



## **EMPLOYEE HANDBOOK**

OCTOBER 2008

**THIS EMPLOYEE HANDBOOK REPLACES AND SUPERCEDES ALL  
PREVIOUS EMPLOYEE MANUALS (EXCEPT THE FACULTY HANDBOOK)**

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## **Welcome to the Marymount University Community**

### **The University Mission**

Marymount University is an independent Catholic university that emphasizes academic excellence at the undergraduate and graduate levels. Committed to the liberal arts tradition, the University combines a foundation in the arts and sciences with career preparation and opportunities for personal and professional development. Marymount is a student-centered learning community that values diversity and focuses on the education of the whole person, promoting the intellectual, spiritual, and moral growth of each individual. Scholarship, leadership, service, and ethics are hallmarks of a Marymount education.

### **Code of Ethics**

#### **Statement of Commitment**

Marymount University is a Catholic institution of higher education committed to excellence in teaching, learning, scholarship, and service. As such, the University acknowledges specific core values that guide and govern the actions of its community. These values include integrity, responsibility, fairness, respect, and the pursuit of excellence.

The Marymount community is committed to exemplifying these core values through ethical conduct in all endeavors and interactions. By teaching and modeling ethical behavior, Marymount University builds character and citizenship and prepares its graduates for lives of true personal and professional success.

#### **Applicability**

This Code of Ethics applies to all members of the Marymount community, including students, faculty, staff, administrators, Board members, consultants, vendors, and others engaged in business with the University. Each member of the community is responsible for conducting him or herself in accordance with this Code and other University policies and regulations.

#### **Standards of Conduct**

In their actions and interactions, members of the Marymount community will be guided by the highest standards of personal and professional conduct. Specifically, the members of this community agree to:

- comply with all federal, state, and local laws and regulations, and conduct themselves in accordance with the University's mission and values, policies and procedures, and Code of Ethics;
- strive for quality, efficiency, and effectiveness in all endeavors aimed at achieving Marymount University's mission and goals;
- act honestly and responsibly at all times, holding themselves accountable for their actions;
- maintain and promote an atmosphere of mutual respect, cooperation, and civility;
- commit to the just treatment of others, applying policies fairly and making resources and services equally available to all members of the campus community;
- steward University resources carefully, ensuring that facilities, equipment, budget dollars, and personnel time are used appropriately in support of Marymount's mission and goals;
- refrain from making purchases, or otherwise committing University funds, in order to derive personal benefit;
- respect the privacy of each individual and preserve the confidentiality of University records and other information entrusted to them;
- avoid conflicts of interest, reject bribery and coercion, and strive to avoid even the appearance of impropriety in connection with their roles and responsibilities at Marymount University.

### **Non-compliance**

Commitment to this Code of Ethics includes the responsibility to bring suspected non-compliance to the attention of appropriate University authorities. Members of the Marymount community should contact their immediate supervisor or the vice president responsible for a specific area to report concerns about possible non-compliance. To the extent possible, the identity of the individual making such a report shall be kept confidential; any retaliation for such good-faith reports is a violation of University policy and will result in disciplinary action. All reports of possible non-compliance with this Code of Ethics will be investigated and, if the facts warrant, corrective and/or disciplinary action will be taken in accordance with applicable laws and University policies.

## **New Employee Orientation**

The Office of Human Resource Services conducts New Employee Orientation Sessions to introduce new employees to the general policies, procedures, and expectations related to employment by Marymount University. The departmental orientation for each position occurs shortly following employment and is coordinated by the department head.

All new employees, except temporary employees, are required to attend a New Employee Orientation session. It is the department head's responsibility to arrange for a new employee to attend the next Orientation Session available following the commencement of employment.

Topics covered in the New Employee Orientation Session include:

- History and Organization of the University
- University Mission
- University Policies, Rules, and Regulations
- Employee Benefits
- Fire and General Safety
- Emergency Communication
- Confidentiality

No employee will be considered to have completed his/her introductory period without having attended an Orientation Session. Failure to attend a scheduled Orientation Session may affect a new employee's employment status.

## **Parking, Transportation and Shuttle Service**

All employees who drive to work and park on campus or on satellite parking lots maintained by the University must register their vehicles and display a current appropriate hang-tag. Vehicles are registered at the Campus Safety Office, Ireton Hall. Free shuttle service to and from the Main Campus, Mount Olivet parking lot, Ballston Center, and the Ballston Metro Station (Orange Line) is offered to all employees. Parking regulations and shuttle schedules are available from the Office of Campus Safety. Marymount assumes no responsibility for loss or damage to vehicles and contents while on University property.

Faculty members who intend to park a car or other motorized vehicle on campus are entitled to one parking permit that must be secured annually from the Campus Safety Office. Faculty members are entitled to park in spaces designated for them by the University. If these spaces are unavailable, faculty may park in any other space where general parking is permitted. Faculty members are expected to comply with University parking rules.

## **Alternative Transportation/SmarTrip Benefits**

Marymount encourages the use of alternative transportation methods to reduce traffic congestion and pollution. Employees who regularly use the Metro can purchase SmarTrip Dollars on a pretax basis. Contact the Office of Human Resource Services for more information about alternative transportation.

### **Use of Marymount University Vehicles:**

Marymount University vehicles are for authorized use only while on the job on behalf of Marymount University and as directed by a supervisor. Only a supervisor can authorize use of a Marymount University vehicle after normal working hours. Hitchhikers, friends and other non employees are not allowed to ride in Marymount University vehicles. Motor vehicle record reviews are required for all employees driving a Marymount University vehicle. Further, all eligible drivers must be in compliance with the Marymount University driving policy at all times.

Failure to report an accident, mechanically defective equipment, breakdown of equipment or a deliberate dishonest statement on any accident report required by Marymount University may result in disciplinary action.

## **Employment Practices**

### **Employment Categories**

#### **Regular Employees**

Regular employees are those individuals who have been hired to fill authorized permanent positions in the University from budgeted funds.

Regular employees may be either:

1. **Full-Time Employees**

Employees hired to work a schedule of 30 or more hours per week.

2. **Part-Time Employees**

Employees hired to work a schedule of less than the full-time hours described above.

Furthermore, regular full-time or part-time employees are designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are paid on an hourly basis and are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are paid an annual salary and are excluded from specific provisions of federal and state wage and hour laws. An

employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by University management.

#### Criteria for Determination of Exempt Status

This policy defines the categories of positions which are considered exempt from the wage and hour provisions of the Fair Labor Standards Act (FLSA), as applied at Marymount University.

Completely exempt from the minimum wage-hour provisions of the FLSA are those employees engaged in a bona fide executive, faculty, or professional capacity if they meet specific criteria.

There are primarily four (4) general categories of positions that are classified as exempt at Marymount:

1. Administrator (Executive)
2. Faculty
3. Other Administrative or Professional
4. Computer-related

#### 1. Administrator (Executive)

The status of administrator is assigned to those academic and administrative positions which involve major responsibility for management of the University, e.g. the president, vice presidents, deans, associate deans, and directors of major administrative units. This includes those administrators in charge of a principal business unit, division or function (such as marketing, administration or finance), or any other administrator who performs a university-wide policy making function.

Administrative employees are defined as exempt from the minimum wage, overtime, and record keeping provisions of the Fair Labor Standards Act.

#### 2. Faculty

The Faculty of the University comprises all persons holding academic rank whose principal responsibility at Marymount University is directly providing or administering academic instruction or services, either for nine, ten, or twelve months of the year. Members of the faculty are divided into three areas: those whose principal responsibility is teaching and designing courses and curricula and advising students; those whose principal responsibilities are administering academic programs and courses of studies of enrolled students; those whose principal responsibilities are providing library and learning services.

#### 3. Other Administrative or Professional Employees

Professional exempt employees are degreed staff who perform highly specialized duties within a department. Work is performed under general supervision and requires special training, experience, or knowledge. To be classified as Professional Exempt, an employee's principal duties must involve performing non-manual work in a position

requiring knowledge of an advanced type in a field of learning, or work requiring invention, imagination, or talent in a recognized field of artistic endeavor.

Administrative employees are exempt if their primary duty is the performance of office or non-manual work directly related to the management and general business operations of the University, which involves the exercise of discretion and independent judgment with respect to matters of significance. In general, employees working in exempt administrative positions customarily and regularly exercise independent judgment and discretion more than 50% of the time. The administrative duties must not include routine or structured tasks such as bookkeeping, data entry, or clerical duties.

#### 4. Computer-related

Computer-related exempt employees are staff, usually degreed, who function as computer systems analysts or software engineers who primarily perform certain professional level designated computer programming and/or systems-related tasks.

##### *(1) Salary Basis Requirement*

To qualify for exemption, employees generally must be paid not less than \$455 per week on a salary basis. These salary requirements do not apply to outside sales employees, faculty, and employees practicing law or medicine.

Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee’s predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a “salary basis.” If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

##### *(2) Circumstances in Which the Employer May Make Deductions from Pay*

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions (see MU policy regarding Progressive Discipline). Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

(3) *University Policy*

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all managers or supervisors from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the University does not allow deductions that violate the FLSA.

(4) *What To Do If An Improper Deduction Occurs*

If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor or to the Payroll Department.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

## **Position Announcements**

All open positions must be posted internally and in accordance with established recruiting procedures for a period of at least five business days. The purpose of the posting is to give current employees an opportunity to consider submitting an application for the position.

## **Refer-A-Saint**

Marymount welcomes the referring of qualified external individuals for employment. Participation is open to all regular, full-time and part-time staff and faculty employees with the exception of employees, managers, or search committee members who have responsibility for any part of the hiring process as well as other exceptions noted below.

To be eligible, the current Marymount employee must complete a Refer-A-Saint Employee Referral Form and return it to the Human Resource Services Office prior to an interview being scheduled. The person being referred must still follow the recruiting procedures. This includes the completion of the Marymount employment application and interview process.

If the referred person is hired, the referring employee is awarded \$100.00 following the newly referred employee's start date with the University. If more than one employee refers the same qualified candidate, the award will be divided equally. A grand prize drawing will be held at the end of each calendar year. Each employee that made a successful referral for that calendar year will be included in the drawing. The winner will receive a \$250.00 payment.

The following individuals will not be considered for referral awards:

- a) Candidates received from other sources (i.e. recruitment advertising, employment agency, etc.)
- b) Co-op students, student workers, summer interns and temporary employees.
- c) Current or previous Marymount employees.
- d) Consultants, subcontractors, or individuals on a contract employment status currently or previously on assignment with Marymount.

More information and the Refer-A-Saint Form are located on the HR Web site at [www.marymount.edu/hr](http://www.marymount.edu/hr).

### **Introductory Period**

Each new staff employee (administrator, professional and computer-related) at Marymount is appointed in an introductory status for the first ninety (90) days of his/her employment. This is a particularly important time for the new employee and for the University, since it allows the employee an opportunity to determine whether Marymount fits his/her career goals and enables the University to have a period in which supervisors may monitor and evaluate employee performance. In most cases, the introductory period will last for ninety (90) days from the date of hire, but it is subject to one ninety (90) day extension at the discretion of the University. Employment may end at the option of the employee or the University at any time before the end of the introductory period. During the introductory period, the supervisor will discuss the employee's performance with him/her and prepare at least one written performance evaluation. A decision will be made prior to the end of the introductory period about granting extended employee status, extending the introductory period or terminating the employment relationship. During this introductory period, as with any other period of time that an employee works for the University, the "employment-at-will" policy is in place, meaning that either party may terminate the employment relationship with or without notice and with or without cause. Completion of the introductory period neither guarantees an employee continued employment, nor implies an employment contract. Until the introductory period is successfully completed, the provisions regarding the staff grievance procedure do not apply.

### **Staff Promotion and Transfer**

All available positions are posted on the Job Opportunities section of Marymount's Web site at <http://www.marymount.edu/hr> for a minimum of five (5) business days. Postings are also available in Ireton Hall on the Main Campus.

Consideration for voluntary transfers or promotions to any open position at the University is possible after an employee has completed the introductory period. To apply for an open position, employees should follow the application guidelines on the official employment Web site.

Prior to making an offer of employment, the supervisor with the position vacancy must notify his/her vice president. An employee may transfer from one department to another with two- to four-weeks' notice to both department supervisors. If a replacement for the departing employee cannot be found within that time period, the supervisors and employee may cooperatively devise a short-term shared-time arrangement until the opening can be filled.

Any employee who has been transferred or promoted will be placed in an introductory status for a period of ninety (90) days to determine whether the employee is satisfactorily performing the duties of the new position. Such employees are not entitled to return automatically to their previous position. Unlike the initial introductory period, the staff grievance procedure provisions apply to any introductory period associated with a transfer or promotion. An employee who has been transferred or promoted shall be entitled to the salary of the new position, and not the salary of the previous position.

An employee who has been subject to progressive discipline at the level of written warning or greater is not eligible for promotion or transfer for a period of one (1) year following the date of disciplinary action.

### **Verification of Professional Licensure and Certification**

The Office of Human Resource Services will validate the current credentials, licensure, registration and/or certification documentation for all applicants by means of an official background check. An offer will not be extended to any candidate for a permanent position until a positive background check has been received. Offers to faculty employees are contingent upon a positive background check and may be revoked if such check is negative. NOTE: For those positions that require the operation of any motor vehicle, any record of driving while intoxicated will immediately disqualify that candidate for such a position.

1. Applicants for positions requiring credentials, licensure, registration and/or certification (as described above) must present the original document for validation prior to beginning their employment and/or appointed responsibilities.
2. The Office of Human Resource Services is responsible for maintaining all currently employed staff a photocopy of the validated original credentials, licensure, registration and/or certification that was provided as part of the hiring process.

3. Continued validation will be established through the visual inspection of an original license, registration and/or certification. Presentation and/or submission of a photocopy by the staff member is not acceptable for purposes of this policy.
4. In addition to the Office of Human Resource Services, the department will maintain a photocopy of the credentials, license and registration and/or certification for all employees in a staff file.
5. For those employees whose position description requires the operation of a University vehicle or any motor vehicle as part of their regular position duties, validation of current motor vehicle licensure and satisfactory licensure status will be required and processed by the Office of Human Resource Services.

### **Continuing Validation**

1. The staff member is responsible and required to renew the professional licensure, registration and/or certification prior to expiration.
2. All employee expiration/renewal dates will be tracked by the Office of Human Resource Services. Sixty (60) days prior to the expiration date, the Office of Human Resource Services will notify the staff member by certified mail and request an updated renewal.
3. The staff member must present the original, renewed document(s) to the Office of Human Resource Services prior to expiration of the license, registration and/or certification. A copy of the validated, renewed document will be included in the appropriate staff member's employment file. An additional copy will be forwarded to the department head in order to maintain a current department file.

## **Performance Management**

### **Position Description and Periodic Performance Management**

Each department head is required to complete periodic performance appraisals for each full-time and/or regular part-time employee in his/her department. Faculty performance evaluation is governed by the procedure outlined in the Faculty Handbook.

The University will develop and maintain a current position description and criteria based performance appraisal for each position. Position descriptions and criteria based performance appraisals will be developed by the responsible department head and reviewed and approved by the Assistant Vice President, Human Resource Services.

The position description will specify the objectives, essential position duties, responsibilities, and specific qualifications. The position descriptions are reviewed periodically (at least once per year) and revised as needed to reflect the current position requirements.

A position description is made available to each employee at the time of hire, when modified, and upon request.

Each staff member will receive a periodic criteria-based performance appraisal that is based upon, and related to, the standards of performance that are specified in the individual's position description.

The Office of Human Resource Services is responsible for the management of the position description and periodic performance appraisal program. With guidance by Human Resource Services, the department heads will develop, periodically review, and revise as necessary the criteria based position descriptions. Human Resource Services will approve all new and revised position descriptions.

The Office of Human Resource Services will maintain a current electronic file of the criteria based position descriptions for each position. Additionally, a copy signed by the incumbent and his/her supervisor will be kept in each employee's personnel file.

### **At Will Statement**

Staff employees serve at the discretion of the University. Neither this handbook nor any other University document that is not specifically designated as an "employment contract" constitutes in any manner an express or implied contract of employment, guarantee of continued employment or a warranty of any benefits, terms or conditions of employment. Employment at Marymount is a voluntary employment-at-will relationship for no definite period of time. The University recognizes that, regardless of anything which may appear in this handbook or any other University publication, policy, statement or practice, an employee has the right to terminate his/her employment relationship for any reason with or without cause or notice at any time. Marymount reserves the right to do the same. No one has the authority to bind Marymount to any agreement contrary to the foregoing except in writing by the President. This Statement does not apply to Faculty, whose employment status is governed by the Faculty Handbook.

### **Progressive Discipline**

All employees are expected to comply with Marymount's standards of behavior and performance and any non-compliance with these standards will be addressed by the supervisor and/or the appropriate vice president in consultation with the Assistant Vice President, Human Resource Services.

Any department head wishing to discharge an employee during his/her introductory period will communicate this to the Office of Human Resource Services at least one week prior to the end of the employee's introductory period. The Office of Human Resource Services will advise the supervisor about the process for effecting such discharge.

Any employee discharged during his/her introductory period will not be entitled to the exercise of the grievance procedures.

The University practices a policy of progressive discipline through which it attempts to provide staff employees with notice of deficiencies and an opportunity to improve. Marymount does, however, retain the right to impose discipline at its discretion, up to and including termination, depending upon the severity of the conduct.

The normal application of progressive discipline, implemented only after consultation with the appropriate vice president and the Office of Human Resource Services, follows these steps:

1. Verbal warning or counseling: The supervisor arranges a meeting with the employee for counseling or for a verbal warning to inform the employee of the standards of behavior or performance that are not being met. This meeting is to be documented by a memorandum to the employee's file, with a copy sent to the Office of Human Resource Services.
2. Written warning: If there is a second occurrence or offense, another meeting is held with the employee. The supervisor may issue a second verbal warning or, if appropriate, issue a written reprimand or warning including notice that future incidents may result in more serious disciplinary action, up to and including termination. A copy of the written warning and/or other documentation related to the meeting is to be filed with the Office of Human Resource Services.
3. Suspension without pay: If there are additional occurrences or violations, the supervisor may recommend that the employee be suspended without pay for a specific period of time, depending upon the severity of the conduct. Such a recommendation is to be developed in conjunction with the Office of Human Resource Services and must be approved by the appropriate vice president.
4. Termination of employment: Depending upon the severity of the conduct, the supervisor may recommend to the Office of Human Resource Services and the appropriate vice president that the individual's employment be terminated.

If an employee who has been disciplined works a full calendar year without further disciplinary action under this policy, the next failure to meet standards may be treated as a first occurrence. However, the University may still consider all past disciplinary actions in evaluating the employee.

## **Employment Separations**

### **All Separations from Active University Employment**

The University recognizes that an employee may separate from active University employment for a variety of reasons which may be broadly categorized as either voluntary or involuntary in nature.

## **Return of University Property**

An employee who separates from active University employment shall return all University owned equipment and/or property charged to him/her before he/she shall be issued his/her final check.

Such equipment or property may include, but shall not be limited to the following: uniforms, locker keys, ID badges and/or cards, laptops, cell phones, credit cards, office keys and materials, supplies or equipment issued or loaned to the employee.

1. A department head shall notify an employee who is separating from active University employment that he/she must return all University owned equipment and/or property charged to him/her before he/she may receive his/her final check.
2. The employee shall be given his/her Employee Exit Procedure Form prior to or on his/her last day of work.
3. It is the employee's responsibility to return all University owned equipment and/or property assigned or issued to him/her to his/her department head or appropriate designee and to obtain authorized signatures on the Employee Exit Procedure Form.
4. A completed Employee Exit Procedure Form must be returned to the separating employee's department head on the employee's last day of work.
5. The department head must attest that all University owned equipment and/or property has been returned and/or accounted for before the end of the employee's last day of work.
6. The department head must forward a completed Employee Exit Procedure Form to the Office of Human Resource Services.

## **Final Check(s)**

The department head shall notify all employees separating from active University employment that all final checks shall be distributed by the Payroll Office. This includes the check for time worked up to and including the employee's last day of work and the check for accrued vacation, if any. Issuance of final checks is subject to completion and submission with all necessary signatures of the Employee Exit Procedure Form.

## **Timesheet**

The department head shall indicate on an employee's final timesheet that the employee is separating from active University employment and shall identify the employee's last day of work.

### **Personnel Action Form**

1. The department head shall submit a Personnel Action Form to the Office of Human Resource Services for each employee separating from active University employment. The employee's date of separation is the last day worked.
2. The Office of Human Resource Services shall indicate on the Personnel Action Form authorization for last benefits payroll deductions and confirming the delivery of COBRA materials to all eligible employees.

### **Receipt of Final Check**

1. Once the employee's completed Employee Exit Procedure Form is on file in the Payroll Office, the employee's final check may be released when it is available, which will normally be on the employee's next regular scheduled payday following the separation.
2. If the employee picks up his/her final check in person, he/she shall be required to sign a receipt form for the check(s).
3. If the employee chooses to have his/her final check mailed, he/she must confirm this desire on the Employee Exit Procedure Form, indicating the address to which the check should be mailed. The Employee Exit Procedure Form will be annotated with the date that the final check was mailed.

### **Accrued Annual Leave Time**

No staff employee (administrator, professional or computer-related) separating from active University employment shall be paid more than their accrual total at the employee's last date of active employment at the University, and under no circumstances shall this amount exceed one calendar year's accrued annual leave.

### **Records**

No later than the employee's final day of active employment, the department head shall submit the following records to the Office of Human Resource Services for each employee separating from active University employment:

1. A copy of the employee's notice of separation, if applicable
2. Any records not previously submitted which pertain to the employee's work performance or conduct.
3. A completed Employee Exit Procedure Form.

## References

1. Only emailed or written requests for references sent to or received by the Office of Human Resource Services shall be acknowledged.
2. Only dates of employment and titles shall be confirmed; salary information shall be provided upon receipt of a consent form signed by the former employee.
3. No personal references may be sent utilizing University letterhead stationery or job title of respondent.
4. These provisions do not apply to faculty or librarians.

## Voluntary Separations: Resignations

Voluntary separations are commonly referred to as "Resignations". The employee will give his/her department head written notice of his/her separation. For regular non-exempt employees, the amount of time provided for notice of separation will be no less than two (2) full workweeks. Exempt personnel are expected to provide no less than one full month of notice.

1. An employee who gives proper notice is entitled, as a separation benefit, to receive payment for annual leave time that he/she has accrued as of the date of separation, up to a maximum one calendar year's accrued annual leave.
2. An employee who does not give proper notice may be entitled to receive payment only for time worked up to his/her date of separation.
3. An employee who gives notice shall not receive payment for sick leave earned but not taken by the last official day of work.

The University reserves the right, for any employee who has given notice:

1. To accept the employee's notice as effective on the day it is given to the employee's department head or any day thereafter, and
2. To pay the employee any monies due him/her despite not having given proper notice.

The employee and his/her department head will satisfy the "exit" procedures.

## Involuntary Separations

Staff members may be subject to involuntary termination at the sole discretion of the University for one or more of the following reasons:

1. **Layoff**

- a. A layoff because of official reorganization or permanent or temporary reduction in the workforce approved by the President.
- b. Employees who are subject to layoff are eligible to apply for vacant Marymount positions for which they are qualified, but former salary is not guaranteed in new position. The University makes no provision for seniority or other types of “bumping.”

## **2. Discharge**

- a. Termination of employment for reasons other than lack of work, including but not limited to, unsatisfactory performance, poor attendance or behavior incompatible with effective conduct of duty, behavior detrimental to the University, incompetence, disloyalty to the University.
- b. Terminated employees will not receive payment for sick leave earned but not taken by the last official day of work.
- c. Terminated employees will not receive payment for Family/Medical Leave earned but not taken.
- d. Terminated employees will be paid for earned and unused annual leave up to a maximum of one calendar’s year of accrued leave.

## **Wage and Hour Policies**

### **Hours of Work and Overtime Rules**

1. Hours for most administrative offices are 9:00 a.m. – 5:00 p.m., Monday through Friday. Employees in administrative offices are expected to work these hours unless the supervisor determines that the efficiency of the work operation or a shift assignment requires otherwise. A combined total of one hour for breaks/meal time is allowed during an eight hour work period as arranged with the supervisor. Employees may have duties that require them to remain on campus during the meal period.
2. Full-time employees employed in a non-exempt capacity by Marymount University agree as a condition of employment, to work a specified number of hours within a specified period. Specified hours is defined to mean that the employee is on the work site, in uniform as appropriate, ready to work at that time. During each regularly scheduled eight hour shift, each employee is entitled to a meal period and rest period. Meal and rest periods are considered as time worked for the purpose of calculating an employee’s hours and wages, including overtime.
3. All overtime work for non-exempt employees is subject to the provisions of the Fair Labor Standards Act and must have the prior approval of the responsible supervisor. Non-exempt employees who work overtime without receiving prior authorization

from the responsible supervisor may be subject to disciplinary action, up to and including possible termination of employment. Non-Exempt employees who work more than 40 hours in one week or who work on a paid holiday must receive compensatory time off during the same pay period with supervisor approval or will be paid one and one half times the regular rate for hours worked in excess of forty (40) or for hours worked on a holiday.

4. Exempt employees are normally employed in positions that are not measured by a forty hour week or an hourly basis, and the University does not pay exempt employees overtime or award them compensatory time.

## **Time Records and Payday Guidelines**

Supervisors are responsible for prompt and accurate recording of time worked by employees whom they supervise.

All personnel are paid semimonthly, on the 15<sup>th</sup> and last day of the month. To ensure timely payment, all non-exempt staff must submit a **Timesheet: Non-Exempt Staff** to the Payroll Department no later than 5:00 p.m. of the first business day following the last day of each semimonthly pay period. For example, the timesheet covering the 1<sup>st</sup> through the 15<sup>th</sup> of the month is typically submitted on the 16<sup>th</sup> of the month. Pay dates and timesheet due dates are posted on the Marymount Web site.

To authorize timely payment, a **Leave Report for Administrative and Exempt Staff**, which reports all absences must be completed and reach the Payroll Office on the same schedule as non-exempt timesheets.

When a pay date falls on a weekend or holiday, direct deposits are made or paychecks are issued on the last regularly scheduled workday prior to that weekend or holiday.

## **General University Policies**

### **Equal Employment Opportunity**

In accordance with the resolution of the Board of Trustees of Marymount University, it is the policy and practice of the University to recruit, hire and train persons in all job classifications without regard to race, creed, color, religion, sex, age, national origin, sexual orientation, marital status, citizenship, covered veteran, disability, or any other legally protected characteristic. Objective employment measures will be the sole criteria in arriving at decisions in the above area.

Marymount University should ensure that all promotions and transfers are consistent with the principles of Equal Employment Opportunity and should impose valid criteria in these employment actions.

Marymount University should also ensure that all personnel actions such as compensation, benefits, tuition remission, and social and recreational programs are administered without regard to race, creed, color, religion, sex, age, national origin,

sexual orientation, marital status, citizenship, covered veteran, disability, or any other legally protected characteristic.

It is the responsibility of all administrative personnel to ensure that employment related decisions are based upon objective employment criteria.

1. The Equal Employment Opportunity Policy statement shall be posted in the Office of Human Resource Services and communicated to all department heads.
2. If an employee feels that an employment decision is made in violation of the above stated policy or believes that there is discrimination in the workplace, he/she will discuss the issue with his/her department head or a representative from the Office of Human Resource Services.
3. If the employee is not satisfied with the response, then he/she will submit the complaint in writing to the Assistant Vice President, Human Resource Services (or his/her designee) who will respond directly to the employee.
4. Any employee seeking accommodations due to a diagnosed disability and in accordance with the Americans with Disabilities Act of 1990, should contact the Assistant Vice President, Human Resource Services. Once proper documentation is submitted by the employee, reasonable and appropriate accommodations will be determined.

Employees can raise concerns and make reports without fear of reprisal. Marymount will not tolerate unlawful discrimination and any such conduct is prohibited. The Office of Human Resource Services will ensure all employment decisions comply with the above policy. All employees are required to give their full support and cooperation to this Equal Employment Policy.

## **Employment of Relatives**

A relative of a current Marymount University employee may be hired for a Marymount University position if the employment of the relative does not present a conflict of interest or the appearance of a conflict of interest.

A relative of a current Marymount University employee may not be hired for a position in the following situations:

- If there would be a reporting relationship between the related employees.
- If one of the related employees would be in a position to control, approve, and/or review financial transactions prepared or performed by the other.
- If one of the related employees would have supervisory authority over the other.
- If the related employees would be in the same department.

For purposes of this policy, a current employee's relatives include his or her spouse, parents, parents-in-law, children, children-in-law, siblings, uncles, aunts, first cousins, step-relations, grandparents, nieces and nephews.

If two employees marry, become related or develop any other personal relationship where the potential problems noted above may arise, only one of the employees will be permitted to remain in the department unless the potential or actual conflict of interest can be eliminated.

### **Romantic Relationships in the Workplace**

Marymount University's policy and its commitment to a climate free from sexual and other forms of unlawful harassment is that it is both unwise and inappropriate for Marymount University supervisory personnel to have romantic relationships with any subordinate Marymount University employee. Such relationships have the potential to create difficult working environments, both for the participants in the relationship and others working with them. A romantic relationship in the workplace may raise perceptions of bias and favoritism; deterioration of the relationship may give rise to perceptions of harassment or retaliation. Prudence and the best interests of the participants in the relationship and others working with them dictate that if a romantic relationship develops between a Marymount University supervisor and a subordinate Marymount University employee, the supervisory relationship cannot be permitted to continue.

In the event of such a relationship, it is the responsibility of the supervisor to take the initiative to work with Human Resource Services to ensure a resolution that is consistent with this policy.

### **Non-Discrimination and Anti-Harassment**

Marymount University is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, Marymount University expects that all relationships among persons in the educational environment will be business-like and free of bias, prejudice and harassment.

#### **Anti-Harassment Statement**

Marymount University seeks to provide an environment built upon respect that emphasizes the worth of each individual and values diversity. The University is committed to providing an environment in which students, faculty and staff are able to learn and work without any form of verbal or physical harassment. Harassment in any form is an affront to human dignity and fundamentally at odds with the values and mission of Marymount University. The University will not condone or tolerate any verbal or physical conduct that would constitute harassment, including sexual

harassment of any member of the University community. All forms of unlawful harassment, including but not limited to sexual, racial, national origin, disability or other forms of unlawful harassment, not only violate University policy, but also violate federal laws and those of the Commonwealth of Virginia and Arlington County. Therefore, all members of the Marymount University community have a responsibility to maintain an environment free from harassment.

## **1. Who is Covered**

This policy applies to all full-time, part-time, and temporary faculty members, administrators and staff, as well as students at all times and places in any connection with this institution. The policy also applies to applicants for admission or employment and third parties such as contractors, vendors, or sponsors of internships.

## **2. Prohibited Conduct**

### **Definitions**

It is the policy of Marymount University that all students, faculty and staff be free from harassment addressed to individuals or groups because of race, religion, ethnicity, national origin, gender, sexual orientation, age, disability, marital status or veteran's status, or other categories protected by applicable law. The policy also applies to complaints of harassment or discrimination involving applicants for admission or employment, or persons aggrieved by third parties such as contractors, vendors, or sponsors of internships.

Sexual Harassment is a form of sex discrimination and is prohibited under Sec. 703 of Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement or advancement (quid pro quo), or;

Submission to or rejection of such conduct is used or threatened or insinuated to be used as the basis for decisions affecting employment, wages, promotion, assigned duties, or academic standing or an individual, or;

Such conduct has the purpose or effect of interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or academic environment (hostile environment).

A key word in this definition is "unwelcome." Unwelcome or offensive conduct with sexual overtones that occurs in the academy or educational environment is sexual harassment. Courts have held that whether or not conduct is unwelcome is based on the victim's perception and not that of the harasser. Such conduct may be **verbal**

(i.e., jokes, derogatory sexual remarks, invitations) **nonverbal** (i.e., gestures, suggestive actions, facial expressions), **pictorial** (i.e., insinuating graphics, photographs, and/or other suggestive objects), or **physical** (i.e., patting, stroking, cornering, assault.)

### **3. Consensual Relationships**

Amorous and/or sexual relationships between faculty and students, staff and students, or supervisors and subordinate faculty and staff are viewed as professionally unethical and violate Marymount University rules of conduct and therefore may be subject to discipline. Such relationships have the potential for adverse consequences, including the filing of sexual harassment complaints. Given the asymmetry of power in a relationship where one person awards grades or makes promotion or salary decisions, the consensual nature of the relationship is inherently suspect. It is incumbent upon those with authority not to abuse or appear to abuse the power with which they have been entrusted. Should a charge of sexual harassment be brought by a person in a subordinate position, "consent to the relationship" will not be deemed a sufficient defense or justification for conduct which otherwise would be deemed sexual harassment under the policy of the University.

### **4. Computer Messaging and Information Systems**

Faculty and staff are cautioned that the misuse of e-mail, voicemail, or other electronic messaging systems, or the Internet, are violations of the University's computer policy and may give rise to claims of harassment. Faculty and staff may not generate, should not receive, and must not forward any message or graphic that might be taken as offensive based on race, religion, ethnicity, national origin, gender, sexual orientation, age, disability, marital status or veteran's status, or other categories protected by applicable law. This includes the generation or forwarding of offensive "humor" that contains sexually offensive terms, or terms that are offensive to any race, religion, national origin group, or other protected class.

Faculty or staff receiving sexually offensive messages or graphics over the University's computer equipment should report those messages to their supervisor or the vice president of their area.

Marymount computers, computer equipment, and the data generated on, stored in, or transmitted to or from the University remain the property of the University for all purposes. No one is authorized to use any Marymount computer, computer system, network, or software for the preparation, transmission, or receipt of sexually or racially offensive messages or graphics, or for other messages or graphics that might be taken as offensive based on race, religion, ethnicity, national origin, gender, sexual orientation, age, disability, marital status or veteran's status, or other categories protected by applicable law.

## **5. Retaliation Prohibited**

Marymount University policy prohibits any form of reprisals or retaliation against any person who has filed a harassment complaint (informal or formal), including a sexual harassment complaint. Likewise, reprisals or retaliation against anyone who has participated in an investigation of harassment is prohibited. Faculty and staff or students engaging in reprisals or retaliation will be subject to disciplinary action, whether such acts are implicit or explicit, or committed directly or indirectly. Complaints made in bad faith, malicious accusations, and false charges may also subject the perpetrator to disciplinary action.

## **Complaint Procedure**

### **Reporting an Incident of Harassment, Discrimination or Retaliation**

Marymount University requires the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Any member of the University community who believes that he or she has been subjected to unlawful harassment of any kind has the responsibility to report the discrimination, harassment, or retaliation immediately to his or her supervisor, to the Director of Human Resource Services or to the Assistant Vice President, Human Resource Services. If the individual is uncomfortable reporting the harassment to his or her immediate supervisor (whether because the supervisor has committed the harassment, or for any other reason whatsoever), the employee must report the harassment to the next higher level of management above the immediate supervisor or, if the employee prefers, to the Director of Human Resource Services or the Assistant Vice President.

Marymount University is committed to taking all reasonable steps to prevent harassment, and will make every reasonable effort promptly and completely to address and correct any harassment that may occur. However, the University cannot take prompt and effective remedial action unless each individual assumes the responsibility of reporting any incident of harassment immediately to an appropriate supervisory employee in accordance with this policy.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, Marymount University strongly requires the prompt reporting of complaints or concerns so that rapid and constructive action can be taken.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his/her behavior is unwelcome and requesting that it be discontinued.

### **The Investigation**

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved

and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

### **Responsive Action**

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as Marymount University believes appropriate under the circumstances.

Individuals who have questions or concerns about these policies should contact the Director of Human Resource Services or the Assistant Vice President, Human Resource Services.

Finally, these policies will not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other categories protected by applicable law, from participating in educational or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of Marymount University prohibit disparate treatment on the basis of sex or any other categories protected by applicable law, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

### **Misconduct Disclosure**

Marymount University is committed to the highest ethical and professional standards of conduct as an integral part of its mission. To achieve this goal, the University relies on each community member's ethical behavior, honesty, integrity and good judgment. Managers have a special duty to adhere to the standards set forth in the Code of Ethics, to enforce the standards enumerated in the Code, and to recognize violations of University policies and procedures and applicable laws and regulations.

In pursuit of its commitment to ethical behavior, Marymount University encourages its faculty, staff, and students to make good faith disclosures of University-related misconduct. The commitment to improve the quality of the University through such disclosures is vital to the well-being of the entire campus community. To encourage employee disclosures of misconduct, the University provides a toll free number for anonymous reports and an ombudsperson to whom misconduct may be reported directly. Employees are also encouraged to report misconduct to their immediate supervisor, department chairperson or vice president when appropriate.

Retaliation as a response to such disclosure will not be tolerated. Retaliation, whether actual or threatened, destroys the sense of community and trust that is central to a quality environment. Marymount, therefore, considers acts or threats of retaliation in response to good-faith disclosures to constitute a serious violation of University policy.

No members of the University community shall engage in retaliation in response to an employee's exercise of his/her rights pursuant to any policy promulgated at the University or to the bringing of a complaint.

Actions are considered retaliatory if they are in response to a good faith disclosure of real or perceived University-related misconduct and the actions have a materially adverse effect on the working or academic conditions of an employee or student; or if the faculty, employee, or student can no longer effectively carry out his or her University responsibilities.

The University will make every reasonable effort to stop retaliation immediately, to conduct a complete and thorough investigation of alleged acts of retaliation in a timely manner, to provide remedies to victims of retaliation, and to sanction the perpetrators of retaliation as appropriate.

The act of a good faith disclosure of University-related misconduct shall not be used to make any decision to the detriment of a faculty member, employee, or student or to subject the faculty, employee, or student to harassment such that it creates a hostile work or learning environment.

To encourage and protect faculty, employees, and students, it is University policy that no reference to a good faith disclosure of University-related misconduct shall be made in personnel files, letters of recommendation, performance appraisals, or any other permanent evaluative documents without the concurrence of the employee or student.

Reports of alleged University-related misconduct that are not made in good faith are not protected under this policy. Those who make disclosures in bad faith may be disciplined as appropriate through regular University procedures. Irrespective of the origin or the intent of the allegations, in the event the allegations are not substantiated, the University in consultation with the accused shall take all reasonable steps within the control of the University to restore the reputation of the accused to the extent that it was damaged by the investigation and proceedings, e.g., expunging all references to the allegations in the personnel records of the accused.

## **Confidentiality Statement**

It is Marymount University's responsibility to respect the privacy of its students, employees, and alumni and their records.

The release of information concerning faculty, staff, students, and others is governed by federal and state statutes and Marymount University policies. Only employees who have

a legitimate position-related need to use University information, files, and computer records are authorized to access such information. It is a violation of University policy to access, use, duplicate, alter, or disclose University information for reasons not related to position duties or in violation of the Family Educational Rights and Privacy Act.

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Confidential data concerning the plans and operations of departments or individuals should not be discussed with persons not authorized to have access to the information. If there is a question as to whether the information should be released, the person requesting the material should be referred to the immediate supervisor. Inquiries from persons outside the University about employees and former employees should be referred to the Office of Human Resource Services. Inquiries about students/former students should be referred to the Office of the Registrar.

All media inquiries are to be referred to University Communications. Marymount University reserves the right to publish photographs of current and former employees engaged in classes or other officially sponsored University activities.

An employee's role in the protection of the privacy of others is critical. Failure to observe guidelines of confidentiality may result in termination of employment or other appropriate disciplinary action.

## **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. Those rights are as follows:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the Registrar or appropriate Dean, Vice President, or other official written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write to the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If Marymount decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including Campus Safety, Alumni Office, and Student Health Center staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee such as a disciplinary or grievance committee or assisting a school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, Marymount discloses education records without consent to officials of another school in which a student seeks enrollment or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Marymount University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

Marymount designates the following information contained in students' education records as "directory information." Directory information may be disclosed by the University without the student's prior consent, pursuant to the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). However, the University is not required to disclose directory information and, therefore, carefully evaluates requests for information. At Marymount University, directory information includes the student's name, address, telephone number, e-mail address, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (undergraduate or graduate; full time or part time), participation in officially recognized activities or sports, height and weight of student athletes, degrees, honors (including Dean's List) and awards received, and the most recent educational agency or institution attended. Currently enrolled students may withhold disclosure of directory information under FERPA. To withhold disclosure, students must meet with the University Registrar. Marymount University assumes that failure on the part of any student to specifically restrict the disclosure of directory information indicates individual approval for disclosure. Former students may not place a new request to restrict disclosure of directory information on their education records, but they may request removal of a previous request for nondisclosure.

## **Drug Free Workplace**

Marymount University is committed to maintaining a drug-free work place in compliance with federal law. In that context, the University prohibits the illegal manufacture, distribution, possession, or use of a controlled substance in the workplace. Individuals

who willfully violate this policy will be subject to disciplinary action that will include the notification of appropriate federal and state agencies as required by law.

Notwithstanding the above, it is Marymount's intent to assist in the rehabilitation of those individuals who suffer from substance abuse since such abuse can result in accidents; periods of bad judgment; increased absenteeism and lateness; unsatisfactory job performance; and strained work relationships. Employees who seek advice and treatment or who are referred for substance abuse counseling will be treated, on a confidential basis, in the same manner as employees having other illnesses and disabilities.

### **Smoking**

Marymount University is subject to the provisions of the Virginia Indoor Clean Air Statute. A number of public areas of the University are clearly designated as Non-Smoking areas to protect the health and safety of students, faculty, staff, and visitors. Non-smoking areas include inside all University buildings and inside University shuttle buses.

### **Alcohol**

Marymount expects all members of its community to abide by applicable state, federal and local laws regarding alcohol use. Abuse of alcohol may subject an employee to disciplinary action.

When an employee gives evidence of the existence of a drinking problem, the primary concern of the University is to assist the employee to obtain help to overcome the problem. When an employee is unwilling to accept assistance or acts in ways that affect the welfare of others adversely, the University has no choice but to take severe disciplinary action, such as suspension or dismissal. For student employees, drinking accompanied by excessive noise, vandalism or other inappropriate behavior will be judged by the appropriate disciplinary board for students or dealt with under the applicable disciplinary policy for University personnel.

## **Grievance Procedure**

### **A. *Definition of Grievance***

A grievance is an allegation by a person or persons covered by the Employee Handbook that there has been a violation, misinterpretation, or misapplication of a current policy-based employee right as set forth therein.

It is the University's policy to resolve an employee's work related problem(s) to the satisfaction of all parties involved.

In compliance with the University's EEO policy, if an employee feels that an employment decision is made in violation of the above stated policy, he/she shall discuss the issue with his/her department head. Depending on the circumstances, the employee may choose to pursue either a formal EEO complaint, or follow the

grievance process as outlined below. The employee may not pursue both a formal EEO complaint and an intra-university grievance at the same time.

If an employee experiences a work related problem or questions a University or departmental policy, the employee should refer the matter to his/her supervisor who shall attempt to resolve the matter with the employee.

Although many problems can be solved informally, there is a formal grievance procedure that the employee may use as follows:

**B. Faculty Grievance Procedure**

The Faculty grievance procedure is outlined in the Faculty Handbook.

**C. Staff Grievance Procedure**

**Step 1: Informal Procedure**

The employee will first informally discuss the grievance with his/her immediate supervisor within ten (10) workdays of becoming aware of the alleged grievable action, and the immediate supervisor should document the meeting, the discussion and any action steps that result from the discussion. Both parties should strive to arrive at a mutually agreeable settlement. If there is no mutual agreement, and the informal meeting fails to satisfy the employee, he/she may file a formal written grievance by proceeding to Step 2.

**Step 2: Formal Written Grievance Appeal**

A formal grievance appeal may be filed with the appropriate officer of the University to whom the employee's supervisor reports. For purposes of this Section, the officers of the University include the President, the Vice President for Academic Affairs and Provost, the Vice President for Financial Affairs, the Vice President for Enrollment and Student Services, the Vice President for Development, and the Vice President for Communications and Marketing. The formal written appeal must be made in writing using the Grievance Appeal Form (available from the Office of Human Resource Services or downloadable from the HR Web site) within five (5) working days following the informal meeting with the supervisor as outlined in Step 1. For purposes of the grievance procedure, a working day will be defined as a day when the administrative offices of the University are open as specified by the current *University Catalog*. By interviewing parties to the grievance and by any other appropriate means of investigation, the officer will make a determination regarding the disposition of the grievance. Within ten (10) workdays after receipt of notification of the appeal, the officer will issue a written decision and send a copy to each of the parties to the grievance.

**Step 3: Request for Grievance Committee Hearing**

Either party to the grievance may appeal the decision of the administrative officer by filing with the Assistant Vice President, Human Resource Services a written request for a hearing before the Grievance Committee. The request must be in writing using the Request for Grievance Committee Hearing Form (also available from the Office of Human Resource Services or downloadable from the HR Web site) and submitted within five (5) working days after receipt of notification of the decision of the administrative officer.

**D. Grievance Committee Procedure**

1. The Committee will convene and review the Grievance Appeal Form and decide whether the problem is a grievable issue. If it is not a grievable issue, the Committee will inform the grievant within ten (10) working days after receipt of the Grievance Appeal Form. The Committee's decision in this matter will be final.

If the Committee finds the problem is a grievable issue, the chairperson will convene a meeting of the Grievance Committee within ten (10) working days of the receipt of the Grievance Appeal Form. At the meeting, each of the parties to the dispute may be accompanied by an advisor. The advisor may not be an attorney. The advisor acts as an aide and confidant but does not present evidence or question the parties to the grievance. The two parties to the grievance may testify and be questioned by the Committee.

2. After information has been heard and/or examined, the Committee will determine if it requires additional testimony or documents. In the event that further review is required, the Committee chairperson will schedule a meeting to examine same.
3. After all evidence has been heard, the parties will be dismissed. The Committee will reach a recommendation for resolution of the grievance. The Committee may dismiss the grievance for lack of supporting evidence, decide in favor of the grievant and provide relief sought or an alternate solution that best resolves the situation.
4. The Committee chairperson will send a written report to the Assistant Vice President, Human Resource Services with the recommendation of the Committee.

The Assistant Vice President, Human Resource Services shall make a decision within twenty (20) working days, and notify the grievant, the appropriate administrative officer, and the Committee chairperson of the decision, which shall be final.

## **E. Grievance Committee Structure**

1. Anyone eligible to file a grievance through this process is eligible to participate in the election of members and to serve on the Grievance Committee.
2. The Committee consists of five members, two of whom are employed in supervisory capacities. Once each year, each exempt and non-exempt staff member will be provided the opportunity to vote. Each staff group elects two regular members to serve a one-year term on the Grievance Committee. Two alternate members will also be elected to serve if a regular member leaves the employ of the University during the year or is otherwise unable to serve on a particular grievance. The Chairperson of the Grievance Committee is designated by the President. If the regularly appointed Chairperson is a party to a grievance, the President shall appoint another Chairperson. If during his/her term, a Committee member leaves the employ of the University or is no longer a member of the group he/she was elected from, and an alternate is not available, the President or her delegate will appoint a temporary replacement from the employee group of the regular member.
3. If an elected member of the Committee is a party to a grievance, has any reason to believe that she/he cannot be completely objective in considering a grievance, or wishes to be excused from the deliberations about a particular grievance, she/he will temporarily disqualify herself/himself. The President or her delegate will appoint a temporary replacement from the employee group of the disqualified member.
4. The Office of Human Resource Services is responsible for scheduling and conducting elections of the members of the Grievance Committee, arranging for grievance hearings, assisting with the hearing and notification process, and ensuring the integrity of the Grievance Procedure.

## **Emergency Procedures**

Marymount University is committed to the safety of its students, employees, and guests. The University has emergency plans in place and maintains close contact with the Arlington County and District of Columbia Offices of Emergency Management

### **Notification of Emergencies**

In the event of an emergency, individuals on campus will be notified through

- announcements on the external public address system
- announcements through black speaker phones (in faculty and staff offices)
- instructions from Campus Safety staff, building marshals, police/fire personnel, etc.
- bright orange fliers posted across campus
- Individuals on and off campus can also obtain emergency information through Marymount University's Web site, [www.marymount.edu](http://www.marymount.edu)
- Marymount's weather and emergency information phone line, (703) 526-6888

- email
- the local media

### **Reporting an Emergency**

In the event of an emergency situation on campus, employees should dial (703) 284-1600 (ext. 1600 from a Main Campus or Ballston Center phone) to reach Campus Safety personnel, who can summon medical, fire, or police response. In a life-threatening situation, employees should dial 911. Campus Safety personnel will automatically be notified.

- Employees should give their name, telephone number, and location, and the nature and location of the emergency.
- Employees should not hang up until the Campus Safety officer or 911 operator ends the conversation.
- If the phone lines are dead, employees should take the message to Campus Safety in person or use a cell phone if available.
- In a hazardous situation, an employee should not endanger him/herself further. Avoid unstable structures; smoke; electrical hazards; fire; and radiation, chemical, or biological exposure. Employees should not risk their well being to save personal or University property.

### **Reporting Unsafe Conditions**

Marymount is committed to maintaining a safe campus environment. To this end, everyone in the campus community is urged to report conditions that may pose a serious risk of injury or property damage. Members of the Marymount community should not assume that someone else will report the situation. Call Campus Safety at (703) 284-1600 (ext. 1600 on campus) or Physical Plant at (703) 284-1529 (ext. 1529 on campus).

### **Acting in an Emergency**

- The Office of Campus Safety will take the lead in all campus emergency situations. Members of the Marymount community should listen carefully to information provided by Campus Safety personnel and follow their instructions.
- Employees should remain calm and use common sense.
- Employees should always evacuate the building immediately when they hear an audible alarm or see a visible alarm, when directed by authorities, or when the building conditions appear hazardous (e.g. the odor of natural gas).
- Employees should use the telephone for emergency purposes ONLY.
- Employees should not enter elevators during an emergency. If stuck in an elevator, do not attempt to force open stalled elevator doors; use the emergency phone, which will automatically contact Campus Safety.
- Employees should keep a flashlight handy when in an area that does not have emergency lighting or natural lighting.
- Employees should know the location of all marked exits from offices, classrooms, etc.

### **Workplace Safety**

Each employee is responsible for exercising maximum care and good judgment in preventing accidents in the workplace. Everyone is responsible for safety, not only on a personal basis, but with respect to colleagues as well. While on duty, employees must perform work and otherwise demonstrate conduct consistent with safety rules and regulations.

Maintaining a safe work environment is a critical component of every job. In the event of an injury, an employee must notify his/her supervisor and Human Resource Services as soon as possible. Regardless of whether or not medical attention was required, supervisors must complete a report. These guidelines are essential to assure the safety of all Marymount University employees and to comply with Worker's Compensation laws.

## **Violence in the Workplace**

### **I. Policy Statement**

Marymount University is committed to providing a safe work environment free from violence or threats of violence. The University will not tolerate any form of violence in the workplace including verbal or physical threats, or violence through intimidation that includes possession of weapons in the workplace.

If evidence exists to support an allegation of violence or threats of violence, and the offender is an employee, disciplinary action may occur, up to and including dismissal. If the offender is not an employee, other appropriate action will be taken.

When students, faculty or staff have concerns about alleged student violence, they should contact the Office of the Dean for Student Development for evaluation of appropriate corrective action in accordance with the Student Code of Conduct.

### **II. Responsibility**

In all situations, *if violence appears to be imminent*, employees should take the precautions necessary to assure personal safety and the safety of others, and then *call 911*, pursuant to the procedure outlined below.

#### **Faculty, Staff and Student Employees**

- a) Faculty, staff, and student employees must report workplace violence or threats of violence, as defined above, to their supervisor.
- b) Faculty and staff who are advised by anyone that workplace violence has occurred or may occur must report this to the Director of Campus Safety immediately. Retaliation and adverse treatment of employees who report concerns or incidents in good faith or who participate in an investigation are prohibited.
- c) In the event the complaint is against a student employee, the Office of the Dean for Student Development should be notified of the situation.

- d) If evidence appears to support the allegations of violence or threats of violence, faculty, staff, and student employees should follow appropriate procedures outlined in Section III.
- e) Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been engaged in by the employee's supervisor should be brought to the attention of the Assistant Vice President, Human Resource Services and the Director of Campus Safety.
- f) Any employee who has obtained an Order of Protection must notify his/her supervisor and the Director of Campus Safety. Victims of domestic violence who believe that violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor and Campus Safety. Confidentiality will be maintained to the extent possible.

### **III. Procedures**

- a) Non-emergency situations
  - a. Contact Campus Safety, the immediate supervisor, and Human Resource Services when an employee is alleged to be involved in workplace violence or threats of violence.
- b) Emergency situations
  - a. In all situations, *if the violence appears to be imminent*, take the necessary safety precautions to assure personal safety and the safety of others, and then call 911.
  - b. Contact Campus Safety at extension 1600 or 1601.
  - c. Contact supervisor/department dean/director or designee.
  - d. Contact Human Resource Services (when an employee is alleged to be involved in workplace violence).

### **Professional Conduct**

#### **Unscheduled Absence and Lateness**

The efficient operation of the University depends upon each employee conscientiously reporting to work on all scheduled work days. Chronic or habitual absence will be considered excessive absenteeism. The University will consider an employee excessively absent and subject to disciplinary action under the following specified conditions.

Absenteeism may be considered excessive when an employee absents himself/herself on regularly scheduled work days on a frequent basis, whether or not such absences are considered to be excused or unexcused. Absentee criteria are conditioned on the number of hours an employee is regularly scheduled to work each week and on the employee's normally scheduled days off.

Supervisors are authorized to request medical certification for unscheduled sick leave taken immediately prior to or following an official holiday.

It is understood that circumstances often beyond the individual's control will occasionally cause tardiness. Occasional, isolated instances of tardiness will not seriously affect the efficient operation of a department. However, excessive or chronic lateness can be a serious problem and will be addressed accordingly.

If the department head determines that an employee's continued excessive absence or tardiness warrants suspension or dismissal, the matter will be reviewed with the Office of Human Resource Services prior to pursuing disciplinary action.

New employees with a record of at least one absent or tardy day a month will be considered excessively absent or tardy and can be terminated within the introductory period.

Unreported absence constitutes grounds for immediate dismissal. An employee will be considered to have quit voluntarily after an absence of three consecutive days without notification.

## **Inclement Weather Absence**

In the event of severe weather or other unusual conditions, Marymount University may delay or cancel classes, or close. Under these circumstances, Marymount employees may not be required to report to work. Information about delays, cancellations, and closings will be made available as soon as possible once a decision is made, through a variety of media.

1. Classes and/or events may be cancelled or delayed due to weather or other unusual conditions. In this case, University offices will be open and operations other than classes or designated events will be conducted. Emergency employees\* must report for work according to their normal schedules. Other employees who cannot report for work may use "liberal leave" (e.g. they may charge the day to either sick leave or annual leave).
2. The University as a whole may be closed due to severe weather or other unusual conditions. In this event, all classes and events will be cancelled, and University offices will be closed. Only essential operations will be conducted (security, services for resident students, etc.) during such periods. In this case, emergency employees\* must report for work according to their normal schedules. All other employees should report the time as "emergency paid leave." The inclement weather premium rate will be paid only if the

time of school closing falls within the shift worked or subsequent shifts during closure on the same work day.

\* Emergency employees include designated staff in the following offices: Campus Safety and Transportation, Mailroom, Payroll, Physical Plant, Residence Life, and Student Health Center.

## **Computer Policy**

### **Policy Statement**

All users have the responsibility to use the Marymount University computing services in an efficient, ethical and legal manner, consistent with the goals of the University. Computer users are expected to abide by the following policies which are intended to preserve the utility and flexibility of the computer system, protect the work of students, faculty and staff, and preserve the right to access networks to which the University is connected. These policies operate in conjunction with the University's Code of Ethics. These policies are representative but not all inclusive. Individual Marymount University computer laboratories may post additional operational rules and restrictions that are considered part of the Marymount University computer policy. Users are responsible for reading and following these rules.

Marymount University also maintains computerized data on students, personnel, and financial records that are integral to the administration of the University. The University has the responsibility to manage these data and to provide the security necessary for their use.

### **Access**

Users will be assigned a Marymount University computer account to access Marymount University computer facilities. The University reserves the right to access individual accounts and the system at any time at its sole discretion.

A password will allow access to an employee's account. It is the employee's responsibility to protect his or her account from unauthorized use by changing passwords periodically and by using passwords that are not easily guessed.

Employees should identify themselves clearly and accurately in electronic communications. Concealing or misrepresenting a name or affiliation is a serious abuse. Using identities of other individuals constitutes fraud.

Access to administrative data repositories will be granted to authorized University employees who require it in the performance of their jobs. This shall include staff in administrative offices whose job function requires use of the data, the vice presidents, deans, department chairpersons, program directors and authorized designees within these units.

Requests for administrative access must be made on the Request for User Account Form, and must be approved by the Vice President or the Vice President's designee of the person requesting access. The form should be forwarded to the Security Administrator in the Office of Administrative Information Services for processing. Upon receipt of proper authorization, the Security Administrator will assign a User ID and password.

Requests to view data elements that are considered restrictive in nature by the University must be approved by the division Vice President.

## **Responsibility of Every User**

### **General Use Responsibilities**

Employees should accept responsibility for their own work by learning appropriate uses of software to maintain the integrity of what they create. Employees should keep archives and backup copies of important work; learn and properly use the features for securing or sharing access to files on any computers they use.

Any attempt to circumvent system security, guess other passwords, or in any way gain unauthorized access to local or network resources is forbidden. Distributing passwords or otherwise attempting to evade, disable or "crack" passwords or other security provisions threatens the work of many others and is therefore grounds for immediate suspension of privileges and could lead to additional disciplinary action, up to and including termination of employment. Employees may not develop programs or use any mechanisms to alter or avoid accounting for the use of computing services or to employ means by which the facilities and systems are used anonymously or by means of an alias.

The University cannot and does not guarantee the security of electronic files on its computer system.

Information Technology Services may impose limitations or restrictions on computing resources, such as storage space, time limits or amount of resources consumed when necessary.

Computer use for course related assignments takes priority over exploratory use. Information Technology Services may restrict access to certain programs for security or administrative purposes.

Users are expected to refrain from engaging in deliberate wasteful practices such as sending chain letters through electronic mail, printing unnecessary listings, printing multiple copies of files, performing unnecessary computations, or unnecessarily holding public terminals or dial-up phone lines for long periods of time when others are waiting for these resources.

Users are expected to refrain from engaging in gambling or any illegal activity while using the Marymount University computer system.

Unauthorized transferring of copyrighted materials to or from the Marymount University computer system without express consent of the owner is a violation of federal law. In addition, use of the Internet from an educational site for commercial gain or profit is prohibited.

Use of electronic mail and other network communication facilities to harass, offend or annoy other users is forbidden. Obscene, defamatory or any other material which violates University policy on non-discrimination, the University Code of Ethics or the laws of any jurisdiction will not be tolerated on the Marymount University computer system.

### **Administrative User Responsibilities**

In accepting access to administrative system, employees assume the responsibility of adhering to all relevant laws, regulations and University policies including the policy on Confidentiality of Student Records and the policies and procedures contained in this document. The University retains the right to and will monitor the use of its equipment and as such no employee should have any expectation of privacy relating to the use of such equipment. Failure to conform to policy can result in sanctions as defined in this and other relevant documents. Specifically, the following applies to all users:

Administrative data on University computer systems will be utilized only as necessary in the fulfillment of job responsibilities.

Computerized information used for administrative purposes is confidential, and users agree to maintain that confidentiality.

Departments are provided access to certain financial information which is essential to conducting the business aspects of their operation. This information is intended for use only by the specific department authorized with its access and should be considered restrictive in nature.

A password is private information. Users must never give out their IDs or passwords to anyone. Sharing an ID or password or logging on and allowing another employee to access information is a violation of this policy. The user is responsible for all transactions which take place under his or her ID.

When they leave their desk or complete their work, users will log off the system.

Users agree to protect the privacy rights of students as specified in the University Policy on Confidentiality of Student Records and in relevant laws and regulations that govern disclosure of information by defining directory information and

specifying the conditions under which individuals with a legitimate educational interest may access student records.

Users will not attempt to view or utilize data that may be available to them but which is not necessary in the performance of their job function.

All files containing sensitive information as defined by University policy, federal law (e.g., FERPA, HIPPA, GLB), or state laws that are extracted from the University central data bases, obtained from outside sources, and/or created by individual employees or departments must be stored on University central servers. No files containing sensitive information are to be stored on the disk drive of the employee's local desktop personal computer or removable storage devices. The creating of and/or access to files containing sensitive information stored on departmental network shared drives must be restricted to only those employees authorized to view sensitive information.

All digital material containing sensitive information shall be locked in a secure area when not in use and properly destroyed when no longer needed or obsolete.

### **Procedures in the Case of Employee Transfer or Departure from the University**

When an employee's departure from the Institution is processed by Human Resource Services, the Security Administrator in AIS will automatically be notified and access will be terminated immediately.

Supervisors are responsible for maintaining the currency of access rights within their units and for notifying the Security Administrator of changes as a result of job change or transfer. Access rights will be adjusted or terminated accordingly.

Temporary University employees will be terminated automatically one month after the account has been created. Supervisors may request an extension.

### **Facilities**

Employees are expected to take proper care of the equipment in Marymount facilities. Food, drink and smoking are not permitted in University labs. Report any malfunctions to the lab assistant on duty or send e-mail to 'its@MARYMOUNT.EDU'. Do not attempt to move, repair, reconfigure, modify or attach external devices to the systems.

### **Enforcement**

Violations of the computer policy may be treated as violations of University policy and/or as violations of civil or criminal law. Information Technology Services (ITS) and/or Administrative Information Services (AIS) will investigate apparent or alleged violations of these guidelines. The Directors of ITS and/or AIS reserve the right to immediately suspend user privileges pending investigation of a suspected violation of this

policy. Such action will be taken to protect the security and integrity of all University computer systems and administrative information repositories and will take precedence over its impact on the individual's work.

When appropriate, at the discretion of the Directors, cases of apparent abuse will be reported to the appropriate division vice president and the Assistant Vice President, Human Resource Services. The vice presidents in consultation with the Assistant Vice President, Human Resource Services are responsible for determining any further disciplinary action. Upon a finding of a violation, disciplinary measures may include warnings, suspension of user privileges (temporary or permanent), disciplinary probation, suspension or dismissal from the University. The University may also pursue civil and/or criminal charges if it deems appropriate.

### **Personal Appearance**

Marymount employees are representatives of the University; as such, they are expected to make a professional impression. Employees must, at all times, be neat and professional in both their person and uniform or civilian dress, consistent with their role as education support service providers and University representatives.

Those employees whose positions require a uniform will wear the assigned uniform when on duty. For those employees whose positions do not require a uniform, appropriate professional attire is required. Clothing is to be neat and clean, and personal grooming will be consistent with professional standards of cleanliness and appearance. Revealing or suggestive clothing is inappropriate for the workplace. There may be other requirements depending on the department and the position of the employee.

Any employee who does not comply with this policy may be subject to disciplinary action. Supervisory staff shall ensure compliance with this policy.

### **Gratuities/Gifts, Canvassing and Solicitation**

It is the policy of the University that employees may not accept cash or gifts from students, student's relatives, visitors, or vendors doing business with, or seeking to do business with, Marymount University.

If any individual or organization dealing with the University offers an employee a gratuity or gift, that person or representative should be informed of University policy and any such gratuity or gift should be returned.

No employee may solicit another employee for any purpose while either employee is on working time. The distribution of hand bills or other literature during working time or in working areas is forbidden. Persons who are not employed by the University are prohibited from soliciting any employee or distributing literature on University jobsites, premises, or at employee work locations at any time.

## **Personnel Records**

Employee personnel records are established and maintained in the Office of Human Resource Services for all Marymount University employees. Employee files are kept and maintained in accordance with applicable Federal and Commonwealth of Virginia statutes. Employee files include information pertaining to: applications, certifications, appointments, reappointments, performance reviews, promotions, reassignments, transfers, separations, change in status, change in rate of pay, changes in the position title or rank, leaves of absences, sabbaticals, benefits documentation, and any other transaction pertinent to the employment record.

To establish an employee record, an authorized Personnel Action Form is required from the department head. The document identifies the employee, employing department, position, effective date, appropriate pay and funding information. Along with this form, the new employee must complete all the required tax and employment forms before pay processing can begin.

Employees desiring to examine their personnel file should contact the Office of Human Resource Services to arrange a mutually convenient time. Employee files will not leave the Office of Human Resource Services. An employee may request copies of material in his/her file; these copies are to be made by a Human Resource Services employee. The University may charge reasonable fees when requested to provide copies of all materials contained in the official employment record or when frequent requests for copies of materials are received from the same employee.

It is vital for all employee data to be current. Should a change in residence or status occur, the employee must notify the Office of Human Resource Services as soon as possible. All name and address changes must be submitted in writing on an Address Change Form, which is downloadable from the Human Resource Services Web site, with the employee's signature and date. Whenever a marital status change occurs, new beneficiary forms for life insurance and TIAA/CREF should be completed by the employee and returned to the Office of Human Resource Services. In some cases, new tax forms may be needed or desirable.

## **Benefits**

In addition to salary, Marymount offers numerous benefits and services to help provide protection and assistance for employees and their family members.

Details about coverage and enrollment forms for plans, benefits, and other services are available in the Office of Human Resource Services. While the following pages present an overview of Marymount employee benefits, employees should consult the plan documents for the details of specific programs.

## **Group Insurance Programs**

Marymount makes a monthly contribution on behalf of each full-time employee to be applied towards “pre-tax” payroll deductions in the following order: group health/dental/vision and/or Flexible Spending Accounts. This is described below as the “MU Flex-Fund” benefit.

Separate descriptions of each insurance plan and retirement plan documents are updated periodically. These materials are available from the Office of Human Resource Services. All coverage is subject to the terms and limitations of the applicable carrier and may change from time to time.

**(a) Group Health Plans**

All regular full-time employees and eligible dependents may participate in Marymount’s group health insurance plans. Marymount contributes a portion of the premium cost of the group health insurance plans (59% of the premium at the date of this publication) for the plan and level of coverage chosen by the employee. This contribution includes the automatic first priority application of the MU “Flex-Fund”. The Plan also provides for “premium conversion” which permits “pre-tax” payment of the employee portion of the insurance premium.

Continuation of health and hospitalization insurance coverage under any Marymount plan is provided under the provisions of COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) for eligible employees who leave employment at Marymount.

**(b) Group Dental Insurance**

All regular, full-time employees and eligible dependents may participate in Marymount’s group dental insurance program. Premiums may be paid from the MU “Flex-Fund” or through “pre-tax” payroll deduction. Dental insurance is the second automatic priority for application of the MU “Flex-Fund”.

**(c) Group Vision Insurance**

All regular, full-time employees and eligible dependents may participate in Marymount’s group vision insurance program. Premiums may be paid from the MU “Flex-Fund” or through “pre-tax” payroll deduction. Vision insurance is the third automatic priority for application of the MU “Flex-Fund”.

**(d) Group Term Life/Accidental Death and Dismemberment Insurance**

All regular, full-time employees are enrolled for Group Term Life/Accidental Death and Dismemberment (AD&D) insurance. The cost of this insurance is fully paid by the University. Coverage takes effect on the first workday of employment. In the event of death of a covered full-time employee, this coverage provides for term life insurance equal to one year’s base annual salary, rounded to the next higher \$1,000.00, up to a

maximum of \$50,000.00. The insurance benefit is subject to actuarial reduction at age 65 and after. An AD&D provision and a “living care benefit” provide additional protection.

Additional voluntary term life insurance may be purchased for employees, spouses, and dependent children at group rates through payroll deduction.

#### **(e) Flexible Spending Accounts**

Marymount University offers the option for regular, full-time employees to establish Flexible Spending Accounts to assist with payment of uninsured medical and dental care and/or dependent care expenses with “pre-tax” dollars. The Plan provides for “premium conversion” which permits “pre-tax” payment of the employee portion of Marymount group insurance premiums. Employees may take advantage of the Flexible Spending Account benefit without being enrolled in other Marymount group insurance plans.

#### **Group Short Term Disability Insurance (STD)**

Effective on the first day of the month after one year of continuous employment, Marymount University provides all regular, full-time employees working at least 30 hours per week, with a Short Term Disability (STD) policy. Marymount pays the cost of this policy in full. The insurance company administers this plan and determines eligibility based on medical certification. Employees may be granted paid short term disability during the period of medically certified disability and after filing proper leave request forms and obtaining approval of the University. The maximum leave under STD is 90 days.

Short term disability leave will require medical certification that the employee is unable to work or that the leave is medically necessary. The employee must also complete a Marymount University Leave Request form no later than 30 days in advance of the date the leave is to begin. Leave taken for short term disability will count against annual Federal Family Medical Leave Act (FMLA) and Marymount Family Medical Leave (MUFMLA) policy entitlement.

Under the plan, if a disability is the result of an injury that occurs while one is covered under the plan, the benefit waiting period is 15 days; if a disability is a result of an illness/maternity, the benefit waiting period is 15 days. This coverage provides for 66.67% of earnings for up to the maximum allowable period of time.

#### **Group Long Term Disability Insurance (LTD)**

Effective on the first day of the month after one year of continuous employment, Marymount University provides all regular, full-time employees working at least 30 hours per week, with a Long Term Disability (LTD) policy. Marymount pays the cost of this policy in full. The insurance company administers this plan and determines eligibility based on medical certification. This insurance provides for “income replacement” of 66.67% of base earnings after a waiting period of ninety (90) calendar days. Leave taken for long term disability will count against annual *MUFMLA* entitlement.

## **Retirement Programs**

### **1. Basic Retirement Plan (RA)**

**Effective after one year of continuous** employment, Marymount University contributes to the basic retirement plan (RA) of each eligible regular, full-time employee by paying an amount equal to 7.5% of the base salary to an immediately vesting plan with Teachers Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF). Employees must complete the required TIAA-CREF enrollment forms to be eligible for the Marymount University contribution.

### **2. Supplemental Retirement Annuity (SRA)**

All eligible regular, full-time and regular, part-time employees may contribute to a TIAA-CREF Supplemental Retirement Annuity (SRA). This optional program permits Marymount employees to enhance their retirement program by making “pre-tax” contributions through payroll deduction. Employees may initiate contributions to an SRA at the beginning of their Marymount employment.

## **Marymount University Tuition Benefit**

The following schedule of tuition benefits applies to all full-time employees of Marymount University: staff, administrators and faculty:

### **Employee Benefit**

All regular, full-time employees are eligible for full tuition remission at the undergraduate and graduate level after six months of continuous full-time Marymount employment. Employee eligibility is calculated as of the date of the start of the semester or term. Prior to completion of six months of continuous employment, employees are eligible for tuition remission on a pro-rated basis.

Employees who enroll under this pro-rated schedule are responsible to arrange with Student Accounts to make timely payment of the remaining balance. Staff members are subject to applicable taxes on Tuition Remission as determined by the Business Office. Questions about pro-rated Tuition Remission is to be directed to Student Accounts.

Employees may receive tuition remission for not more than six (6) credits per semester unless job-related factors required taking fewer than six credit hours in the immediately preceding semester. Classes must be scheduled outside regular Marymount work hours of the employee involved (regular work hours for day-time employees are 9:00 a.m. to 5:00 p.m. and for other employees vary with their shift assignment). Employees may be permitted to take one (1) class per semester during their regular work hours at the discretion of their supervisor and with the approval of their vice president. Approval of a request to take a class during regular work hours is subject to the needs of the department and division, but will not be unreasonably withheld. Any time taken during work hours must be made up in the same week in which it is taken. An employee may take a maximum of eighteen (18) credit hours in a 12-month academic year. Employees who

are on extended leave are not eligible for enrollment under Tuition Remission. In cases involving medical leave a physician's release will be required prior to enrollment under tuition remission. If several employees in a work area wish to enroll, but enrollments must be limited because of work demands, the following priority is to be followed by the authorizing supervisor: undergraduate degree, first master's degree, additional master's degree, non-degree course.

### **Spouse and Dependent Children**

Spouses and dependent children of full-time employees for tax purposes are eligible for remission of undergraduate tuition for not more than eighteen (18) credits in the fall semester and eighteen (18) credits in the spring semester and twelve (12) credits during all the summer terms. This assistance is available to spouses and dependent children after the employee has completed one year of continuous full-time employment at Marymount. Assistance will total 100% of tuition after crediting applicable financial aid. It is the responsibility of the sponsoring employee to apply for all appropriate financial aid. Employee spouses and dependent children who intend to matriculate as full-time students must apply for financial aid through regular Financial Aid procedures and observe appropriate deadlines.

Spouses and dependent children of full-time employees for tax purposes are eligible for remission of 25% of graduate tuition, after the sponsoring employee has completed one year of continuous full-time employment and 100% after five calendar years of full-time employment at Marymount, after crediting applicable financial aid. Tuition remission will be no more than twelve (12) credits in the fall semester and twelve (12) credits in the spring semester and nine (9) credits during all the summer terms. It is the responsibility of the sponsoring employee to apply for all appropriate financial aid. Employee spouses and dependent children who intend to matriculate as full-time students must apply for financial aid through regular Financial Aid procedures and observe appropriate deadlines.

Employees must apply for admission for themselves, their spouses and/or dependent children. The application fee is waived for employees. Only classes that are regularly scheduled on a Marymount campus in Virginia are eligible. Consortium classes are not covered by Tuition Remission.

Employees must complete the appropriate Tuition Benefits Authorization Form at the same time as enrollment in any class or program. Forms are available from the Office of Human Resource Services, or are downloadable from the Human Resource Services Web site.

### **Tuition Exchange**

Tuition Exchange enables full-time Marymount faculty, staff, and administrator's dependent children to choose from those participating colleges and universities that agree to remit tuition for eligible and approved participants from other member institutions. The number of students "exported" each year by Marymount varies and the availability of "slots" in any particular year are not guaranteed. This program is defined as a scholarship and not a benefit. Employees may obtain Tuition Exchange Guidelines and

Applications from the Office of Human Resource Services in order to meet the November 1 application date for the following academic year.

### **Professional Development**

The University encourages professional growth and attendance at professional meetings. Attendance must be approved in advance by the appropriate supervisor. When funds are available, and at the sole discretion of the University, employees may be reimbursed the reasonable costs of such attendance. Registration fees are to be processed and paid in advance through the Business Office. Receipts for travel, lodging and meals may be reimbursed when submitted in accordance with Business Office guidelines.

### **Dining Room**

Employees are entitled to obtain meals at the discounted employee rate in the University Dining Room and other designated areas, at times when official University business requires their presence on campus. Each employee must present their official Marymount Blue Card. On-site eating arrangements are not only for the convenience of employees, but are to provide service for employees whose duties require that they remain on campus during meal breaks. Blue Cards may be obtained from the Office of Campus Safety.

### **Credit Union/ATM**

Marymount University has an affiliation agreement with Arlington Federal Credit Union. An automatic teller machine (ATM) is provided on the Main Campus through this affiliation agreement.

### **Direct Deposit**

Employees are encouraged to use direct deposit. Direct deposit allows automatic transfer of payment from the University into an employee's checking or savings account. Authorization forms are available through the Office of Human Resource Services. Direct deposits may take two to three pay cycles to become active.

### **Employee Assistance Program**

Marymount provides employees with an information and referral service that can assist with solving personal problems, both on and off the job. Communications between employees, supervisors, or the Office of Human Resource Services, and the Employee Assistance provider will be confidential except to the degree required to protect the safety of an employee or others or to protect the security of the University. For more information, please contact the Office of Human Resource Services.

## Leave Benefits

### Holiday Leave

Staff employees receive paid holidays under a schedule that is consistent with the current *Marymount University Catalog*.

The University reserves the right to adjust the holiday schedule in the event of emergencies or an excess number of weather-related closings. This holiday schedule is generally consistent with the current University Academic Calendar, but all days on which no classes are held are not designated as official holidays.

### Annual Leave

Regular, full-time staff employees accrue annual leave based on the following schedule:

	Per Month	Per Year/Cap	Days per Yr
First 2 continuous years	8 hours	96 hours	12
3 <sup>rd</sup> year – 7 <sup>th</sup> year	10 hours	120 hours	15
8 <sup>th</sup> year – 14 <sup>th</sup> year	12 hours	144 hours	18
15 years or more	14 hours	168 hours	21

A total of no more than one year's accrual may be accumulated. Full-time staff members appointed for fewer than 12 months (9 or 10) accrue leave on a pro-rated basis. Annual leave does not continue to accrue while one is on official Family and Medical Leave (FMLA or MUFMLA Leave) or is on approved leave without pay.

Annual leave is accrued and recorded by the payroll system and must be properly reported by the employee and approved by his/her supervisor on official Marymount Timesheets or Leave Report forms. A staff member may not take more paid annual leave than he/she has accrued. Leave without pay may be granted for a limited period of time, and with the advance approval of the staff member's supervisor.

Annual leave must be arranged with the immediate supervisor at least two work days in advance in order to be an approved absence.

Paid annual leave taken for birth or adoption of a child or for serious medical condition of the staff employee or his/her immediate family will be subject to Marymount policy regarding compliance with the Family and Medical Leave Act of 1993. When a staff employee receives a family/medical leave of absence (MUFMLA), he/she does not continue to accrue additional annual leave until return to regular duty.

**Full-time faculty in Library and Learning Services shall be expected to work on a year-round basis. Annual leave days shall be accrued at the rate of 8.67 hours per pay period and will not exceed 208 hours (the equivalent of one year's accrual).**

## **Sick Leave**

Regular, full-time employees accrue paid sick leave at a rate of one day (eight hours) per month of employment. **A total of sixty work days (“capped” at 480 hours) may be accumulated.** When an employee receives medical/family leave of absence (FMLA or MUFMLA), or short term or long term disability, he/she does not continue to earn additional sick leave during the period of such leave. Sick leave is accrued and recorded by the payroll system. Full-time staff employees appointed for fewer than 12 months (9 or 10) earn sick leave on a pro-rated basis.

Paid sick leave can be used in minimum increments of one-half hour. Sick leave may be used for the employee’s illness and for medical and dental appointments. Sick leave may also be used for illness in the employee’s immediate family. Initial and periodic medical certification of physicians or practitioners may be required for sick leave for any duration, and will be required for sick leave involving a serious health condition of an employee or family member, taken in conjunction with MUFMLA or FMLA.

A staff member may not use more paid sick leave than he/she has earned. If the staff member must take off from work more time than is accrued in sick leave, she/he must use accumulated annual leave or any remaining balance of FMLA or MUFMLA entitlement if the eligibility time and requirements of FMLA or MUFMLA have been met, or take unpaid leave. Unpaid leave without pay may be granted for a limited period of time for emergency medical conditions. Such leave must be requested through the staff member’s supervisor and is at the sole discretion of the University.

Full-time faculty in Library and Learning Services shall earn 8 hours of sick leave each month and shall accrue no more than 480 hours total.

## **Family and Medical Leave of Absence**

Under the federal Family and Medical Leave Act of 1993 (FMLA), full-time employees hired after January 1998, who have worked at least 1,250 hours during a 12 month period and been employed at least 12 months prior to the commencement of the leave may be eligible for 12 weeks of unpaid leave under the federal Family and Medical Leave Act of 1993 (FMLA).

Full time employees hired prior to January 1, 1998 may be eligible for full salary for a maximum period of 24 weeks.

If eligible for FMLA, you are required to exhaust all available annual and sick leave during your absence. Subsequent leave under FMLA, up to the 12-week limit, will be unpaid, unless your short-term or long-term disability benefits are in effect.

**Family Leave** can be taken to care for an employee’s spouse, child, or parent with a serious health condition. Spouse is defined as legally married spouse as defined by state law. Child is defined as any child under 18 for whom the employee is acting as a parent “*in loco parentis*” and children 18 years or older if the child is (1) incapable of self-care or (2) because of mental or physical disability as defined by the Americans with Disabilities Act (ADA). A parent is defined as (a) biological parent (b) individual who

acted in the place of a parent “*in loco parentis*” when the employee was a son or daughter as defined above. Parents-in-law are not part of this definition.

**Medical Leave** may be taken due to an employee’s own serious health condition that makes the employee unable to perform the function of his/her position. The serious health condition must be certified in writing by an attending physician.

Employees may be granted family/medical leave (FMLA) during the period of medically certified disability and after filing proper leave request, medical certification and obtaining approval of the University. Request must be made at least 30 days in advance of the commencement of the leave, for foreseeable leaves and as soon as possible in cases of emergency.

Upon your return from leave under the FMLA, you will be placed in the position you held prior to the leave or in one which, in the University’s judgment, is equivalent in pay, benefits and other conditions and terms of employment to that held prior to the leave. If you are considered a key employee under the FMLA, however, we are unable to guarantee reinstatement.

These provisions are a brief summary of the entitlements and requirements under the FMLA. It is our intention to administer the policy in a manner consistent with the regulations issued by the Secretary of Labor. Questions regarding the FMLA should be directed to your supervisor or the Office of Human Resource Services.

In case of illness, maternity, or adoption resulting in absence from duties, the full salary of the **faculty** member shall be continued for 1 month following the date on which the illness or maternity necessitated absence.

### **Bereavement Leave**

Each regular, full-time staff member is eligible for bereavement leave with pay in the event of a death in the immediate family. In general, time off with pay will be allowed for a maximum of three work days, provided the time off is taken between the date of death and the date of the funeral, both inclusive. Immediate family is defined, for purposes of bereavement leave as: spouse, child, parent, sister, brother, grandparent, and spouse’s child, parent, sister, brother, grandparent or any member of the employee’s immediate household. If additional time is required for a funeral or settlement of an estate, up to three days may be charged to sick leave or annual leave, or in emergencies, leave without pay may be requested at the discretion of the supervisor. Compensation during a bereavement leave period will be based on the normal work schedule of the employee. No additional time will be given for bereavement leave that occurs during a holiday or other approved leave period or other time, which is not normally scheduled for work.

### **Jury or Witness Duty**

Required time off with pay for jury or witness duty is granted to all employees in accordance with applicable law. In order to receive an approved leave, the employee must present a copy of a subpoena, jury certificate, or court order upon receipt, well in advance of the leave period. Regular, part-time employees are paid only for hours for which they are regularly scheduled to work.

### **Military Leave**

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. Provided that employees comply with these and certain other requirements, their jobs will be guaranteed for their return for up to five years of military service.

Marymount may not be required to reinstate an employee after military service if the employee is dishonorably discharged, or if the University has experienced such changes in circumstances that reemployment is impossible or unreasonable, or would create an undue hardship. Also, employees who work only for brief, non-recurrent periods prior to taking military service may not be entitled to reinstatement.

Military leave with pay is granted by Marymount for 15 calendar days per year, in accordance with applicable law. To receive leave, one must provide official copies of applicable military orders and pay vouchers. Leaves of absence without pay are granted for additional required military or reserve duty if proper documentation is presented. Eligibility for leave and reinstatement after required military duty or training is determined in accordance with applicable law.

Marymount will continue health insurance benefits for employees engaged in military service under the same conditions as apply to other types of leaves of absence. Such benefits may terminate in accordance with the benefit plan documents. However, COBRA continuation coverage will be provided in that circumstance, which the employee may elect for up to 24 months.

Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled workday after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained but for the military service, unless they are not qualified for the position. They will be treated as though they were continuously employed for purposes of determining

benefits based on length of service.

**Contact the Office of Human Resource Services for more information or questions about military leave.**