plans on behalf of all employees.

Workers' Compensation Insurance

Saint Joseph's College of Maine provides a comprehensive Workers' Compensation insurance program at no cost to employees. This program covers an injury or illness sustained in the course of employment. Subject to applicable legal requirements, Workers' Compensation insurance provides benefits after a seven day or 56 hour waiting period or, if the employee is hospitalized, immediately. Employees are able to use Earned Time or Maine Earned Paid Leave during the waiting period. In accordance with state law, Workers' Compensation provides 80% income replacement for eligible participants up to a State of Maine specified maximum amount.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Social Security and Medicare Taxes

In compliance with the Federal Insurance Contribution Act, Saint Joseph's College of Maine withholds 7.65% of the employee's earnings for social security (6.2% for Social Security and 1.45% for Medicare). On behalf of the employee, the College matches the employee's contributions and deposits both contributions with the Internal Revenue Service.

Unemployment Benefits

The College is required to reimburse the state of Maine for all unemployment benefits and all costs of unemployment compensation, which the State pays to terminated employees who qualify for unemployment benefits.

Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Saint Joseph's College of Maine health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation; and if a dependent child becomes ineligible for health care coverage because of age. Under COBRA, the employee or beneficiary pays the full cost of coverage at the Saint Joseph's College of Maine group rates, plus an administration fee. Saint Joseph's College of Maine provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for continuing coverage under the Saint Joseph's College of Maine health insurance plan. The notice contains important information about the employee's rights and obligations. COBRA benefits do not apply to domestic partners.

Affordable Care Act (ACA)

Under the Affordable Care Act (ACA) employees may qualify or be able to continue in the Saint Joseph's Medical Plan outside of the normal eligibility rules. Coverage may be gained if an otherwise ineligible employee works over 1,560 hours during a 12 month measurement period. Contact Human Resources if you have questions regarding medical eligibility under the ACA.

JOB CLASSIFICATION AND COMPENSATION

500 Fair Labor Standards Act (FLSA)

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments. FLSA is the means by which Saint Joseph's College of Maine properly classifies positions and accurately pays employees per their position.

Saint Joseph's College of Maine conforms to all terms of the Fair Labor Standards Act (known as the Federal Wage and Hour Law), including the payment of minimum wages and overtime pay. These laws establish the criteria for determining which positions are "non-exempt" (eligible to receive overtime pay), and which are "exempt" (not eligible to receive overtime pay). Human Resources is responsible for ensuring compliance with such laws, including the determination of exempt and non-exempt status.

Once a manager completes a job description, Human Resources reviews the essential functions of the role, the level of responsibility, and the knowledge, skills, and abilities needed to perform the position. Salary based upon relative market data is also considered.

After this review, positions are classified as either non-exempt (hourly) or exempt (salaried). Two main differences between non-exempt and exempt employees are how hours worked are documented and who is eligible for overtime pay.

At times, the manager and Human Resources may need to discuss the percentage of time spent on each essential function of a position as this may or may not affect the FLSA status. In addition, it is a good practice to annually review job descriptions to ensure the essential functions and the percent of time spent are accurate as positions may evolve over time. This activity is to be completed in conjunction with the Human Resources Department.

501 Employment Classifications and Statutes

The College provides the definitions of employment classifications and categories to provide an understanding of each group and their respective benefits eligibility.

Employees are classified as either non-exempt or exempt under state and federal wage and hour laws. Please see the definitions below:

- **Non-exempt hourly employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are not exempt from the law's requirements concerning minimum

wage and overtime. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state wage and hour laws.

- **Exempt salaried employees** are generally executives, professional, administrative, or outside sales staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor and are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above classifications, each employee will belong to one of the following employment categories:

- **REGULAR FULL-TIME** staff are those who are hired into a designated full-time position and regularly scheduled to work 35 or more hours per week. Regular full-time staff are eligible for the College's benefit package, subject to the terms, conditions, and limitations of each benefit program. Staff working 30 hours per week are also eligible for the full time employment benefit package. Staff in a regular full-time position are not in a temporary role and are in an adaptation period for a defined amount of time based on the type of position.
- **REGULAR PART-TIME** staff are those who are hired into a designated regular part-time position and are regularly scheduled to work less than the full-time work schedule. Staff in this status work a minimum of 24 hours per week and no more than 30 hours per week. Regular part-time staff are eligible for a specific selection of benefits sponsored by Saint Joseph's College of Maine, subject to the terms, conditions and limitations of each benefit program. Staff in a regular, part-time position are not in a temporary role and are in an adaptation period for a defined amount of time based on the type of position.
- **PART-TIME SCHEDULED STAFF** are those who are hired into a designated regular part-time position and are regularly scheduled to work less than the full-time work schedule. Staff in this status work no more than 30 hours per week. While they do receive all legally mandated benefits (such as unemployment and workers' compensation insurance), they are not eligible for the College's Section 125 benefit program, are not considered temporary and do not have an adaptation period. They are eligible for Holiday and School Close compensation.
- **PART-TIME ADJUNCT FACULTY** are those who work fewer than 24 hours per week. While they do receive all legally mandated benefits (such as unemployment and workers' compensation insurance), they are not eligible for most College benefit programs, are not considered temporary and do not have an adaptation period.
- **PER DIEM** staff are those who work fewer than 24 hours per week. While they do receive all legally mandated benefits (such as unemployment and workers' compensation insurance), they are not eligible for any of the College benefit programs, are not considered temporary and do not have an adaptation period.
- **STUDENT** employees are those who are currently enrolled in College courses for credit and whose primary purpose for being at the College is to obtain an education. Student employees should select work and schedules that can accommodate their class schedules. Although student workers may work intermittently or continuously during their enrollment, they are considered temporary. Therefore, while student employees receive all legally mandated benefits (such as unemployment and workers' compensation insurance), they are not eligible for the College's benefit programs and are not in an adaptation period.

- **TEMPORARY** employees are those who are hired as interim replacements, to temporarily supplement the workforce, to assist in the completion of a specific project or to work in a grant funded position. Temporary employees will be employed directly with the College for a designated temporary period of time. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until notified of a status change. While temporary employees employed by Saint Joseph's College of Maine receive all legally mandated benefits (such as unemployment and workers' compensation), they are not eligible for the College's benefit programs unless a grant includes and provides provisions for benefits.

Managers are responsible for creating and/or revising job descriptions in advance of a recruitment and selection process or to properly document the responsibilities for an existing position. After a Manager completes a job description, it is sent electronically to Human Resources for the evaluation and determination of classification and status, overall review, and final approval. The final approval has occurred when Human Resources completes the process by signing off on the "approval" line with a date.

A review of classification will be considered when a new position is created and/or an existing position has a significant change in job responsibility.

502 Job Classification Review and Changes to Positions (Staff)

Within the College, the duties and responsibilities of each job have been carefully evaluated and compared with internal and external pay data. It is possible that the tasks, duties, and responsibilities of a position may change over time. When there is a significant change in the responsibilities of an employee's position, a job classification review may be in order.

A job classification review may reclassify a position. This can be a major adjustment to an employee's current job. Such changes may include title changes, significant changes in duties and responsibilities, and status changes from nonexempt to exempt or vice versa. If this occurs, the updated position responsibilities are reviewed by the Human Resources Department for this final determination. A reclassification will not always result in a compensation adjustment.

When a manager determines that the work being completed is no longer relevant to the original job description, the manager needs to revise the job description to accurately reflect the work. The essential results, responsibilities, and knowledge, skills, and abilities (KSAs) should be reviewed along with the percent of time spent completing tasks.

After the manager has revised the job description, the manager provides it to the Human Resources Department for final review and approval. At this time, the job description is reviewed for accuracy,

including in conjunction with the Fair Labor Standards Act (FLSA) guidelines. Any changes made to the job description supersede the earlier version.

The Human Resources Department provides the employee with a letter summarizing the changes and the revised job description. A copy of the letter is maintained in the employee's personnel file. If the employee's FLSA status changes (non-exempt or exempt), this action requires the employee to track their work time differently depending upon their new status on the effective date of the change.

Job Title/Status Changes

Changes to the job title, employment status, pay, or benefits of any staff member is implemented by Human Resources in cooperation with the responsible Leadership Team member for the area.

If a salary adjustment is requested with a change to an existing position, it will be reviewed within the context of the overall compensation goals of the college, consistent with internal and external equity considerations, and compliance with applicable law. All requests for an analysis of pay for similar positions within the College, market wages, or other compensation matters should be forwarded to the Human Resources Department.

Promotions and Lateral Transfers

A promotion occurs when an employee moves to a job with greater responsibilities. A promotion may be warranted after a period of continual assessment, development, growth in work performance, and exceptional contributions to the mission and goals of the College.

Changes to individual capabilities and activities (e.g., learning a new skill, increasing number of staff supervised) do not necessarily constitute career progression.

The salary range for employees being promoted will be reviewed following the process defined in the 503 Market Review and Hiring Ranges Policy. The intent of the review is to determine the employee's capabilities to assume the new job responsibilities and pay the employee a salary commensurate with those capabilities. Human Resources will determine the appropriate salary range for the position.

If an employee moves to lateral position, Human Resources will review the employee's salary. Generally, no changes in salary will be recommended. If such a change is warranted due to unique circumstances, it will require the approval of the appropriate Leadership Team member and Human Resources.

Transfer to a Lower Job Classification

If an employee moves or is moved to a job in a lower job classification, or to a job of lesser responsibility in a different classification, their salary may be reduced commensurate with the change. Consideration will be given to the employee's length of service, new job responsibilities, new pay range, market analysis and internal equity and whether the decision to move to a lower range was voluntary or the result of a departmental restructuring.

Requests for changes must be evaluated by Human Resources and Finance to receive budget approval. Certain changes may require the approval of the President and are generally the result of an approved re-organization. All changes will follow the process defined in the 503 Market Review and Hiring Ranges Policy.

503 Market Review and Salary Ranges

Human Resources surveys the higher education market periodically to determine salary ranges for each position. CUPA-HR (Colleges and Universities Professional Association for Human Resources) is the primary established source for comparison salary data. When sufficient data is available for the preferred comparison group US Private Religious Institutions, the 20th percentile, median and 80th percentile are used to define the salary ranges as a benchmark.

In order to assess the College's competitive positioning within the market, Human Resources participates in surveys and retrieves the comparison group salary data for comparable positions. A market adjustment of an individual position may occur on an as-needed basis.

The comparative salary data for a vacant or new position is reviewed to establish a salary range before the position is posted for recruitment or assigned to an employee. The experience and qualifications of the person as well as internal equity of similar positions will be taken into consideration in determining a rate of pay. An aim of the College's compensation practices is to ensure the wages of current and new staff members are equitable with consideration to the qualifications and experiences of each and in compliance with applicable law.

Compensation ranges are reviewed and approved by Human Resources and College Leadership.

PAYROLL PROCESSING AND PAY ADMINISTRATION

600 Payroll Processes

Paydays occur biweekly on Fridays (with the exception of a bank holiday, then the payday occurs on Thursday) and substantially equal 26 pay periods for the year.

Saint Joseph's College of Maine payroll week begins Monday at 12:01 am to Sunday at 12:00 pm.

Timecards

This policy applies to non-exempt employees. If an employee misses a punch, they should notify their supervisor as soon as possible for appropriate corrective action within the payroll system. The employee can also add a note to their timecard regarding the missed punch with the correct time. In this situation, it is required that the supervisor update the employee's timecard to add the missed time punch as noted by the employee and include an explanatory note before approval of each time card edit. Employees may be subject to disciplinary action, up to and including termination of employment, for failing to complete their timecards accurately, knowingly falsifying a timecard, or having another employee complete their timecard.

If you have questions, please contact Candy at extension 7751 or utilize payroll email, payroll@sjcme.edu

Direct Deposit

Faculty, staff, and students are required to enroll in direct deposit for ease of receiving funds. Pay is deposited directly into an individual's bank account(s) usually the morning of a pay date barring any unforeseen technology issues. Faculty, staff, and students can access their electronic pay information using their login information for the ADP Workforce Now system.

It may take two payroll cycles after entry for the system to electronically verify with the designated bank any new deposit account information. For this reason, employees will receive an actual live check for their first two checks (or for any amount designated to a new deposit entry). Direct deposits can be stopped and started at any time.

Pay Corrections and Returned Funds

Saint Joseph's College of Maine takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Department. When Saint Joseph's College of Maine is responsible for the error, we will make every effort to correct mistakes as quickly as possible.

Recovery of overcompensation; limitations. When overcompensation of an employee has occurred through SJC error, the College will not withhold more than 5% of the net amount of any subsequent pay without the employee's written permission, except that, if the employee voluntarily terminates employment, SJC may deduct the full amount of overcompensation from any wages due. When the College has overcompensated an employee through SJC error, the College will not recover more than the amount of overcompensation paid to that employee in the 3 years preceding the date of discovery of the overcompensation.

In the case where an employee closes their bank account without notifying the Payroll Office prior to the payroll processing date, the payment cannot be reissued until there is confirmation from the bank that the money has been returned to the Saint Joseph's College of Maine account which may take several days.

Deductions

Mandatory deductions that are made automatically from the paycheck include federal income tax, state income tax, Medicare, and social security (FICA). Optional deductions are made with the employee's approval for health, dental, life premiums, reimbursement accounts, retirement, and Saint Joseph's College of Maine annual fund contributions.

Other wage deductions, such as garnishments or tax levies, may be made to fulfill legal requirements when appropriate.

Federal Tax Statements

W-2 Statements indicating total earnings, federal and state tax deductions, and FICA (social security and Medicare) tax deductions for the year are distributed in late January and are *not forwarded by the post office*. Employees leaving the College or moving during the year should update their address in ADP Workforce Now or notify the Human Resources Office of their new address.

Federal tax statements are also available electronically through ADP. Previous employees of the college will continue to have access to their ADP account. Please contact Human Resources for troubleshooting assistance (humanresources@sjcme.edu).

Pay Advances

Saint Joseph's College of Maine does not allow advances of scheduled pay.

601 Compensable Time, Meal and Break Periods, and Flexible Work Scheduling (Staff)

College Defined Work Week

The College's standard office hours are Monday through Friday from 8:30 a.m. until 4:30 p.m. As an institution that provides in-residence services for students, there are many employees involved with the operations of the College that do not work these standard business hours. For that reason, and consistent with applicable wage and hour laws, the College defined work week for purposes of calculating wages and overtime begins at 12.01 a.m. Monday through 12:00 midnight Sunday which equals 168 hours within the pay week.

For non-exempt employees, all hours worked will be paid in accordance with the defined work week.

Paid Work-time

Work hours, meal breaks and rest periods vary according to operational need and are scheduled by the manager.

- **Exempt employees** are employees classified as exempt from overtime are expected to work as many hours as necessary to fulfill the responsibilities of their position. Typically, that is at least 35 hours per week for full-time employees and often more depending on the operational demands at the time. Exempt employees who work beyond their "regular schedule" (including nights and weekends) are not entitled to additional compensation or compensatory time off.
- **Non-exempt employees.** Work-time is defined as all time spent by an employee performing activities which are job-related. This includes the employee's regular work time, plus time spent performing job-related activities which benefit the employer. Work done at home or at a place other than the normal work site is work, and the time must be pre-approved by the manager and counted (e.g. looking and responding to email, returning phone calls). Other examples of paid activities are work related travel, meetings or training that occurs outside of regularly scheduled hours. See Travel Time pay below for more details.

The College does not condone "working off the clock". Employees are expected to accurately report all hours worked on their official time record and seek advance approval from their manager if the need should arise to work hours above their regularly scheduled hours. Checking and responding to Saint Joseph College emails after scheduled work hours on a mobile device such as a smartphone, tablet and laptop is considered performing work outside of "normal working hours." Managers are accountable for authorizing hours worked beyond an employee's regular schedule and for approving, in a timely manner, all hours worked in a pay period in accordance with the College payroll schedule.

Managers who manage non-exempt/hourly paid staff should be aware of their regular schedules and appropriately plan overtime based on operational needs. Non-exempt employees must track all hours worked each week and prior manager approval is required before working overtime. Managers may ask

their employees to work additional hours during particularly busy times of the year and employees are expected to be flexible when these needs arise in order to support the College.

The Federal Labor Standards Act (FLSA) requires employers to pay their non-exempt employees for all hours that they are required or permitted to work—this is sometimes referred to as “compensable time.” Compensable time includes all time in which an employee is performing productive work and all hours the individual remains available for the next assignment.

Employers must keep track of the number of compensable hours non-exempt employees work during a workweek. To determine how much of an employee’s time is compensable, several factors must be examined, including whether employees should receive wages for rest and meal periods, while waiting for assignments, when they are on-call or when they are attending lectures or meetings.

Meal and Break Periods

Meal periods are scheduled by managers and may be staggered to provide adequate office/service coverage. Maine law requires that employees be given at least a thirty-minute unpaid rest break (that may be a meal period) if they work 6 consecutive hours or longer. In exceptional circumstances, an employee may voluntarily request that this meal period be waived on a specific day to accommodate an alternative schedule such as an external, personal appointment. This flexibility is not intended to be a permanent schedule change or waiver of the meal period.

If adequate office/service coverage is not available during an employee break period, the manager is expected to provide this coverage. During this break period, the employee must be completely relieved of all work related duties. The employee is not relieved if they are required to perform any duties, whether active or inactive, while eating.

Periodic morning, afternoon, or evening paid breaks of no more than 15 minutes, although not required by state and federal law, may be permitted with the manager's approval if the workload permits. Unused breaks cannot be accumulated for later use, late arrival or early dismissal, credited for paid-time off, or taken incrementally. In certain working conditions (e.g., extreme heat or cold), more frequent paid breaks may also be approved by the manager. When the operation is able to support break periods, employees are expected to return to job duties in a punctual manner. Staff are required to stay on campus during the paid break time. If there is a need to leave the employee must seek manager approval and clock out.

Non-exempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period.

Flexible Work Scheduling

The demands of a position may require schedule flexibility in order to complete the responsibilities. Nonetheless, every effort should be made to follow the official hours of the College to ensure availability for coordination of work within and across departments.

Flextime may be granted for specific individual situations and brief designated periods of time with the approval of the direct supervisor, the area Vice President and Human Resources. Requests for flextime should be submitted in writing to an employee's supervisor. As individual flextime arrangements are not intended to be permanent, they will be reviewed every six months.

602 Overtime Calculations (Staff)

All overtime shall be assigned by the department director/manager to meet operational needs. Overtime by non-exempt employees must be approved in advance, but if worked it must be compensated, whether approved or not. An employee is to report overtime worked at the time of reporting other hours in a pay-period. Non-exempt employees cannot donate their services to any program under the direction of Saint Joseph's College of Maine and are not permitted to work in excess of their regularly scheduled work hours without prior management approval. Working overtime without prior authorization from management may lead to disciplinary action, up to and including termination of employment.

Overtime

According to the Fair Labor Standards Act (FLSA), a non-exempt staff member who works more than 40 hours in a work week must be paid an overtime rate of one and one-half times their regular rate of pay for all time actually worked in excess of 40 hours in the work week.

When calculating an employee's overtime rate of pay for time worked in excess of 40 hours, the College includes actual time worked (worked hours) in that work week. Worked hours do not include paid time such as Earned Time, holidays, jury duty, bereavement, wellness, etc.

Work week - The College's standard work week for pay computation purposes is 12.01 a.m. Monday through 12:00 midnight Sunday.

Overtime Examples:

Non-Exempt 40 Hour Per Week:

A non-exempt employee (paid hourly rate) who works in excess of their regular schedule up to 40 hours in a work week shall be compensated at their regular rate for the excess work time.

For example, Sarah worked 45 hours in a week as an administrative assistant. Her regular hourly rate of pay is \$20. Her regular rate of pay is also \$20.00 per hour. The office had a deadline to meet and they worked 45 hours. This is five (5) hours more than she is regularly scheduled.

1. Calculate budgeted regular schedule 40 hours at regular rate:

- $40 \times \$20.00 = \800.00

2. Determine overtime premium rate:

- $\$20.00 \times 1.5 = \30.00

4. Apply premium rate to hours over 40 per week:

- $5 \times \$30.00 = \150.00

5. Total gross wages owed:

- $\$800.00 + \$150.00 = \$950.00$

Overtime computation formula for same work on multiple shifts:

For employees who do the same work on multiple shifts and each shift has a different straight-time rate, the College will calculate the regular rate to use as the basis for overtime pay for that work week. All the earnings from the different rates will be added together, then dividing this total by the total number of work time hours.

Example:

1. Calculate each shift or hour time category separately:

- 10 actual worked hours 1st shift at \$17.00 = \$170.00

- 12 actual worked hours 2nd shift at \$17.25 = \$207.00

- 20 actual worked hours 3rd shift at \$18.10 = \$362.00

Total Pay for pay period	\$739.00
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Total counted hours for pay period	42
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2. Divide Total dollars by total work time to determine the regular rate:

- $\$739.00 \div 42 = \17.59

3. Determine overtime premium rate

- $\$17.59 \times .5 = \8.80

4. Apply premium rate to hours over 40 per week:

- $2 \times \$8.80 = \17.60

5. Total gross wages owed:

- $\$739.00 + \$17.60 = \$756.60$

Overtime computation formula for different jobs with different rates:

For employees who work two different jobs with two different rates of pay, the College will calculate the regular rate for use as the basis for overtime by adding all the earnings from all the rates together then dividing this total by the total number of work time hours.

Steps to Calculate Weighted Average Overtime

1. Total number of hours x Rate 1 = \$_____ +
Total number of hours x Rate 2 = \$_____
Total straight-time wages earned \$_____
2. Divide total straight-time wages earned by total hours worked = weighted average rate
3. Multiply weighted average rate by .5 = half-time rate**
4. Multiply half-time rate by # hours over 40* = half-time portion of weighted average overtime owed.

**The straight-time portion of overtime due has already been calculated in step #1. Now only the halftime portion of overtime needs to be calculated. Therefore, multiply the hourly weighted-average overtime rate by one-half.

For example, Jeremy works 40 hours per week as housekeeper at \$18.29 per hour; he also works as a lifeguard several nights per week at \$14.15 per hour. During the week, Jeremy put in 5 hours as a lifeguard bringing his total work time to 45 hours or five (5) hours of overtime. Total pay, including overtime, is calculated as follows:

1. Calculate each job separately, and then combine:
 - 40 hours @ \$18.29 per hour = \$731.60
 - 5 hours @ \$14.15 per hour = \$70.75
 - Total: \$802.35
2. Divide total dollars by total work time to determine regular rate:
 - $\$802.35 \div 45 = \17.83
3. Determine overtime premium (50 percent):
 - $\$17.83 \times .5 = \8.91
4. Apply premium rate to overtime hours:
 - 5 hours x \$8.91 = \$44.55
5. Total gross wages owed:
 - $\$802.35 + \$44.55 = \$846.90$

603 Employment in Two Department/Overtime Procedures

With the approval of the direct manager/supervisor and Human Resources (and in some cases, the area Leadership Team Member), an employee may be hired into additional positions within the College. In most cases the combination of all employment at the College should not exceed 40 hours per week for non-exempt employees.

When an opportunity for a second position becomes available, current employees must apply for the opening via the ADP-ATS. The manager/supervisor for the second position reviews job description and expected time commitment with Human Resources as well as the primary manager/supervisor. This approval must occur prior to the employee working in the secondary job. It is understood that the additional responsibilities will only be approved if the employee's ability to meet the demands of their primary position is not hindered.

Prior to permitting the employee to work in the secondary job, the hiring manager of the secondary department must contact Human Resources to ensure the following considerations are addressed: 1) the correct employment status of both positions – full time, part time, per diem; 2) classification of both positions combined – exempt or non-exempt – including determination of primary duties in the two positions combined; 3) classification effect on overtime and benefits; 4) determination of which position is primary employment status. Human Resources will produce a letter defining the second position for the employee with expectations and time commitment.

If it has been determined that the employee's proper classification is non-exempt, the employee will track all time spent on the duties of both positions. All hours will be charged to the appropriate department.

All managers/supervisors are required to follow the procedure below for non-exempt employees with a secondary department:

1. At the end of the pay period, access the employee's timecard in ADP
2. Confirm hours and department number are accurate
3. Review total hours for each pay week
4. If total hours exceed 40 hours, assign the overtime code to the applicable secondary shift (even if the secondary shift was not the last shift worked in the pay week)
 - a. If needed, split the shift into separate line items, **so that only the hours exceeding 40 are assigned that overtime code** (image below)
 - b. In the paycode column choose "2ND JOB OVERTIME"
5. Approve only the hours applicable to your department
6. Save

2ND JOB OVERTIME TIMECARD EXAMPLE:

Current Pay Period



8/21/2023



9/3/2023



Find

Show Pay Class

Timecard		Totals	Schedule	Supplemental Pay Codes	Time Off Balances		
<	<input type="checkbox"/> Approve	Week 1	In - Out	Pay Code	Hours	Department	Daily Totals
	<input type="checkbox"/>	Mon 08/21	09:00 AM - 03:00 PM		6.00	201200	
	<input type="checkbox"/>	08/21	04:00 PM - 07:00 PM		3.00	201200	9.00
	<input type="checkbox"/>	Tue 08/22	09:00 AM - 03:00 PM		6.00	201200	
	<input type="checkbox"/>	08/22	04:00 PM - 07:00 PM		3.00	201200	9.00
	<input checked="" type="checkbox"/>	Wed 08/23	-		0.00	201200	0.00
	<input type="checkbox"/>	Thu 08/24	10:00 AM - 12:00 PM	2ND JOB OVERTIME	2.00	501200	
	<input type="checkbox"/>	08/24	12:30 PM - 01:30 PM	2ND JOB OVERTIME	1.00	501200	
	<input type="checkbox"/>	08/24	01:30 PM - 06:30 PM		5.00	501200	8.00
	<input checked="" type="checkbox"/>	Fri 08/25	-		0.00	201200	0.00
	<input type="checkbox"/>	Sat 08/26	09:00 AM - 03:00 PM		6.00	201200	
	<input type="checkbox"/>	08/26	03:30 PM - 04:30 PM		1.00	201200	7.00
	<input type="checkbox"/>	Sun 08/27	09:00 AM - 03:00 PM		6.00	201200	
	<input type="checkbox"/>	08/27	04:00 PM - 08:00 PM		4.00	201200	10.00
					Week 1 Totals		43.00

Note: An employee who is classified as non-exempt as a result of assuming two positions will be required to track all hours on a paper timesheet, and overtime will be calculated manually by the Payroll Department.

Employees are required to inform their current manager/supervisor prior to beginning work in a second job at the College so issues regarding work schedules and overtime pay may be explored.

604 Essential Personnel and Compensation (Staff)

An essential employee is defined as one who is indispensable to the emergency and critical service functions of the campus and is required to assist the campus in meeting its emergency and critical operational needs. Essential personnel include members of the following departments: Facilities Management, Housekeeping, Campus Safety, Pearson's Café and Payroll (during payroll weeks only).

Regardless of weather, essential personnel are expected to report to work according to the inclement weather/emergency protocols in place. If an essential employee is required to work but is specifically prevented by the police and/or other emergency personnel from traveling to their work site due to a severe weather condition or other natural or man-made emergency, after notifying such emergency

personnel of their essential status, the essential employee shall immediately notify their supervisor of the obstruction and shall be excused.

All essential personnel previously scheduled to work will be required to report to work when classes or the administrative offices are closed/cancelled (Monday-Friday) or when there is an emergency conditions determination made (Saturday-Sunday). A supervisor may ask essential personnel to work an alternative shift and/or may call additional emergency essential personnel to report to work. If contacted, they must abide by rules that apply to on-duty emergency essential personnel.

The Decision Groups, as defined in the *Inclement Weather and Emergency Conditions Policy*, may change the essential personnel roster if they determine a change is necessary to carry out the emergency or critical service responsibilities of the College; or if it is otherwise deemed necessary and in the best interest of the campus. A staff member whose essential/ non-essential status is changed after a state of emergency is declared, shall be notified by the appropriate Vice President or designee.

Compensation

When inclement weather and/or emergency conditions present themselves, the College needs to ensure that the safety and wellbeing of students, faculty, and staff is maintained. Routine College operations may be temporarily shifted to accommodate such conditions and continue to serve the student population and meet the business needs of the College. For these reasons, specific departments are identified as having essential personnel required to work on campus. Essential Personnel are required to continue providing services to the student population and meet the business needs of the College. During times of inclement weather and/or emergency conditions, their services are even more critical. As a result, essential personnel should be appropriately compensated for their contributions when an essential status is necessary.

In the event of inclement weather or emergency conditions, if it is determined that academic classes and administrative offices will be cancelled/closed (Monday-Friday) or when there is an emergency conditions determination made (Saturday-Sunday), regular full-time essential non-exempt/hourly personnel will be compensated at their current rate of pay for those hours worked in addition to School Close pay for their full regular shift (7 or 8 hours). Essential pay is equal to one times the employee's base hourly rate of pay. Per diem employees are not eligible for School Close compensation. Managers are responsible for adding School Close hours to hourly/non-exempt time cards as defined by this policy. Hourly/Non-Exempt employees are responsible for reviewing their timecards and corresponding pay to ensure accurate reflection of School Close hours.

Example 1: Full day closure

- Essential employee does work
 - "School Close" hours entered for the regularly scheduled hours only (7 or 8 per day for

FT, regularly scheduled hours for RPTS) and paid

- School Close hours are not meant to match the complete worked hours, just the regularly scheduled hours
 - Clocked hours are also paid
- Essential 2nd & 3rd shift employees
 - Example: Shift from 10p - 6a
 - College closes for day of the latter portion of the shift (12a-6a)
 - Employee eligible for clocked hours (8) + School Close hours (8)
 - Employee clocks back in on closure day for next shift
 - Only 8 hours of School Close is assigned

Example 2: Partial Day Closure:

- The standard operating hours of the College are 8:30 am - 4:30 pm, M - F.
- Scenario example for essential employees:
 - College opens late at 11:00 am
 - School Close = 2.5 hours (8:30 am - 11:00 am)
 - Employee 1 works from 7:00 am - 3:00 pm
 - Employee 2 works from 2:00 pm - 10:00 pm
 - Both employees get worked hours (8) + School Close hours (2.5)
- Eligible essential employees who work anytime within the 24 hour period of a closure day, get the closure hours.

In the event the essential person does not report to work for reasons other than specifically being prevented by law enforcement and/or other emergency personnel from traveling to their work site, this essential pay provision does not apply. The manager will enter a time off request for the time the employee could not attend work as scheduled.

For those employees who were previously scheduled for pre-approved time off or call out due to illness, timecards will not be changed to reflect School Close. Employees in these situations will be paid via time off hours, not School Close.

School Close pay does not apply to per diem staff and student workers.

Note

During the annual Christmas extended holiday, members of these departments may be required to assist with operations prior to and following year-end activities (including the Finance Office, Human Resources, Information Technology, Advancement, Online and On-Campus Admissions, the Library, and Human Resources) and will be informed by their manager of their essential status.

Non-exempt/hourly personnel will be compensated at their current rate of pay for those hours worked in addition to the pre-assigned Holiday hours.

Subsection for On-Call Stipends in Facilities Management, Maintenance, and Groundskeeping

- **Snow Removal Stipend:** From October to May each year, hourly/non-exempt Groundskeeping, Maintenance and Facilities Management personnel will receive a weekly stipend to be on-call for snow removal as needed. Supervisors in these departments will be responsible for adding this weekly amount to the employee timecards as appropriate.
- **On-Call Stipend for Housekeeping Staff:** An on-call stipend will be assigned to hourly/non-exempt members of the Housekeeping staff according to the rotation schedule defined in the Facilities Management department. Supervisors in this department will be responsible for adding this weekly amount to the employee timecards as appropriate.

605 On-Call

Some designated employees are required to respond to non-scheduled (off hours) work and are considered "on-call", meaning they must be available to come into work at a moment's notice. The on-call rotation ensures that the after-hours needs of the College are met in a timely and reliable manner.

Each participant in the rotation schedule is responsible for providing on-call coverage for the shifts they are assigned to. In addition, employees are expected to notify their manager before they swap schedules. Employees are provided with advance notice to review the schedule and notify their manager of any conflicts and required changes prior to implementation.

Each on-call employee will be required to be available for their full shift. While on-call, the employee must be prepared to come to work at all times and respond to calls within a specific amount of time (established per department) and be within a determined mile radius driving distance (established per department) of the worksite. Employees on-call are expected to respond. Failure to respond within the appropriate timeframe may result in disciplinary action, up to and including termination.

If an employee is sick and not able to fulfill their on-call duties, the manager will designate a replacement until the employee is able to fulfill their assignment.

Compensation

On-call schedules and pay structures (if appropriate) are determined by each department. If a non-exempt employee responds to a College need while on-call, they are required to clock in and out timely using the College's time and attendance system.

Travel time to and from the College is not considered work time. Paid work time starts when the work begins and ends when the job is complete.

606 Travel Time Policy (Staff)

Staff in positions classified as non-exempt under the Fair Labor Standards Act (FLSA) are eligible for compensation for certain time they spend traveling. The compensability of travel time depends on the kind of travel and whether the travel time takes place within normal work hours.

College Defined Work Week

The College's standard office hours are Monday through Friday from 8:30 a.m. until 4:30 p.m. As an institution that provides in-residence services for students, there are many employees involved with the operations of the College that do not work these standard business hours. For that reason, and consistent with applicable wage and hour laws, the College defined work week for purposes of calculating wages and overtime begins at 12.01 a.m. Monday through 12:00 midnight Sunday which equals 168 hours within the workweek.

For non-exempt employees, all hours worked will be paid in accordance with the defined work week. The College requires all hours worked to be reported.

Commute Time

An employee will not be paid for normal commuting travel to/from their home to work, whether they are traveling to a fixed location or different job sites.

Travel Time Within Normal Work Hours

Any portion of travel time which has been authorized by the manager that takes place within the employee's normal work hours (such as 8:30 a.m. to 4:30 p.m.) on any day of the week, including Saturday and Sunday, is treated as work hours. Travel time within normal work hours will be paid at the employee's regular hourly rate and will be factored into overtime calculations.

Travel Time Outside of Normal Work Hours

Any portion of authorized travel time (with the exception of driving time) that takes place outside of normal work hours is considered to be outside travel hours. For example, if the employee in the above example traveled from 8:30 a.m. until 6 p.m., the employee need not be paid for the time spent traveling between 8:00 a.m. to 8:30 a.m. and 4:30 p.m. and 6 p.m. because it would be outside of regular working hours. However, if the employee was working while traveling during the extra hour and a half (e.g., reading work materials or on a laptop computer), this time would be compensable work time.

One-day travel to another city

Employees will be paid for time spent traveling on a one-day, out-of-town assignment for their normally scheduled work hours approved by their manager in the performance of their job duties.

Overnight travel away

Employees who are required to travel away from home and stay overnight will be paid travel time that happens during the employee's normal workday. These same work day hours also count for travel on weekends or non-workdays. For example, if an employee's normal work hours are 9 a.m. to 5 p.m. Monday through Friday, and the employee is required to travel on Saturday out of town and stay overnight, the employee must be paid for all travel time between 9 a.m. to 5 p.m. on Saturday. The meal period is not considered work time. Time spent traveling from home to an airport terminal or train station is considered an employee's normal commute time and is not treated as hours worked. (Time spent waiting at a terminal until arrival at the destination is compensable when it falls during the employee's normal work hours.) When an employee travels between time zones, the time zone associated with the point of departure is used to determine whether the travel falls within the employee's normal work hours.

Travel Time as the driver of an automobile

All authorized travel time spent driving an automobile (as the driver, not as a passenger) is treated as work hours (excluding the routine commute time), regardless of whether the travel takes place within normal work hours or outside normal work hours. An employee will receive their regular hourly rate for all travel time spent as the driver of an automobile, and this time will be factored into overtime calculations.

- Travel as a passenger in an automobile is not automatically treated as work hours.
- Travel as a passenger in an automobile is treated the same as all other forms of travel, and compensation depends on whether the travel time takes place within normal work hours.
- If an employee drives a car as a matter of personal preference when an authorized flight or other travel mode is available, and the travel time by car would exceed that of the authorized mode, only the estimated travel time associated with the authorized mode will be eligible for compensation.

Example An exempt manager takes their non-exempt assistant with them on a weekend business trip. They fly on Saturday—it takes an hour to get to the airport, the takeoff time is 7:00 a.m., they have a layover, and they finally arrive at their destination at 6:00 p.m. Sunday is spent working from 9:00 a.m. until 2:00 p.m. (with a working lunch), and they fly back that same day on a flight that leaves at 2:30 p.m. and arrives home at 8:00 p.m. Normal work hours

for the assistant are 8:30 a.m. until 4:30 p.m. with 1/2 hour for lunch Monday through Friday, and the assistant's usual commute time to work is 15 minutes each way.

Under federal law, the assistant must be paid for the travel time on Saturday that falls within regular working hours of 8:30 a.m. to 4:30 p.m. with a one-hour deduction for normal mealtime, but not for the hours spent traveling outside of normal work hours or for the extra commute time (unless that time were actually spent working). On Sunday, the assistant must be paid for the all the time spent working from 9:00 a.m. until 2:00 p.m., including the working lunch, and for the travel time that falls during normal working hours of 2:30 p.m. to 4:30 p.m.

If the weekend trip was in addition to a 40-hour workweek, all the paid time during the weekend must be reported in ADP Workforce Now and paid as overtime under federal law.

607 Travel Reimbursement (Finance)

This policy and procedure is administered by the Finance Department.

Full details are available on this page:

<https://my.sicme.edu/finances/travel-conferences-and-expense-reimbursement-policy/>

ENVIRONMENTAL HEALTH AND SAFETY

We strive to provide you with safe working conditions; please understand that a safe and healthy work environment is everyone's responsibility. We expect you to strictly follow safety and health rules and to exercise caution in all workplace activities. If you violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, you may be subject to disciplinary action, up to and including termination of employment.

For additional information about health and safety, please review the Environmental Health and Safety Procedures in Appendix E.

700 Hazard Communication

Saint Joseph's College of Maine will comply with 29 CFR 1910.1200, the Occupational Health and Safety (OSHA) requirement that ensures hazards associated with products and materials used in the workplace are communicated with employees. This communication is in the form of container labeling, warning signs, safety data sheets (SDS) and employee training. Employees and departments can contact the Facilities for assistance with hazard identification, labeling, signage, SDS and training.

Saint Joseph's College of Maine provides annual training through the MEMIC Safety Academy Learning Management System. Other positions/departments may be required to complete this training if indicated duties include exposure to hazardous materials.

701 Ergonomics

Saint Joseph's College of Maine is invested in providing a safe work environment for all employees. This includes workplace safety in the area of ergonomics. We have ergonomic resources available for employees and encourage employees to reach out to the SJC Certified Ergonomic Evaluator regarding suspected MSDs, MSD symptoms, or other ergonomic concerns.

702 Reporting Work-Related Injuries

You are required to report to Human Resources all injuries, illnesses, or accidents that are work related, regardless of how insignificant the injury, illness, or accident may appear. Your prompt report will enable us to process any workers' compensation claim associated with the injury, illness, or accident, and may also help prevent a similar injury, illness, or accident in the future. We expect you to cooperate with any request to complete forms to document any workplace injury or condition.

We strictly prohibit retaliation against any employee based solely on the fact that they made a good-faith report in accordance with this policy.

703 Communicable Illness in the Workplace

We encourage you to stay home if you are sick. We may exclude you from working in our campus if you have a communicable illness and we find that, based on a medical determination, such restriction is necessary for your welfare and/or the welfare of other employees, students, or visitors, or if such exclusion is required by applicable law or public health authority.

PUBLIC SAFETY AND EMERGENCY INFORMATION

800 Public Safety and Emergency Information

The mission of the Saint Joseph's College of Maine Campus Safety Department is to enhance the quality of life for the entire Saint Joseph's College of Maine community by maintaining a secure and open environment where the safety of all is balanced with the rights of the individual. The Department of Campus Safety strives to accomplish its mission while adhering to its core values of Professionalism, Integrity, Communication, Service, and Respect.

Security Officers patrol the campus 24 hours per day, 7 days per week. Campus Safety enjoys a collaborative relationship with Cumberland County Sheriff's Office, Standish Fire-EMS, as well as other local emergency responders.

The Emergency Response Plan provides a framework by which the college will respond to a critical incident that affects the College community. Emergency incidents are classified according to their severity and potential impact on the campus community in order to allow for a response commensurate with the situation and conditions. All emergencies, regardless of their classification, will be responded to promptly and with due diligence.

In the event it becomes necessary to notify the Saint Joseph's College of Maine community of an imminent emergency on campus, notification will be sent using the RAVE emergency management alert system. Brief and immediate instructions will be given and subsequent updates will be sent as necessary.

To ensure that you receive timely notification of campus emergencies and security alerts, we encourage all members of the campus community to regularly review and update their contact information in ADP.

Emergency Call Boxes

Emergency Call Boxes (emergency telephones) are strategically placed on campus and are marked by blue lights. They are to be used for any situation, including a health emergency, crime situation, etc. When the red button is pushed, the call is directly connected to the Campus Safety dispatch office. Security Officers are immediately sent to respond to the scene to provide assistance. The Emergency Call Boxes are located in the following areas:

- Outside or near all residence halls
- Stone Barn pathway
- Beach
- Beach pathway (halfway point)
- Beach pathway (stone steps near Pearson's Café/Mercy Hall)

- Turf Field

The emergency telephones are provided for the safety and security of all students, faculty, staff, and visitors. Tampering with College emergency response devices will be considered vandalism and abuse or misuse through prank, false alarm, or harassing calls is a crime by state statute. Violators will be prosecuted to the full extent of the law.

Additional means to report a crime or other emergency to Campus Safety are listed below:

- 7911 (emergency line) from any on-campus phone
- 207-893-7911 (emergency line) from an off-campus or cellular phone
- 207-893-6687 from an off-campus or cellular phone
- 6687 from any campus extension
- Fill out the online anonymous tip form (Non-emergency)
- Office location: 1st Floor Standish Hall

Individuals should avoid directly dialing 9-1-1 for an emergency. When this occurs, the call is routed to the Cumberland County Regional Communications Center (CCRCC) in Windham, Maine and eventually rerouted to the College. The immediate response to dial 9-1-1 may actually cause a delay and prolong the time it takes for emergency vehicles to reach campus due to inaccurate directions and description of the incident location.

Criminal incidents are referred to the Cumberland County Sheriff's Office, which has jurisdiction in the Town of Standish, Maine.

801 Emergency Protocol

The Emergency Management Plan is a multi-component, comprehensive program designed to mitigate, prepare for, respond to and recover from critical incidents that impact the College community. When an emergent situation disrupts the operations of the College, impacts a significant portion of campus or a significant subset of the community, the governing Senior Administrator or designee or the Director of Campus Safety may initiate an institutional management response by activating the Emergency Response Plan and convening the Emergency Management Team and the Incident Response Team.



Emergency Protocol

FOR EMERGENCIES
CALL 207-893-7911

Emergency Situations

FIRE

- **EMERGENCY ACTION: EVACUATE**
- Feel for heat on all doors prior to opening- if hot- DO NOT OPEN
- If smoke is present, cover nose and mouth with clothing, stay as low to the ground as possible and exit
- **DO NOT USE ELEVATOR**
- Proceed to fire alarm gathering location (see map)

SEVERE WEATHER

- **EMERGENCY ACTION: SHELTER-IN-PLACE**
- Move to an interior room or hallway on the lowest floor and get beside a sturdy piece of furniture
- Stay away from windows. DO NOT OPEN windows
- Remain in safe area until danger has passed

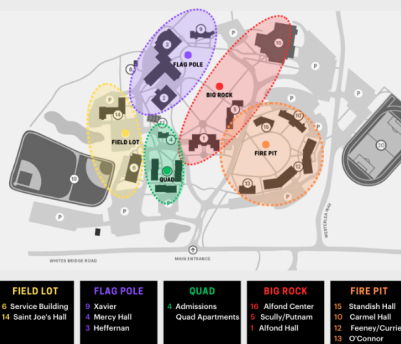
ACTIVE SHOOTER

- **EMERGENCY ACTION: SECURE-IN-PLACE**
- Proceed to a room that can be secured, shut and lock the door, close windows, get down on the floor where you are not visible
- Silence your devices- DO NOT TURN YOUR CELL PHONE OFF
- Immediately call Campus Safety 207-893-7911
- If the shooter is in your area, remain calm, follow orders, and call Campus Safety when it is safe to do so

MEDICAL

- Immediately call Campus Safety 207-893-7911
- DO NOT move the seriously injured
- Provide CPR/Basic First Aid only if trained to do so

Emergency Locations



Emergency Actions

SECURE-IN-PLACE

Ordered when necessary to place a locked door or barricade between you and the associated danger

- If outside seek cover in the nearest unlocked building
- If the buildings have been locked, continue to move away from danger, seek cover, move to another building, or exit campus if it is safe to do so
- Once inside, find an interior room, lock/barricade doors
- To minimize vulnerability, turn off lights, silence phones, draw blinds, and move away from windows
- Await further instruction from emergency personnel
- Do not exit until "All Clear" is received
- Be silent and still

SHELTER-IN-PLACE

Ordered when protection is necessary from hazardous weather

- Immediately seek shelter inside the closest sturdy building. Do not wait until you physically see severe weather event to react
- Once inside, stay away from windows, and unsecured objects that may fall
- Seek shelter in interior rooms and corridors
- Do not use elevators
- Await further instruction from emergency personnel
- Do not exit until "All Clear" is received

EVACUATE

Ordered when people must exit the building due to unsafe circumstances

- Take with you only important personal items such as your keys or phone
- Follow instructions from emergency personnel
- Check doors for heat before opening. Do not open if it feels hot
- Walk - do not run
- Head to your assembly point, unless otherwise instructed
- Keep roadways and walkways clear for emergency vehicles
- Do not return to building until notified that it is safe to do so

802 Possession of Dangerous Weapons or Material and Workplace Violence Prevention Program

Saint Joseph's College of Maine is committed to providing a safe environment. Saint Joseph's College of Maine will make every effort to prevent violent incidents from occurring by following the guidelines defined in this Workplace Violence Prevention Program.

Saint Joseph's College of Maine will not tolerate threats of violence in the workplace for any reason, work-related or domestic-related, or behaviors or actions that put members of the Saint Joseph's College of Maine Community at risk. Creating and sustaining a safe work environment is everyone's responsibility through adherence to safe work practices and through reporting workplace threats.

Workplace violence may be defined as either physical, electronic, oral, or verbal aggression and may occur in various forms, including oral threats and assaults. It is very important that all employees and supervisors are aware of this policy and report directly to Campus Safety any or all incidents that they perceive as potentially violent.

Faculty and Staff members are prohibited from possessing any dangerous weapon or material on College property or at any other location they may be required to be as part of their employment. In accordance with Maine State law, an employee who has a valid concealed firearm permit may keep the permitted firearm in the employee's vehicle as long as the vehicle is locked and the firearm is not visible. Under no circumstances may an employee keep a firearm in a College vehicle. In order to ensure the safety of all College employees, any employee with a valid concealed firearm permit who

chooses to bring their firearm to work and store the firearm in their locked vehicle must notify Campus Safety and provide proof of a valid concealed weapons permit. The employee may only bring and store those firearm(s) for which they have a valid concealed weapons permit. The College prohibits all employees from bringing any firearms into the College buildings and facilities.

College property is defined as all College-owned buildings and surrounding areas such as sidewalks, walkways, forested areas, paths & trails, open fields and parking lots. Dangerous weapons or materials include, but are not limited to, firearms, knives, fireworks, explosives, martial arts equipment, BB guns, pellet guns, paintball guns, and any other item that might be considered dangerous or could cause harm. The College reserves the right to require the removal from College property any item or material it considers dangerous or potentially dangerous.

Violations of this policy by employees will be actively dealt with, and appropriate corrective actions will be taken including: 1) appropriate corrective measures up to and including dismissal; and/or 2) referral to law enforcement agencies.

Caution and common sense can minimize the risk of workplace violence. All employees should keep in mind the following Personal Safety Tips:

- Never open the door of your office to a stranger before or after regular business hours.
- Notify Campus Safety if working exceptionally early or late hours alone.
- When alone, do not mention this fact to telephone callers.
- Build a rapport with other employees to facilitate distinguishing strangers from co-workers.
- Report any strange or threatening looking individuals to Campus Safety.
- Make a mental note of suspicious strangers in case a later crisis does occur.

Reporting a Threat

Employees who are threatened, who witness a threat, or who hear about a threat incident from a coworker must immediately report the incident to their manager and/ or Campus Safety, regardless of how insignificant the threat might appear to be. Follow up processes will be coordinated with Human Resources and the employee's Manager.

The employee should be prepared to provide the following specific information:

1. Who allegedly made the threat and against whom was it made?
2. When and where did the threat occur?
3. What are the details of the threat?
4. Who else witnessed the threat?
5. Is there any other information pertinent to the threat (e.g., activity that may have occurred before or after the threat)?

Emergency Situations

Below are **examples** of emergency situations and guidelines for immediate response:

A person with a weapon enters the work area.

As a general rule **do not** confront or challenge the individual

- Go to a safe area
- Notify Campus Safety (ext 7911 or 893-7911)
- Campus Safety will respond to the area and notify law enforcement if the situation warrants their assistance

A person appears to be out of control (angry, shouting).

- Go to a safe area
- Notify Campus Safety (ext 7911 or 893-7911)
- Campus Safety will respond to the area and notify law enforcement if the situation warrants their assistance

People become engaged in a physical altercation.

- Go to a safe area
- Notify Campus Safety (ext 7911 or 893-7911)
- Campus Safety will respond to the area and notify law enforcement if the situation warrants their assistance

Campus Safety

Upon receiving a report of a threat from any source, Campus Safety will respond to the area and notify police if the situation warrants police assistance. Follow up processes will be coordinated with Human Resources and the employee's Manager.

In an effort to prevent workplace violence at Saint Joseph's College of Maine, all reported threats will be thoroughly investigated through a cooperative effort by the appropriate managers, department heads, Human Resources and Campus Safety.

Manager Responsibility

Managers must document any event or report of workplace violence in their areas and advise Campus Safety of the same, even if the threat or situation does not at first seem serious. The report should be thorough and contain as many detailed facts as possible including:

- name of person reporting the incident
- name of the employee alleged to have been violent or threatening
- date of the report and incident
- location where the incident occurred
- name(s) of the potential victims
- name(s) of witnesses
- description of all details of the incident

- specific description of verbal or physical violence that occurred
- details that might assist in identification (e.g., license plate number, etc.)

Managers who receive a threat report from an employee and believe danger is immediate will do the following:

- Notify Campus Safety (ext 7911 or 893-7911)
- Notify Human Resources
- Advise the employee that:
 - they may need to provide additional or clarifying information to investigators
 - they should save and prepare to turn over any oral or written communication related to the threat (e.g., email, voice-mail messages)
- Assure the employee that information will be treated confidentially and shared only with those who need to know

Victim Support

Saint Joseph's College of Maine will not discriminate against the status of being a victim of violence in the workplace. Victims of workplace violence may suffer various effects, even if the violence does not result in physical injuries. The effects can include short and long term psychological trauma; fear of returning to work; changes in relationships with coworkers and family; feelings of incompetence, guilt and powerlessness; and fear of criticism by managers.

Victims will also receive support in the form of a Violence Leave of Absence to obtain protective orders, appear in court and/ or seek treatment. See the Victims of Violence Leave of Absence policy for details.

Protective or Restraining Orders

Employees who have obtained or who are seeking protective or restraining orders should include Saint Joseph's College of Maine property as one of the restricted areas for the person(s) named in the order.

To ensure appropriate protection through the restraining order, a copy of the order should be provided to the Director of Campus Safety and Emergency Preparedness and Human Resources. Information will be treated confidentially and shared only with those who need to know to the extent practicable under the circumstances.

803 Inclement Weather and Emergency Conditions

In the event of inclement weather conditions, other natural or man-made emergencies, the SVP of Academic Affairs/Provost (primary) in consultation with Facilities Management and LT, will make a decision whether to continue routine operations, or, if the weather or other emergency is too severe, to cancel classes and close administrative offices. If the SVP of Academic Affairs/ Provost is not available to make the decision, the Director of Facilities Operations and Grounds Manager (secondary)

will serve in this capacity. This Decision Group, and the Weekend Decision Group defined later, will make determinations related to these situations.

Facilities Management and Campus Safety will be coordinating the RAVE communications, and all attempts will be made to notify the SJC community in the most timely way possible. Upon being informed of inclement weather and emergency conditions, the SVP of Academic Affairs/Provost will make a decision with regards to classes and College operations. Options may include the following:

- **Routine Operations** - Depending upon the anticipation and timing of weather or other emergency, routine College operations may proceed as usual. If this is the case, there will be no notification to inform employees. The expectation is employees will report to work in their usual manner.
- **All Classes Canceled & Administrative Offices Closed** - There may be times where severe weather conditions or other emergencies may warrant classes to be canceled and the administrative offices to close. In such instances, on-campus classes would be canceled (including remote instruction) and the administrative offices would be closed (remote work/tele-work would be canceled).
- **A Delayed Start Day, or an Early Release from work** - In such instances, on-campus classes would be canceled (including remote instruction) and the administrative offices would be closed (remote work/tele-work would be canceled) during the duration of the delay or beginning with the time of the release from work.

Employee Expectations and Compensation

If severe weather conditions or other natural or man-made emergencies force any employee to be late for work, the employee shall contact their respective supervisor, inform the supervisor of the impending lateness, and state the expected time of arrival for work. If an employee decides they cannot travel to campus when the College is not officially closed, the supervisor must be notified. When the College is not officially closed, individual supervisors may release employees who request to leave early. In both cases (late arrival or leaving early), paid time off (Earned Time or Maine Earned Paid Leave) will be used.

Staff who were previously scheduled and approved for paid time off or are out sick, shall report the paid time off for that period of time on their timecards regardless of any inclement weather conditions or emergency situations on campus.

- **Essential Employee Obligations**
Essential staff are expected to report to work on campus to fulfill their work duties in all options listed above. Compensation for essential personnel will be in effect during the applicable time period. If an essential employee is not able to report to work, all regularly scheduled hours will be covered by paid time off.

- **Non-essential Employee Obligations**

Non-essential employees are not expected to perform any regular work duties when classes are canceled and administrative offices are closed. Non-essential employees will be compensated for their regularly scheduled hours.

Example 1: Full day closure

- Non-essential employee doesn't work
 - "School Close" hours entered for the regularly scheduled hours only (7 or 8 per day for FT, regularly scheduled hours for RPTS) and paid for only those hours
- Essential employee does work
 - "School Close" hours entered for the regularly scheduled hours only (7 or 8 per day for FT, regularly scheduled hours for RPTS) and paid
 - School Close hours are not meant to match the complete worked hours, just the regularly scheduled hours
 - Clocked hours are also paid
- Essential 2nd & 3rd shift employees
 - Example: Shift from 10p - 6a
 - College closes for day of the latter portion of the shift (12a-6a)
 - Employee eligible for clocked hours (8) + School Close hours (8)
 - Employee clocks back in on closure day for next shift
 - Only 8 hours of School Close is assigned

Example 2: Partial Day Closure:

- Non-essential employees should be assigned the number of school close hours to make whole their regularly scheduled hours.
- The standard operating hours of the College are 8:30 am - 4:30 pm, M - F.
- Scenario example for essential employees:
 - College opens late at 11:00 am
 - School Close = 2.5 hours (8:30 am - 11:00 am)
 - Employee 1 works from 7:00 am - 3:00 pm
 - Employee 2 works from 2:00 pm - 10:00 pm
 - Both employees get worked hours (8) + School Close hours (2.5)
- Eligible essential employees who work anytime within the 24 hour period of a closure day, get the closure hours.

When necessary, the College will announce that it is initiating parking bans in specific locations.

Campus Safety will announce these bans. It is the responsibility of every member of the Saint Joseph's College of Maine community to be aware of and follow instructions for any parking bans. Violators of the posted parking bans (including faculty & staff) may be subject to towing at the owner's expense.

While the Facilities Management Department makes every effort to ensure that all required areas have sufficient snow and ice removed, the safety of our community is everyone's responsibility. Therefore, all members of the Saint Joseph's College of Maine community are asked to contact Facilities

(893-6620) and/or Campus Safety (893-6687) if they notice any treacherous conditions in a particular area, so that the issue can be addressed. Each person should participate in monitoring safety conditions on campus; and should make every effort to communicate issues when found. During winter months, the Facilities Management Department places salt/sand buckets in various areas around campus for the College community to use.

Daily campus condition updates will be shared with the community from the Facilities Management communications email account.

Announcement of Non-Routine Operations

- **RAVE Emergency Alert System:**

In the event it becomes necessary to notify the Saint Joseph's College of Maine community of severe weather conditions, or other natural or man-made emergencies, notification will be sent using the RAVE emergency alert system. Brief and immediate instructions will be given and subsequent updates will be sent as necessary.

- **Area Radio and TV Stations:**

Area radio and TV stations will carry announcements of cancellation or delayed openings prior to the start of the workday.

To ensure that you receive timely notifications, we encourage all members of the campus community to regularly review and update their contact information (primary phone number and/or email address) within ADP. This information is transferred electronically to the RAVE emergency alert system every evening after regular business hours.

Subsection for Inclement Weather and Emergency Conditions occurring on Saturdays and Sundays

(Facilities Management, Housekeeping, Campus Safety, and Pearson's Café Departments)

- In the event of inclement weather conditions, other natural or man-made emergencies, the Director of Facilities Operations and Grounds Manager will make a determination of a partial or full day emergency conditions designation (Weekend Decision Group).
- Managers and supervisors will receive an email from Facilities Management. Managers and supervisors have the responsibility to ensure this important information is communicated clearly and effectively to their employees. Regular full-time essential non-exempt/hourly personnel will be compensated at their current rate of pay for those hours worked in addition to School Close pay.
- Managers are responsible for adding School Close hours to hourly/non-exempt timecards (*see page 138 for instructions on how to enter full and partial day closures*). Compensation for essential personnel will be in effect during the applicable time period. If an essential employee

is not able to report to work, all regularly scheduled hours will be covered by paid time off. (See *Essential Personnel and Compensation Policy* for more information)

- **RAVE Emergency Alert System:**

In the event it becomes necessary to notify the Saint Joseph's College of Maine community of severe weather conditions, or other natural or man-made emergencies, notification will be sent using the RAVE emergency alert system. Brief and immediate instructions will be given and subsequent updates will be sent as necessary.

804 Guidelines for Use of College Vehicles

The purpose of this policy is to set forth the requirements applicable to all drivers of Saint Joseph's College of Maine (SJC) owned, leased, or rented vehicles or of personal vehicles while on College business. The policy is intended to ensure the safety of drivers, passengers, and the public as well as minimize losses, damages, and claims against the College. Driving a Saint Joseph's College of Maine owned, leased or rented vehicle is a privilege and the College reserves the right to deny or revoke the driving privileges of any driver in the event that the driver does not meet the requirements of this Policy, fails to follow the requirements of this Policy, or for any reason that the College deems the driver to be ineligible to operate an SJC Vehicle.

A SJC Vehicle is defined as: any owned or leased vehicle by the College and/or any vehicle rented for SJC business and intended to be insured by the College's automobile insurance policy.

Denial or Revocation of Driving Privilege may occur for issues with the following:

- MVR-Motor Vehicle Record
- At-Fault Accident-Accident that is deemed chargeable or is on the driver's MVR Violation
- Any motor vehicle driving violation other than a parking ticket

Eligible Driver Classifications

In order for an individual to be ("Eligible") to drive an SJC Vehicle, the individual must fall within one of the classifications below:

- A. An SJC employee who is a licensed driver, 18 years or older and authorized to drive by their supervisor.
- B. An SJC student who is a licensed driver, 18 years or older, and is authorized to drive by their Department Head in direct performance of business. Under no circumstances will students no longer enrolled at the College, or someone who is no longer employed by the College be considered to be Eligible.

Even if an individual meets the requirement to be Eligible, the College will not grant the privilege to drive SJC Vehicles unless the driver meets the requirements set forth in this Policy.

Driver Requirements

The College may grant the right to drive an SJC vehicle, if the driver is eligible and meets the criteria set forth in this policy. The College reserves the right to deny, suspend, or revoke privileges to drive a College owned, leased or rented vehicle, based on the initial or subsequent review of the motor vehicle record (MVR) for any faculty, staff or student requesting eligibility per the eligibility requirements and expectations set forth in this policy.

- A. All drivers must comply with the following:
 - a. Have a valid United States driver's license for the class of SJC Vehicle that the individual drives or seeks to drive.
 - b. Immediately notify their supervisor or manager if their driver's license has been suspended or revoked or has had limitations placed upon it. The supervisor must notify Campus Safety.
 - c. Meet the insurability standards set by the College's automobile insurance carrier.
 - d. Observe all applicable federal, state and local motor vehicle laws, ordinances, and regulations (which includes Hands-Free driving at all times)
 - e. Report all incidents in accordance with procedures outlined in Section V. (Accident Reporting and Analysis) and cooperate in any investigation of the incident and any subsequent proceedings.
 - f. Wear a seatbelt at all times and ensure that all passengers do so as well.
 - g. Operate the vehicle in a courteous and safe manner.
 - h. Submit a completed MVR release form authorizing the College to check the driver's MVR.
 - i. Maintain a motor vehicle record that meets the College's standards set forth in this Policy.
- B. All persons granted the privilege of operating a College Vehicle may **NOT** engage in the following:
 - a. Knowingly operate an unsafe vehicle.
 - b. Offer rides to hitchhikers or people unknown to the driver.
 - c. Unauthorized personal use of the College's Vehicles.
 - d. Permit unauthorized persons to ride in College Vehicles.
 - e. Smoke in College Vehicles.
 - f. Possess, consume, or be under the influence of alcohol, illegal drugs, or any substance (including marijuana) that may cause impairment while operating a College Vehicle.
 - g. Engage in any activity that exposes a risk to the College or the public.
 - h. No shouting, obscene gestures or other distracting or similarly inappropriate behavior will be allowed.

Procedures

- A. The College actively encourages student drivers to only use SJC vehicles when driving for College business. Should, however, the student choose to use their vehicle, that student's auto liability insurance will be primarily responsible for damages, should an accident occur. Individuals who

drive their personal vehicle on SJC business or to/from a College activity are responsible for their own safety as well as the safety of any passengers. The College bears no responsibility for the operation or operating condition of personal vehicles and expects drivers of personal vehicles to comply with applicable local, state, and federal laws.

- B. Before the College shall grant the privilege to drive an SJC Vehicle, the College must determine that the individual is Eligible to do so and has met the requirements of this Policy, including having an Acceptable Motor Vehicle Record.
- C. To determine that a driver has an acceptable MVR, the student or staff member must submit a copy of their driver's license and a completed Vehicle Driver Application to Campus Safety authorizing the College to obtain the MVR.
- D. After the initial required MVR check, the College may rerun a driver's MVR at any time to determine if the driver still has an acceptable driving record.
- E. If a new employee's position requires operating a College vehicle, eligibility will be contingent upon the College determining that the new hire has an acceptable driving record and meets the requirements of this policy.
- F. To be authorized to drive for the College, the following criteria will be applied:
 - Have had at least two (2) years of being licensed and clean MVR
 - Have no more than two (2) moving violations (speeding, failure to come to a complete stop, etc.)
 - No suspension, operating under the influence, driving to endanger, or using mobile devices
- G. Departments will be held responsible should an accident occur involving an unauthorized driver. The department will be expected to pay the deductible amount for any insurance claim that may arise.
- H. Drivers receiving traffic citations or violations while operating an SJC vehicle shall be responsible for paying in full any outstanding fines in accordance with all applicable federal, state, and local laws.

Accident Reporting and Analysis

The purpose of the accident investigation is to determine what factors, conditions, and/or practices contributed to the accident involving a College Vehicle, so that proper action can be taken to prevent recurrence. A complete accident investigation includes gathering pertinent data and making objective evaluations of facts, statements, and related information, which should lead to recommendations for preventive measures. An insurance identification card and accident information kit, located in the glove compartment of all College Vehicles, lists the procedures to follow when involved in an accident.

A. Reporting

- a. In the event of an accident:
 - i. Stay at the scene of the accident, check for personal injury, and seek medical attention if necessary.
 - ii. Set emergency signals to prevent further damage or injury.
 - iii. Call local law enforcement and notify your supervisor and Campus Safety immediately. In the event the accident is on campus, call Campus Safety first, 207-893-7911 (emergency line).

- iv. Stay calm. Be courteous. Avoid arguments. Secure assistance of law enforcement and request that an accident report be completed. Make no statement concerning the accident to anyone except the police. Obtain the officer's name and badge number. Do not admit fault, make no promises, settlement, or excuses.
- v. Record the names, addresses, and phone numbers of the occupants of involved vehicles and all witnesses. Please use a camera or camera on a cellphone, if possible, to take pictures of the scene, damage, and relevant items.
- vi. Obtain the names, addresses, and phone numbers of all persons injured, regardless of how minor the injury. Try to learn where the injured were sent.
- vii. Record the insurance carrier of the other party, policy number, agent's name, address and phone number.
- viii. Drive a vehicle only if it has been determined by law enforcement authorities to be safe to do so.
- ix. Before leaving the accident scene, verify that all the facts have been obtained.
- x. Campus Safety must be notified within 24 hours of the accident. A completed Driver Accident Report form, as well as the police report (if applicable) must be submitted to Campus Safety no later than two (2) business days of the accident. A police report must be submitted to Risk Management no later than seven (7) business days of the accident. It is the responsibility of the driver and/or supervisor to obtain the necessary law enforcement and Campus Safety reports.
- xi. SJC will charge departments the insurance deductible for repair work caused from an accident involving a College Vehicle.

B. Post-Accident Review

- a. Vehicle accidents may undergo a post-accident review to determine the cause and preventability of an accident. Reviews could consist of representatives from Campus Safety, Risk Management, Finance, Campus Life, and the vehicle operators. Once a determination as to cause and preventability is established, findings and recommendation will be forwarded to Human Resources and the vehicle operator's Supervisor (for employees) or Campus Life (for students) for any corrective action (e.g., temporary, or permanent denial of College driving privileges, additional training, etc.).

Training

The College reserves the right to require training for all drivers. Campus Safety is responsible for providing vehicles (i.e., van) orientation and safety training.

Vehicle Inspection

- A. Drivers must complete a "walk-around" check of the SJC vehicle that they will use for body damage prior to each use and immediately report any signs of new body damage to their supervisor and the Office of Campus Safety.
- B. Drivers who suspect that the vehicle is unsafe must report it to Campus Safety. The vehicle is not to be driven until the safety issue has been addressed.

Inquiries regarding this policy can be directed to the Office of Campus Safety.

805 Video Surveillance Cameras

The Saint Joseph's College of Maine Campus Safety Department recognizes the need to provide safety and security to the College community. The use of video surveillance equipment enhances this service. Further, as not to infringe upon one's expectation for privacy and to protect the confidentiality of information obtained through video monitoring/recording, the scope of this [policy](#) applies to all personnel of the Saint Joseph's College of Maine Campus Safety Department authorized in the use of security camera recording and retrieval.

Specifically, dispatch staff and security officers are the only persons authorized to utilize such equipment, unless permission is granted by the Director of Campus Safety for others to review for pre-identified purposes. The security camera function is primarily to record information for later use in campus investigations, and may be utilized, with authorization, by law enforcement in the investigation of crimes. The practice of camera monitoring is not a primary function that is typically employed by the department but the capability exists, thus it is also covered by this [policy](#).

The College may conduct a lawful search or inspection when it suspects that: the property of student(s), employee(s), community member(s), or the College is missing; information or equipment is being removed from the premises without authorization; or an employee possesses an item in violation of our policy or applicable federal or state criminal laws. Our search or inspection might include a search of an employee's personal possessions on our premises or property we rented or leased. We expect employees to cooperate in our search or inspection, whether with or without prior notice.

APPENDIX A. PERSONNEL FILES

Saint Joseph's College of Maine collects and maintains only information directly related to employees' application and employment, and protects the confidentiality of all information retained in accordance with this policy. Employment records pertaining to applicants, current and former faculty, staff and students are housed in the Human Resources (HR) Department.

In collecting, maintaining, and disclosing personnel information, Saint Joseph's College of Maine makes every effort to protect employees' privacy rights and interests and prevent unauthorized disclosures of information from any worker's file or record. While complying with its governmental reporting and recordkeeping requirements, the College strives to ensure that it handles all personal and job-related information about employees in a secure, confidential, and appropriate fashion in accordance with the principles and procedures outlined below.

Confidentiality of Information

Saint Joseph's College of Maine treats personal information about employees as confidential and respects the need to protect each employee's privacy by enforcing secure information-handling procedures for all personnel involved in gathering, retaining, using, or releasing personal information about the College's employees. Saint Joseph's College of Maine collects and retains personal information only as needed to conduct business and administer employment and benefit programs. Every effort is made to ensure that all personal and job-related information about employees is accurate, complete, and relevant for its intended purpose. Wherever possible, Saint Joseph's College of Maine will notify affected employees if it needs additional personal information and will give these employees an opportunity to supply the requested data.

Security and Storage of Personnel Records

All paper-based documents relating to Saint Joseph's College of Maine personnel record system are kept in secure, locked files in the HR department. Generally, these files are accessible only by authorized HR staff. Supervisors and management personnel in the chain of supervision who have a business reason to review information in a file are allowed to do so and are restricted to information related to the inquiry only. Employees are also granted access to their personnel files and records in accordance with the access procedure outlined below. All personnel files and records must remain in the HR department at all times.

All medical information relating to an employee is kept in separate Medical Records files maintained by the HR department. Access to these medical files is tightly controlled by the HR department. In most cases, medical information about an employee is released only to the worker's designated physician in accordance with the worker's written specific request.

Questions or issues about the application or enforcement of these security measures should be addressed to Human Resources.

Information that is contained in the employee's personnel file is either required by management or by law.

Each file must include:

- Pre-employment documents, including employment application and/or resume
- Contract(s) or offer letters(s) between the employee and the employer
- Completed adaptation review
- Completed performance review
- Personnel action forms, such as those for hiring, promotions, salary changes, job title changes, changes in employment status, etc.
- Record of corrective actions or performance improvement plans
- Copy of any required licenses/certifications, at time of hire
- Completed training required for the position held
- Separation of employment documents

Each file may include:

- Miscellaneous documents related to employment
- School transcripts or other supporting documentation
- Letters of commendation
- Legal correspondence
- Confidential references

I-9 documentation will be maintained separately, in accordance with regulations.

Manager/Supervisor Desk Files

Items Managers/Supervisors can have in a Desk File:

- Observations about the employee's job performance
- Examples of the employee's job performance and documents establishing the employee's goals
- Commendations and/or performance improvement documentation
- Performance reviews
- Attendance records and time-off requests

Items Managers/Supervisors cannot have in Desk File (not an all inclusive list):

- Doctor's notes or any other medical documentation
- Workers' compensation claim documents, including the manager's/supervisor's report on the injury
- Any formal or informal legal claim by or about the employee
- Employee's Form I-9
- Any workplace investigation materials regarding the employee
- Background investigation reports
- Personality or other test results

- Any non-job-related information, e.g., personal information about the employee

Other File Types

Benefits, that include documents such as:

- Benefit election information
- Retirement information
- Tuition information

Medical Information, that include documents such as:

- Leaves of Absence, Medical, Military or other leave types
 - Request for a leave
 - Medical Certification
 - Fitness for Duty or Information regarding work restrictions

Worker's Compensation, that include documents such as:

- Incident reports
- Filed claim confirmation
- Medical notes
- Claim status notes
- Fitness for Duty or information regarding work restrictions

Saint Joseph's College of Maine will generally retain employee files for a minimum of seven years, after the date of termination, in compliance with regulations.

Personnel Records Subject to Review

Any employee can request to review or obtain a copy of their personnel records upon written request. In each calendar year, the College will provide, at no cost to the employee, one copy of the entire personnel file when requested by the employee or former employee and, when requested by the employee or former employee, one copy of all the material added to the personnel file after the copy of the entire file was provided. The cost of copying any other material requested during that calendar year is paid by the employee requesting the copy. Human Resources can approve exceptions under which employees can inspect their personnel records more frequently. Employees generally have access to the following types of records:

- Pre-employment documents, including employment application and/or resume
- Contract(s) or offer letters(s) between the employee and the employer
- Completed adaptation review(s)
- Completed performance review(s)
- Personnel action forms, such as those for hiring, promotions, salary changes, job title changes, changes in employment status, etc.
- Record of corrective actions or performance improvement plans

- Copy of any required licenses, at time of hire
- Completed training required for the position held
- Separation of employment documents

Employees generally have access to the following types of records but they are maintained in separate files:

- Most medical records, all medical records including physical examinations, medical leaves, worker's compensation claims and drug and alcohol testing
- Fringe benefit enrollment and election forms, including designation of beneficiary forms
- Retirement enrollment
- Form I-9 Employment Eligibility Verification Form, and other documents related to employment eligibility

Records Exempt from Review

The following types of documents are not part of an employee's general personnel records and are not accessible to employees:

- Pre-employment reference information, including letters, telephone notes, and memoranda secured from the employee's prior employers or persons who are not current employees of Saint Joseph's College of Maine
- Medical records created or obtained by Saint Joseph's College of Maine that an employee can obtain directly from their physician or directly from a health care provider
- Employment test results used by an employer to make an employment decision that might be disclosed to future test takers
- Records relating to ongoing or completed investigations, including but not limited to, policy violations, prohibited conduct, or criminal offenses
- Documents developed or prepared for use in grievance or court procedures
- Documents related to staff planning or business planning, including management succession plans, management bonus plans, and job assignment plans

Access by Employee

Employees wanting to inspect or obtain a copy of their personnel records must complete a [Request to Inspect Employee File](#). Within ten days of receiving an employee's request form, Human Resources will schedule an appointment during which the employee can review or copy their files. All appointments are scheduled during regular business hours.

All personnel record inspections take place in the Human Resources Department in the presence of an HR representative. The employee cannot remove any files from the Human Resources Department.

Access by Managers or Supervisors

Although personnel files are maintained by the Human Resources Department in locked filing cabinets or password-restricted databases, staff outside the Human Resources Department often have a legitimate need to review personnel records. For example, a supervisor might want to review an employee's previous training records and past performance appraisals to determine the scope of a current performance problem.

To request access to an employee's personnel file, managers or supervisors must complete a [Request to Inspect Employee File-Manager/Supervisor](#). Within ten days of receiving a request, Human Resources will schedule an appointment during which the manager or supervisor can review the files. All appointments are scheduled during regular business hours.

The file review must take place in the Human Resources Department, with a member of the HR staff present to ensure that records are not altered or otherwise compromised.

Access by Third Parties

Third parties such as prospective employers checking references, financial institutions seeking salary information and employment history before authorizing loans, and courts and governmental agencies requesting information about an employee are only allowed with direct written authorization by the employee.

Unless disclosure is authorized by an investigation, legal processing, court order or subpoena, a signed release of information form is required from the employee in question before any personnel information is released.

Copies

Employees can make handwritten notes to record information included in their personnel records. An employee can request photocopies of any documents that the employee previously had provided to the employer or that had previously been provided to the employee. Copies of the documents are provided to the employee within a reasonable period of time after a request has been made. In the case of copy requests that are time consuming or involve an extensive number of documents, Saint Joseph's College of Maine reserves the right to charge the employee a reasonable fee to cover its copying costs, except for the first copy requested in a calendar year in accordance with applicable law.

Corrections

An employee can add a statement to qualify or counter information in their personnel files. Statements must be reviewed by Human Resources before being placed in the personnel file. Employee's statement may be included in the employee's file as long as the statement is factually based and directly relevant to the employee's performance or employment qualification.

APPENDIX B. SERVICE ANIMALS IN A PLACE OF PUBLIC ACCOMMODATIONS

This section is intended to be informational only for employees managing an area open to general public, such as the cafeteria.

In accordance with applicable law and subject to the provisions of this policy, the College may permit service animals as reasonable accommodation in connection with all College facilities, programs, and activities for individuals with a disability, unless doing so would impose undue burden on the College's operation. For purposes of this policy, a service animal is a dog or a certain miniature horse (as addressed in more detail below) that is individually trained to do work or perform tasks for the benefit of individuals with disabilities. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this policy. The work or task performed by a service animal must be directly related to the individual's disability. Examples of such work or tasks include, but are not limited to, assisting an individual who is totally or partially blind with navigation and other tasks, alerting an individual who is deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items such as medicine or a telephone, providing physical support and assistance with balance and stability to an individual with a mobility disability, and helping a person with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behavior. The crime deterrent effects of an animal's presence and the provision of comfort, emotional support, well-being, or companionship do not constitute work or tasks for the purposes of this policy and in accordance with the ADA and Maine Human Rights Act.

In addition, the College may permit miniature horses when reasonable. Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds. The factors in determining whether miniature horses can be accommodated in the College facilities include: whether the miniature horse is housebroken; whether the miniature horse is under the owner's control; whether the facility can accommodate the miniature horse's type, size, and weight; and whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the facility.

An individual who requires the assistance of a service animal is responsible for keeping the animal leashed or harnessed at all times unless these devices interfere with the animal's work or the person's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a place of public accommodation where members of the public, program participants, clients, customers, patrons, or invitees, as relevant, are allowed to go. Eating establishments are not required to permit an emotional support animal, even if it's a dog.

The College reserves the right to have a service animal removed from the premises if: (a) the animal is out of control and its handler does not take effective action to control it, or (b) the animal is not housebroken. A service animal also may be removed from the premises if: (a) it is a direct threat to the health or safety of others, (b) it would result in substantial physical damage to the property of others, or (c) it substantially interferes with the reasonable enjoyment of College facilities, programs, or activities by others. This will be based on the particular animal's behavior, and not breed-based fears or assumptions.

Individuals who require the assistance of a service animal or a miniature horse should register their service animals or miniature horses with Human Resources.

APPENDIX C. ONBOARDING PROCESS

Hiring Processes and Procedures

Job Descriptions (Staff)

Job descriptions reflect the purpose and major responsibilities of jobs and the knowledge, skills and qualifications required to perform those jobs successfully. They are the key element for job classification and compensation of a position. Job descriptions list essential functions and departmental expectations and are considered more descriptive rather than restrictive. The tasks described are characteristic of the job, and not every task needs to be listed to reflect an accurate job description. The College reserves the right to assign or reassign duties and responsibilities to the position at any time. The College also reserves the right to change job descriptions at any time in its sole discretion.

Job descriptions are representative of the work performed by the incumbent in a job. In multi-incumbent jobs, some duties described may not apply to all individuals, or one individual may perform an additional task. If that addition (or omission) does not significantly change the job, the job description is still appropriate.

Each description should include a job purpose or general overview and the essential functions of the position. Essential functions are the core duties and responsibilities of a position, without which the position would be fundamentally different. In addition, any special, unique, or periodic duties, and working conditions, including physical requirements, should be included. The knowledge, skills, and qualifications are identified as well and serve the means to be successful in a position.

Job descriptions are essential to acclimate staff members to their jobs, set standards for performance, and establish a basis for making reasonable accommodations for individuals with disabilities.

Existing job descriptions should be reviewed and revised periodically to make certain they are up-to-date with current duties and responsibilities. Managers and staff members are expected to help ensure that their job descriptions are current, accurate, and reflect the work being performed. Performance reviews that occur during the year should include a review and discussion of the current job description.

The hiring manager prepares a job description (following the standard template provided by Human Resources) for a newly created position or if a current position becomes vacant. Preparing the job description during a vacancy ensures all components are current and relevant. Before the recruiting and selection process can begin, the Manager sends the completed job description electronically to Human Resources for the evaluation and determination of classification and status, overall review, and final approval.

Job Postings

Consistent with the College's commitment to equal employment opportunity and with the exception of occasional internal departmental promotions and College-initiated transfers for special reasons, notice of full and part time vacancies shall be posted on the College's Careers Center. All such vacancies are generally posted for a minimum of five business days.

Unsolicited resumes and applications are not considered when reviewing applicants for open positions.

Internal Candidates

The College provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, all job openings are posted on the employment website. Temporary positions, promotions, reclassifications, and positions created by reorganizations are not necessarily posted as vacancies.

Employees who have a written warning on file within the most recent 6-month period of time are not eligible to apply for posted jobs. Staff members in their adaptation period of employment with the College are ineligible to apply for internal postings.

Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies, and qualifications as advertised or listed in the position posting. To apply for an open position, employees should follow the instructions in the position posting. The hiring manager will review internal applications in a manner consistent with external applications. There is no guarantee of an interview for internal applicants; however, the hiring manager is advised to contact the internal applicant directly in the event they are not selected for an interview.

Employees are expected to notify their current supervisor of their intent to apply for another position on campus. Valid applications are handled electronically within the ADP ATS.

If an employee needs assistance with applying for a new position, please contact Human Resources.

Interview process

The hiring manager will screen applications and resumes prior to scheduling interviews. Initial interviews are generally conducted by the hiring manager using behavior-based interview questions and a structured interview process. Candidate evaluation forms will be completed after each interview and sent to Human Resources. Retention of these documents will follow the defined Record Retention and Disposition Policy.

Human Resources will conduct an interview with final candidates for all full-time staff & faculty positions. Hiring managers will notify Human Resources of the final candidate(s) in order for the HR Interview to be scheduled and completed. The results of this interview will be shared with the hiring manager. Human Resources will provide the authorization to move forward with reference checks.

The hiring manager is responsible for notifying applicants who are not selected for positions through the ADP Applicant Tracking System (ATS). Template letters are available for hiring managers to edit and utilize for consistent communication.

Reference Checks

Reference Checks are used to verify information provided by the applicant and to obtain additional details to determine suitability for the position for which they are being considered. To ensure that individuals who join Saint Joseph's College of Maine are well qualified and have a strong potential to be productive and successful, it is the policy of Saint Joseph's College of Maine to check the employment references of the final candidate(s) for a position. A reference check is also required for internal candidates and rehires. It is the hiring manager's responsibility to ensure that references are checked.

Reference checks are a critical component of demonstrating careful and thorough consideration of the candidate's recent and past performance.

Reference checks can:

- Verify details the candidate has provided.
- Offer additional information on a candidate's skills, performance, knowledge, and work history from a source other than the candidate themselves.
- Help assess the candidate's potential for success in the position.

New Hires

- Using the Reference Questionnaire, hiring managers will contact a minimum of three (3) professional references for the finalist of their open position.
- **Professional references must include: supervisor or previous supervisor, colleague, professor, advisor. A minimum of two (2) supervisory references is required.**
 - **NOTE: The hiring manager cannot serve as a reference for their own candidate.**
- Once references are complete, the hiring manager will send them to Human Resources to finish the recruitment process.
- The hiring manager sends the Reference Questionnaires to Human Resources. These documents will be kept on file in accordance with our retention policy.

Internal Candidates and Rehires (required for posted positions)

- Using the Reference Questionnaire, hiring managers will contact a minimum of one (1) professional reference. **Professional references include: supervisor or previous supervisor, colleague, professor, advisor.** The reference can be a College contact. The ideal would be a supervisor reference to be contacted if available. Past supervisors can provide certain qualitative information that is critical in reference checking.
 - **NOTE: The hiring manager cannot serve as a reference for their own candidate.**
- Once the reference is complete, the hiring manager will notify Human Resources to finish the recruitment process.
- The hiring manager sends the Reference Questionnaire to Human Resources. This document will be kept on file in accordance with our retention policy.

Employment Offer

The President of the College, the Senior Vice President for Learning and Programs for faculty appointments, and the Assistant Director of Human Resources as well as other designated members of the Human Resources department are authorized to issue an official offer of employment. This includes individuals new to the College and current faculty and/or staff who obtain a new position. Under no circumstances will the College acknowledge an employment offer that comes from a person other than the aforementioned individuals.

After the hiring manager and Human Resources have determined which candidate(s) will be offered employment and how much salary will be offered, Human Resources will contact the chosen candidate(s) to extend the offer. Human Resources will confirm or correct the candidate's understanding of employment conditions and benefits and will answer any remaining questions. This will prevent hiring managers unfamiliar with the complexities of employment law from unintentionally making implied promises about the duration or prerequisites of the job.

The offer will take the form of a verbal offer and/or offer letter (staff) or contract (faculty) that will identify the position, compensation, start date and any other general conditions that are deemed important including the successful completion of post-offer background checks. Background checks will vary depending on the position.

The College adheres to the policy of employment-at-will, which enables either the employee or the College to terminate the employment relationship at any time with or without notice, except for an unlawful reason.

New Faculty


- The Senior Vice President for Learning and Programs verbally extends an offer and produces the faculty contracts from their department. Human Resources will send the contract and provide additional information pertaining to employment as it relates to onboarding activities/documentation.

New Staff

- The President of the College, the Assistant Director of Human Resources as well as other designated members of the Human Resources department extend verbal offers.
- Human Resources produces and sends the offer letter and onboarding information and documentation.
- If a current Staff member obtains a new position with the College, Human Resources will provide a new offer letter for the employee to sign and acknowledge. A new adaptation period begins at this time for the new position.

APPENDIX D. MAINE PAID FAMILY AND MEDICAL LEAVE


Paid Family and Medical Leave



MAINE
DEPARTMENT OF
LABOR
Bureau of Labor Standards

Maine's Paid Family and Medical Leave (PFML) law will provide up to 12 weeks of paid leave for family leave, medical leave, safe leave or leave related to a family member's impending military deployment.

A copy of the actual laws and formal interpretations may be found online at www.maine.gov/paidleave or by calling 207- 623-7900 | TTY users call Maine Relay 711.



Maine Law (Title 26, M.R.S.A. § 42-B and § 850-1) requires every employer to place this poster in the workplace where workers can easily see it.

This poster is available online at no charge and may be copied: www.maine.gov/labor/posters/

Benefits

- Benefits are available for the duration of your needed leave or 12 weeks, whichever is less.
- Benefit amounts will be determined based on your previous earnings and are capped at Maine's annual statewide average weekly wage.

Reasons for Leave

Family leave: To care for family with serious health condition.

Medical leave: To care for one's own serious medical needs.

Safe leave: To stay safe or to help a family member stay safe after abuse or violence.

Military leave: For emergencies related to a family member's impending military deployment.

Types of Leave

Continuous leave: Leave where you are out of work for days or weeks at a time.

Intermittent leave: Leave where you are still working and you need to take time off but it is not the same every day or every week.

Reduced leave: Leave where you are still working but you are consistently working fewer hours.

For more information contact:

Maine Department of Labor
Paid Family and Medical Leave
50 State House Station
Augusta, Maine, 04333-0050
Website: www.maine.gov/paidleave/

Eligibility

- To establish a claim, you must have earned a total of six times the statewide annual average weekly wage in Maine in your base period. The base period is defined as the first four of the last five completed calendar quarters. In most cases, the Department of Labor has your wage information on file. If it is not on file, the Department will take steps to obtain it.

Payroll Deductions

- Premiums will be deducted from your pay beginning with the first pay date after January 1, 2025.
- For calendar years 2025 through 2027, the premium rate for you cannot be more than 0.5 percent of wages. For example, an individual who earns \$600 per week will contribute no more than \$3 per week.

Other Information You Should Know

- Except in a medical emergency, an employer can claim an undue hardship in certain circumstances and request that the leave be scheduled at a mutually-agreeable time.
- Employers must restore you back to your original position or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment if you have been with your employer for at least 120 consecutive days when you started your leave.

Applications for benefits are scheduled to be accepted starting **May 1, 2026**

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.

rev. 10/24

APPENDIX E. ENVIRONMENTAL HEALTH AND SAFETY PROCEDURES

Environmental Health and Safety (EHS) Introduction

The health and safety of all faculty, staff, students and visitors in the Saint Joseph's College of Maine community is of primary importance. The College accepts the responsibility for and is committed to providing a safe work environment. The Facilities Department assists in providing a safe work environment for faculty, staff, students and visitors. The Facilities Department, in collaboration with Human Resources, the Health and Wellness Departments and Campus Safety, have responsibility for implementing, administering, monitoring, and evaluating the environmental health and safety policies and procedures. Its success depends on the alertness, communication and personal commitment of all. Facilities staff will monitor conditions in and around the College-owned buildings and at campus events, and will assist as necessary. Please understand that a safe and healthy work environment is everyone's responsibility.

Below, each environmental health and safety policy will list the responsible department and they can be contacted in the following ways:

Facilities: 207-893-6620 or ext. 6620, workorder@sjcme.edu

Health and Wellness: 207-893-6634 or ext. 6634, healthcenter@sjcme.edu

Human Resources: 207-893-7757 or ext. 7757, humanresources@sjcme.edu

Campus Safety: 207-893-6687 or ext. 6687, sjcsecurity@sjcme.edu

Please Note: Emergency reporting procedures are listed in each policy if applicable

Fire Prevention [Facilities]

Fire prevention ensures that life safety is maintained. Life safety is the first priority, followed by property protection and lastly environmental impact. The College maintains life safety equipment, including smoke detectors, fire alarms, sprinkler systems, kitchen hood suppression systems, electronics/server room fire suppression systems, and fire extinguishers. Refer to the building evacuation procedures below.

Open flame use is prohibited on campus unless written approval is granted by Campus Safety. A College owned grill may be reserved through Events. Use of campus fire pits require a burn permit; (issued through Maine Burn Permit System); please contact Campus Safety to obtain approval.

Cooking safety on campus prevents kitchen fires, a leading cause of death and property damage according to the National Fire Prevention Association (NFPA). Use appliances in accordance with the manufacturer's instructions. Cook only in designated areas. Plug appliances directly into a wall outlet, not an extension cord or power strip. Maintain good housekeeping in kitchen areas to minimize fire risk. All equipment used should be UL listed; please contact the Equipment Manufacturer with any questions and Facilities for additional support.

Building Evacuation [Campus Safety]

Saint Joseph's College of Maine is committed to the safety of all who live on, work at, and visit the campus. The building evacuation policy will ensure that in the event of a fire or other emergency, all building occupants will be able to exit the building safely and know where to assemble to await further instructions.

Building evacuation policy requirements apply to all students, employees, visitors and contractors that are working at, or visiting Saint Joseph's College of Maine property. Participation in building evacuations, both real and practice/drill events, is **mandatory**.

Each employee is responsible for locating and familiarizing themselves with the Emergency Protocol placard posted in each building. Follow the instructions as noted per situation. At the sound or sight of alarm activation, or via direction from a SJC authority or Standish Fire Department, all building occupants must immediately exit the building. Do not take time to gather personal belongings.

Upon discovery of a fire or other similar emergency, close the door, pull the fire alarm near the exit or entrance to the stairway that is closest to you, and exit the building immediately. Do not use the elevator. Help others exit if you are able and it is safe to do so.

Each building has an Emergency Location area. Go to your designated assembly area and await further instructions. Notify Campus Safety at X7911 (emergency line) from any on-campus phone or 207-893-7911 (emergency line) from an off-campus or cellular phone, or by activating one of the blue light push button emergency alarms. Please remain in the Emergency Location Area until directed to do otherwise.

If any employee would like additional information about their building's specific fire safety equipment, or evacuation procedures, or if they are assigned to a different building, they can contact Campus Safety, 207-893-6687, sjcsecurity@sjcme.edu.

Waste Disposal [Facilities]

Saint Joseph's College of Maine is an environmentally conscious and responsible institution with the intent to continue its mission in an environmentally sustainable manner. To fulfill this goal, Saint Joseph's College of Maine strives to ensure the College complies with applicable federal, state and local environmental regulations, while continuing to strive to reduce its impact on the air, water and land of Maine.

Proper waste disposal at the College is required. Waste streams generated by the College that are managed by Facilities include:

- Trash and recycling produced in all Campus building and areas
- Hazardous and universal waste disposal, understanding that the College has cradle-to-grave responsibility for wastes generated on campus, and ensuring they are disposed of via safe, approved methods
- Electronics reuse and recycling is a partnership between Facilities and Information Technology. Please reach out to Facilities or IT to coordinate storage and disposal of outdated equipment.
- Confidential materials shredding, coordinating routine service of secure drop off locations on campus and scheduling additional document destruction as needed (in collaboration with Human Resources).

Spill and pollution prevention programs are in place to prevent hazardous material releases to the environment. Spills and improper disposal should be avoided at all times. Materials include oil, gasoline, chemical, or other products/potential hazardous items. If you are unsure how a product should be disposed of, contact 6620 for assistance. If you observe a hazardous material spill, call Campus Safety X7911 (emergency line) from any on-campus phone or 207-893-7911 (emergency line) from an off-campus or cellular phone.

Ergonomics [Facilities and Human Resources]

This policy meets the standards and regulations set forth in OSHA's General Duty Clause Section 5(a) and 26 M.R.S. §§ 251, 252 that provide guidance for employers to reduce the ergonomic hazards within the workplace and properly train employees.

Saint Joseph's College of Maine is invested in providing a safe work environment for all employees. This includes workplace safety in the area of ergonomics.

The purpose of an ergonomics program is to minimize Musculo-Skeletal Disorders (MSDs) in the workplace. MSD's are injuries or disorders of the muscles, nerves, tendons, joints, cartilage, and spinal discs. These may cause pain or discomfort in the back, neck, wrist, hips, and other joints.

The primary elements of this ergonomics program include:

1. worksite evaluations
2. control of exposures that may have caused musculo-skeletal disorders
3. Visual Display Terminal (VDT) training (annual)

VDT training focuses on educating employees on the causes of musculo-skeletal injuries, the employee's personal responsibility to apply good work habits (such as posture and body mechanics) and symptom recognition and reporting.

Every reasonable and timely effort will be made to eliminate or minimize exposures. In determining how to correct or minimize exposures, Saint Joseph's College of Maine will consider reasonable, cost-effective engineering or administrative controls.

Management Responsibilities

Department directors, supervisors, managers, and similar positions are responsible to:

- Provide onsite work stations for their employees
 - Plan for the replacement of equipment as it ages or is damaged through normal use
 - Ensure that employees have access to ergonomic workstation/worksite assessments
- Ensure that employees complete required trainings
- Ensure compliance with this policy, and ask for clarification if they have questions

Employee Responsibilities

- Participate in ergonomic assessment of their workstation/worksite upon hire
- Complete required training
- Use ergonomic tools that are provided

Ergonomics Assessments and MSD (Musculo-Skeletal Disorders) Reporting

MSDs are best treated promptly and may worsen if left untreated for long periods of time. We have ergonomic resources available for employees and encourage employees to reach out to the SJC Certified Ergonomic Evaluator regarding suspected MSDs, MSD symptoms, or other ergonomic concerns. The SJC Certified Ergonomic Evaluator will provide an ergonomic assessment upon request from an employee or manager/supervisor. Managers or supervisors may request an assessment for new employees following the delivery and setup of workstation equipment, but an assessment or reassessment may be requested at any time. The SJC Certified Ergonomic Evaluator will explain basic ergonomic principles and work with employees to reduce the impact of repetitive motion injuries by assisting with adjustments to equipment, suggesting alternatives and recommendations based on

knowledge of ergonomics and the tools and equipment that are available. The SJC Certified Ergonomic Evaluator may utilize outside resources in evaluations if there are circumstances beyond the evaluator's training and experience. Outside resources may include insurance company ergonomists or medical practitioners with appropriate expertise.

For employees who are Working Remotely, Work at Home Evaluations are available:

- A packet will be emailed to you by the SJC Certified Ergonomic Evaluator.
- You will be required to complete an Ergonomics Assessment Request form and provide 5-6 photos at different angles of you "Working" at your home station.
- This will give the evaluator a basis to make adjustments.
- The SJC Certified Ergonomic Evaluator will then suggest modifications to your home station based on the information provided.
- After adjustments have been made, the evaluator will follow up with you within 8 weeks of adjustments to ensure you are seeing positive results.

Procedure

- An employee will complete an Ergonomics Assessment Request form provided by The SJC Certified Ergonomic Evaluator.
- The SJC Certified Ergonomic Evaluator will arrange a workstation visit within approximately 5 business days.
- The SJC Certified Ergonomic Evaluator will assess the workstation, have an interactive dialogue with the employee, make recommendations, and document the findings.
 - If workstation height adjustments are needed, the adjustments may be completed at the time of the assessment.
 - If it is determined that ergonomic equipment (furniture, technology) is the only solution, the employee's respective department will be responsible for the cost of the equipment. As a reminder, the equipment is property of the College, not the employee.
 - Some equipment will require medical documentation from a health care provider prior to ordering equipment. (Example: Sit Stand Stations) Medical documentation should be provided to Human Resources to substantiate the need for additional resources or equipment. Additional resources and equipment will be ordered by the Ergonomics Evaluator.
- A follow up ergonomic assessment will occur within eight weeks after any adjustment is made.
- It is the responsibility of the employee to be an active participant in the process and to maintain the recommended changes.
- It is the responsibility of the manager to ensure the employee is adhering to the recommendations provided by The SJC Certified Ergonomic Evaluator.
- Employees are responsible for reporting workstation concerns and submitting an [Accident/Incident Report Form](#) to Human Resources if they experience symptoms of continued MSDs.

It is expected that employees will be active participants in workplace safety and will adhere to the recommended changes to their workplace station. Changing habits, posture, and behavior can be challenging. In order for employees to minimize the risk of injury, they will need to take part in the process even though it may initially feel like an uncomfortable change.

Definitions

Cumulative trauma disorder is a term for various musculoskeletal and nervous systems injuries that are caused by repetitive tasks, forceful exertions, vibrations, mechanical compression, or sustained postures.

Ergonomics is the scientific discipline concerned with the understanding of interactions among humans and other elements of a system and the profession that applies theory, principles, data, and methods to design in order to optimize human well-being and overall system performance.

Work Related Musculoskeletal Disorders (WMSD's) are conditions in which:

1. The work environment and performance of work contribute significantly to the condition; and/or
2. The condition is made worse or persists longer due to work conditions

Work postures and movements that are risk factors for WMSD's include:

- Repetitiveness and pace of work
- Force of movements
- Vibration
- Temperature

Working Conditions in Hot & Cold Environments [Facilities and Human Resources]

Saint Joseph's College of Maine is committed to providing a safe working and learning environment for the entire campus community. To support this initiative, the College has a responsibility to provide employees with a place of employment which is free from recognized hazards, including hot and cold stress, which can cause serious physical harm including death.

Working in an environment that exposes employees to extended periods of time in either cold or hot conditions requires employees to understand how to be prepared to perform their work safely. Follow these work practices to stay safe in hot and cold environments and to minimize the physical impact on the body.

Cold working environments

Our bodies are unable to acclimatize to cold in the same manner that they can adapt to heat. When the body is unable to warm itself, serious cold-related illnesses and injury may occur and permanent tissue damage and death may result. Cold related illness can slowly overcome a person who has been chilled by low temperatures, brisk winds or wet clothing. Cold stress is associated with low temperature, high air movement and humidity, for example, from a blast of cold, wet wind.

Symptoms of cold induced illnesses

Hypothermia - Lowering of body temperature has an effect on the brain, causing erratic behavior and numbness, muscular weakness and cramps. Hypothermia can occur when land temperatures are above freezing or water temperatures are below 37° C. Its symptoms are fatigue and drowsiness, uncontrolled shivering, cool bluish skin, slurred speech, clumsy movements, irritable, irrational or confused behavior.

Frostbite - Localized exposure to cold occurs through freezing in deep layers of skin and tissue causing waxy-white skin, skin becomes hard and numb and usually affects the fingers, hands, toes, feet ears and nose first.

All cases of cold illnesses must be taken seriously and medical attention must be sought as soon as possible. All cases of frostbite must be treated as an emergency and the patient taken to hospital.

To prevent cold stress, these safe work practices are in place:

- Dress properly; wear at least three layers of loose-fitting clothing, insulated gloves and boots, and cover your head
- Provision of mobile facilities for re-warming and encourage the drinking of warm fluids such as soup or hot chocolate
- Introduce more frequent rest breaks
- Use a buddy system (work in pairs)
- For outdoors work, consider whether the job can be delayed and undertaken at warmer times of the year without compromising on safety
- Education of workers about recognizing the early symptoms of cold stress

Hot working environments

When the body is unable to cool itself through sweating, serious heat illness may occur. The most severe heat induced illnesses are heat exhaustion and heat stroke. If actions are not taken to treat heat exhaustion, the illness could progress into heat stroke and possibly death.

Symptoms of heat induced illnesses

Heat rash - The symptoms of heat rash include excessive sweating, resulting in the sweat gland becoming blocked and therefore reduces your ability to sweat more and lose heat.

Heat Exhaustion - The symptoms of heat exhaustion are headaches, dizziness, lightheadedness, weakness, mood changes (feeling irritable or confused), vomiting, decreased and dark colored urine, fainting and clammy skin. If heat exhaustion is not treated, the illness may advance to heat stroke.

Heat Stroke - The symptoms of heat stroke are dry pale skin (no sweating), hot red colored skin (looks like sunburn), mood changes (feeling irritable or confused), seizures, fits, collapse and unconsciousness.

All cases of heat stroke must be taken seriously as there is a high risk of death resulting from a lack of treatment. Medical attention must be sought as soon as possible. All cases of heat stroke must be treated as an emergency and the patient taken to hospital.

To prevent hot stress, these safe work practices are in place:

- Provide more frequent rest breaks and introduce shading to rest areas
- Wear light-colored, loose-fitting, breathable clothing-cotton is good
- If working outside in the sun, wear UV-absorbent sunglasses and use sunscreen with a sun protection factor (SPF) of least 30
- Provide cool drinking water, as well as juice or sports drink near workstations and remind workers to drink a cup every 20 minutes or so
- Encourage the removal of personal protective equipment when resting to help encourage heat loss
- For outdoors work, reschedule work to cooler times of the day
- Use a buddy system (work in pairs)
- Introduce shading in areas where the individuals are working
- Education of workers about recognizing the early symptoms of heat stress

Saint Joseph's College of Maine provides annual training through the MEMIC Safety Academy Learning Management System. Other positions/departments may be required to complete this training if indicated duties include exposure to hot and/or cold environments.

Bloodborne Pathogens Policy [Health and Wellness Center]

The [Exposure Control Plan](#) protects workers against potential exposure to bloodborne pathogens in accordance with OSHA standard 29CFR 1910.1030, "Occupational Exposure to Bloodborne Pathogens". The Exposure Control Plan (ECP) includes information regarding a determination of employee exposure, implementation of universal precautions, use of engineering and work practice controls, personal protective equipment, housekeeping procedures, the Hepatitis B Vaccination, as well as post-exposure evaluation with follow-up, training and appropriate record keeping. **A hard copy will be provided to any employee within 15 days of the employee's request.**

Employees hired into the following positions must complete Bloodborne Pathogen training upon new hire and annually thereafter:

- Faculty, Staff & Students who work in the following areas:
- Sports & Exercise Science
- Nursing & Nursing Lab
- Chemical Hygiene Officer
- ATHLETICS (including but not limited to):
 - Athletic Field Maintenance
 - Athletic Sports Medicine & Training Staff
 - Sports Team Coaches, Club Coaches & Student Assistants
 - Intramurals Staff & Student Employees
 - Athletics Events
 - Strength & Conditioning
 - Laundry Room Assistants
 - Aquatics
 - Alford Center
 - Camp Staff
- Residential Living
- Campus Safety
- Health and Wellness Center
- Housekeeping
- Pearson's Café & Events Staff

Saint Joseph's College of Maine will provide annual training through the MEMIC Safety Academy Learning Management System. Other positions/departments may be required to complete this training if indicated duties include exposure to bloodborne pathogens.

Personal Protective Equipment (PPE) is provided for all employees in the departments listed above. Training for proper use and disposal is also required annually.

Failure to comply with the Bloodborne Pathogen Policy may result in disciplinary actions.

Communicable Illness in the Workplace [Human Resources]

Decisions involving persons who have a communicable disease shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.

Communicable diseases include but are not limited to, COVID-19, mumps, measles, influenza, viral hepatitis-A, viral hepatitisB, human immunodeficiency virus (HIV), AIDS, AIDS-related complex (ARC), leprosy, severe acute respiratory syndrome (SARS) and tuberculosis. College may choose to broaden this definition within its best interest and in accordance with the information received through the Centers for Disease Control and Prevention (CDC).

College will not discriminate against any qualified job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. The College reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace. Employees may use available paid time off during this time to receive pay in accordance with the College's time-off policies.

College will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases.

Employees and supervisors are required to notify Human Resources immediately if a communicable disease risk may exist, in order to limit exposure. The College will take the following steps:

1. Notify and verify the disease risk.
2. Understand the disease and gather resources.
3. Identify the scope of risk.
4. Determine the College response.
5. Handle related internal and HR compliance matters.

When employees self-notify the College that they have a communicable disease that will affect their performance on the job, Human Resources can require a health certification to confirm the illness. After the examination, if HR determines that the disease poses "a significant risk" to the health of others, the College must consider every reasonable accommodation to eliminate that significant risk. If no such accommodation can be made, then the College should take steps necessary to eliminate the significant risk. Employees have a reasonable expectation for privacy with all medical information. Throughout this process, HR must keep the employee's medical information, as well as the information on any accommodations or leaves, confidential. If an employee does not self-notify that they have a communicable disease, HR cannot require a medical exam. The College does have a responsibility to ensure the health of other employees in the workplace. The College will ensure that efforts made to reduce the risks of contagion in the workplace are in compliance with the applicable laws.

Employee Rights, Responsibilities and Training

Saint Joseph's College of Maine is committed to providing a safe working environment and makes every effort to comply with applicable federal, state and local occupational health and safety laws and to develop the safest procedures and programs conducive to a safe environment. Saint Joseph's College of Maine provides information to employees about workplace safety and health issues through internal communication channels such as meetings, written communications and through training. Employees can express safety concerns to their supervisor, any member of management, or Human Resources. Your safety concerns will be treated with confidentiality upon request to the extent practicable under the circumstances. College employees are expected to work diligently to maintain safe and healthy working conditions and to adhere to standard operating procedures designed to prevent injuries and illnesses.

The responsibilities of all employees of Saint Joseph's College of Maine in this regard include:

1. Remain focused on the job task, use good judgment at all times to prevent accidents and injuries.
2. Report to supervisors all injuries, illness, or accidents that are work related, regardless of how minor it may appear.
3. Maintain awareness of your work environment and report unsafe conditions, equipment, or practices to supervisors or to Campus Safety if it is an emergency.
4. Use safety equipment provided by Saint Joseph's College of Maine at all times.
5. Consider your options: is there a safer way to do what you are about to do? Is there safety equipment or training that could make this safer?
6. Observe all safety rules and regulations at all times
7. If unsure about the safe/best way to complete a job task, ask.

Job-specific safety training will be provided by the supervisor/department. Employees will be trained by their supervisor in the appropriate way to complete all assigned job tasks, and before being exposed to any workplace hazards. Equipment needed to do the job will be provided by the employee's department.

The College strictly prohibits retaliation against any employee based solely on the fact that they made a report of unsafe health and safety conditions, workplace injury or illness.

Reporting Potentially Unsafe Environmental Health and Safety Conditions [Facilities]

As stewards of Saint Joseph's College of Maine, all faculty, staff, and students are expected to report any real or potentially unsafe environmental health and safety conditions on campus. This includes, but is not limited to:

- ***Outdoor hazards in walk and roadways, including***

- potholes
- loose bricks
- fallen tree branches
- injured wildlife
- incidents by the lakefront and/or Stone Barn
- **Indoor hazards, including**
 - unsafe walk areas
 - structures in need of repair (doors, furniture, windows, bathroom facilities, etc.)
 - faulty lighting
 - sprinklers and fire alarms that aren't working properly

Reporting

Employees are required to file a report. During regular business hours, employees can report non-emergent health and safety conditions by calling 6620, or emailing workorder@sjcme.edu.

Employees should report emergency health and safety conditions by calling Campus Safety:

- 7911 (emergency line) from any on-campus phone
- 207-893-7911 (emergency line) from an off-campus or cellular phone
- 207-893-6687 from an off-campus or cellular phone
- 6687 from any campus extension

Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, to remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

Near Miss Reporting [Facilities and Human Resources]

A near miss is an opportunity to improve health and safety in a workplace based on a condition or an incident with potential for more serious consequences, including:

- Unsafe conditions
- Unsafe behavior, such as a worker modifying personal protection equipment for comfort
- Events where injury could have occurred but didn't
- Events where property damage could have resulted but didn't
- Events where a safety barrier was challenged, such as a worker bypassing a machine guard
- Events where potential environmental damage could have resulted but didn't

Near Miss Reporting

1. Near miss events can be sent via email to your supervisor, Facilities, or Human Resources. Near miss event reporting is strongly encouraged. The reporting system will not result in disciplinary action of the reporter based solely on the fact that the reporter made a report in accordance with this policy and, if desired by the person reporting, may be anonymous;

2. All near miss incidents will be reviewed by the College to identify the root cause and the weaknesses in the system contributing to the incident. The reporting individual may be asked to participate in the incident investigation;
3. Investigation results will be used to improve safety systems, hazard control, risk reduction, and to educate employees. All of these represent opportunities for training, feedback on performance, and a commitment to continuous improvement.

Workers' Compensation Accident/Incident and Occupational Exposure Reporting [Human Resources]

Saint Joseph's College of Maine abides by the rulings and statutes defined in the Maine Workers' Compensation Act. This ruling defines coverage of employees working in Maine for accidental injury, illness and/or exposure occurring in or arising out of the workplace. For employees working in other states, any incidents would be handled according to the Workers' Compensation rules and statutes within the state the employee resides.

The Maine Workers' Compensation Act entitles employers to select health care providers to service injured/ill employees within the first ten days of treatment. The Human Resource Office will refer all work-related injuries to the College's Preferred Provider for evaluation. Visits and follow-up appointments with these medical care providers for work-related injury/illness/exposure should be made during non-work hours whenever possible.

The Workers' Compensation Poster provided by the Maine State Workers' Compensation Board states the following:

"State law requires your employer to provide workers' compensation insurance for its employees. Workers' compensation insurance provides benefits to employees who are injured at work.

If you are injured at work, NOTIFY YOUR EMPLOYER AT ONCE. You may lose your right to receive benefits unless your employer is notified within 60 days of your injury. Your claim is also subject to a two year statute of limitations. Worker advocates are available at the Workers' Compensation Board to help injured workers."

When an employee is injured or has an occupational exposure while performing assigned job duties, an Incident/ Accident Report must be completed within 24 hours. This report is to be completed by the employee (if possible) or, if necessary, a co-worker or supervisor who witnessed the incident. Failure to give notice or to accept medical services as described below may deprive the employee of the right to Workers' Compensation coverage.

Procedure

Saint Joseph's College of Maine employees who are injured or have an occupational exposure on the job should follow the Accident/Incident Reporting Procedures listed below:

1. Evaluate injury/exposure for the necessity of medical attention:
 - For life threatening injuries/exposures and those that need immediate medical attention, contact Campus Safety. Campus Safety will respond and contact 911 for an ambulance when necessary.
 - For non-emergency incidents, employees can go to the Health and Wellness Center in O'Connor Hall for an injury/exposure evaluation.
 - a. The Health and Wellness Center will evaluate and provide primary treatment, if minor in nature; or refer care to the SJC Preferred Provider, Concentra.
 - b. If the Health and Wellness Center is closed, non-emergency incidents must be reported to the Human Resources Office at ext. 7756 within 24 hours of the incident. These incidents may also be referred for care to the SJC Preferred Provider, Concentra.
 - c. If the incident occurs on a weekend, employees can go to Northern Light Mercy Walk-In Care, Windham or the nearest emergency room for treatment. The injured employee is required to follow up with Human Resources the next business day.
 - d. **Employees must avail themselves of this medical referral within the first ten days following notice of injury.**
2. The Campus Safety Office and/or Health and Wellness Center staff will immediately notify the Human Resources Office of any actions involved in the incident.
3. The employee will be asked to complete an Accident/Incident Report Form. This report must also be submitted to the Human Resource Office within 24 hours.
4. The employee's supervisor will be asked to complete the Accident/Incident Investigation Report. The supervisor should investigate the incident to identify the possible factors that might have contributed to the incident. Any witnesses to the incident should also communicate with the employee's supervisor to ensure inclusion in the investigation report. This report should be submitted to the Human Resource Office as soon as the information has been gathered, but no later than 72 hours after the incident.

Campus Safety

- **Location:** Standish Hall, First Floor
- **Phone:** 207-893-7911 or 207-893-6687 or ext. 7911 or 6687 from any campus extension
- **Working Hours:** 24 x 7 (always open)

Health and Wellness Center

- **Location:** O'Connor Hall, First Floor
- **Phone:** 207-893-6634

- **Working Hours:** (Academic Year) 8:30 am - 4:30 pm; (Non-Academic Year) as posted on the door

Portland Concentra

- **Address:** 85 Western Avenue Suites 6, 7, 8, South Portland, ME 04106
- **Phone:** 207-774-7751
- **Fax:** 207-828-5140
- **Hours:** (Mon. - Fri.) 7:30 am - 5:00 pm and (Weekends) 9:00 am - 1:00 pm

The Human Resource Office will work with the employee to coordinate lost time wage payments, medical treatment, and return to work accommodations.

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I have received Saint Joseph's College of Maine (the "College")'s Policy Guidebook. I am responsible for familiarizing myself with it and any supplemental information provided to me.

The Policy Guidebook is only intended to provide me with a summary of policies. Any program, policy, or procedure contained in it may be interpreted, amended, supplemented, or rescinded in the College's sole discretion and without notice to employees.

The Policy Guidebook is not a contract and does not create any contractual rights or obligations of any kind with respect to the terms or conditions of employment. Unless I have executed an employment contract with the College, neither I nor the College has entered into any contract of employment. My employment relationship with the College is "at-will," meaning that either I or the College may terminate the relationship at any time, with or without notice and for any reason or no reason.

Print Name of Employee

Employee's Signature

Date