Edward Waters University

Employee Handbook

PRESIDENT
DR. A. ZACHARY FAISON, JR.

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INTRODUCTION

Description of Handbook

This Employee Handbook (the "Handbook") contains information about the current employment policies and practices of Edward Waters University ("EWU" or the "University"). This Handbook applies to all EWU employees, including support staff, administrators, and faculty. Each employee is expected to read this Handbook carefully as it is a valuable reference for understanding your job.

This Handbook does not contain all of the University's policies and procedures. Rather, it contains only a select list of those policies most commonly at issue. If you have any questions or concerns about the policies and procedures in this Handbook please address your specific question or concern to the Office of Human Resources and Administrative Services **("OHRAS")** at humanresources@ewc.edu or 904-470-8237.

This Handbook supersedes all previously issued employee handbooks and inconsistent verbal or written policy statements. The University reserves the right to revise, delete, and add to the provisions or policies described in this Handbook, which must be in writing. Neither this Handbook nor any other University document confers any contractual right, either express or implied, nor does it guarantee any fixed terms and conditions of your employment.

Edward Waters University Statement on Accreditation

Edward Waters University is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award baccalaureate and master's degrees. Edward Waters University also may offer credentials such as certificates and diplomas at approved degree levels. Questions about the accreditation of Edward Waters University may be directed in writing to the SACSCOC at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website ([http://www.sacscoc.org)/]www.sacscoc.org[http://www.sacscoc.org].

Mission Statement

Edward Waters University is a small private, Christian, Historically Black, urban, liberal arts institution that offers quality academic programs. The University strives to prepare students holistically to advance in a global society through the provision of intellectually stimulating programs, and an environment that emphasizes high moral and spiritual values in keeping with the African Methodist Episcopal Church. Edward Waters University seeks to develop excellence in scholarship, research, and service for the betterment of humanity.

To achieve its mission, the University realizes that it must:

a. Employ highly qualified faculty and staff dedicated to academic as well as professional excellence.
b. Offer educational programs and services that are appropriate to the needs of the student body and the community.
c. Identify the resources to support all academic and administrative services.

EMPLOYMENT RELATIONSHIP

Employment At Will

Employment at the University is at will unless the employee has a written employment agreement with the University. It may be terminated for any reason, with or without cause or notice, at any time by the employee or the University. Nothing in this Handbook or in any oral or written statement shall limit the right to terminate employment at will. Only the President, the Executive Director of Human Resources or an OHRAS designee shall have the authority to enter into an employment agreement with any employee providing for employment other than at-will.

Commitment to Professionalism

The 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 opportunities

and prohibits discriminatory policies, including harassment. Therefore, the University expects that all relationships among persons in the workplace be business-like and free of bias, prejudice, and harassment.

Equal Employment Opportunity Policy

The University is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws to the extent that the University is not exempt from compliance with such laws as a religious organization. The University prohibits and does not tolerate discrimination against employees, applicants or any other covered persons because of race, color, religion, creed, national origin or ancestry, pregnancy, sex, sexual orientation, gender identity or expression, age, physical or mental disability, citizenship, genetic information, veteran status, familial status, marital status, and any other characteristic protected under applicable federal, state, or local law. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits, and termination of employment. All such discrimination is unlawful, and all persons involved in the University's operations are prohibited from engaging in this type of conduct. If you believe you have been discriminated against or if you are aware of the discrimination of others, you must follow the University's complaint procedure as identified below.

Americans with Disabilities Act & Accommodations Policy

The University complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act of 2008 (ADAAA), and all applicable state and local fair employment practices laws. The University is committed to providing equal employment opportunities to qualified individuals with disabilities. It is the policy of the University not to discriminate against any qualified individual with regard to any terms or conditions of employment because of such individuals' disability or perceived disability so long as the employee can perform the essential functions of the job, with or without a reasonable accommodation. The University will provide a reasonable accommodation to disabled applicants and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship. In collaboration with the candidate or employee, the University will make every effort to identify and implement an accommodation that is reasonable for both parties and will not impose an undue hardship upon the University.

Requesting a Reasonable Accommodation

If you believe you need an accommodation because of your disability, you are responsible for requesting a reasonable accommodation from the OHRAS. You may make the request orally or in writing. The University encourages employees to make their request in writing and to include relevant information such as (1) a description of the accommodation you are requesting; (2) the reason you need an accommodation; and (3) how the accommodation will help you perform the essential functions of your job.

After receiving your oral or written request, the University will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. The University encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the University is not required to make the specific accommodation requested by you and may provide an alternative, effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the University.

The University may require that you provide supporting documents showing that you have a disability within the meaning of the ADAAA and applicable state or local laws, and that your disability necessitates a reasonable accommodation. The University will keep confidential any medical information that it obtains in connection with your request for a reasonable accommodation.

The University makes determinations about reasonable accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation. The University strives to make determinations on reasonable accommodation requests expeditiously and will inform the individual once a determination has been made.

Anti-Harassment Policy

The University strictly prohibits unlawful harassment against employees or any other covered persons because of race, color, religion, creed, national origin or ancestry, pregnancy, sex, sexual orientation, gender identity or expression, age, physical or mental disability, citizenship, genetic information, familial status, marital status, and any other characteristic protected under applicable federal, state, or local law.

Notification of Policy

Edward Waters University (the "Institution" or "University") is committed to providing a safe and non–discriminatory learning, living, and working environment for all members of the Institution community. The Institution does not discriminate on the basis of sex in any of its education or employment programs and activities; the Institution is required by Title IX and applicable law not to discriminate in such a manner. The requirement not to discriminate extends to admission and employment. Furthermore, the Institution prohibits sexual harassment, sexual/gender–based misconduct, retaliation and violations of supportive measures.

Inquiries about the application of Title IX and federal regulations to the Institution may be referred to the Institution's Title IX Coordinators, to the Assistant Secretary for Civil Rights, or both.

Title IX Coordinators:

Executive Director of Human Resources &
Administrative Services
1658 Kings Road
Jacksonville, FL 32209
Phone: 904-470-8237

Associate Vice President for Student Success & Engagement
1658 Kings Road
Jacksonville, FL 32209
Phone: 904-470-8360

Sexual Harassment Defined

Applicable state and federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to the conduct is made a term or condition of employment; or (2) submission to or rejection of the conduct is used as basis for employment decisions affecting the individual; or (3) the conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment. This definition includes many forms of offensive behavior. The following is a partial list:

a. Unwanted sexual advances;
b. Offering employment benefits in exchange for sexual favors;
c. Making or threatening reprisals after a negative response to sexual advances;
d. Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
e. Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress;
f. Verbal sexual advances or propositions;
g. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations; and
h. Physical conduct such as touching, assault, or impeding or blocking movements.

This list is illustrative only and not exhaustive. No form of sexual harassment will be tolerated.

Sex-based harassment—that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males)—may also constitute harassment if it is severe or pervasive and directed at employees because of their sex. Furthermore, it is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

NOTE: Please refer to the Edward Waters University Policy on Title IX Sexual Harassment and Sexual/Gender-Based Misconduct Policy, which applies to all EWU faculty, staff, students, vendors, contractors, and guests of EWU.

Other Types of Harassment

The University's anti-harassment policy applies equally to harassment based on an employee's race, color, religion, creed, national origin or ancestry, pregnancy, sex, sexual orientation, gender identity or expression, age, physical or mental disability, citizenship, genetic information, familial status, marital status, and any other characteristic protected under applicable federal, state, or local law. Such prohibited harassment, includes behavior similar to sexual harassment, such as:

a. Verbal conduct such as threats, epithets, derogatory comments, or slurs;
b. Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures; or
c. Physical conduct such as assault, unwanted touching, or blocking normal movement.

This list is illustrative only and not exhaustive. No form of harassment will be tolerated.

Complaint Procedure

If you believe you have been discriminated against or harassed, or if you are aware of the discrimination or harassment of others, you must provide a written or verbal complaint to your direct supervisor. If you are not comfortable bringing the matter to the attention of your supervisor or are unsatisfied with your supervisor's response, you must provide a written or verbal complaint to the OHRAS. Your complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, emails, et cetera). We strongly urge you to bring a complaint *before* the conduct becomes severe or pervasive.

The University's complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited discrimination. The University will immediately undertake or direct an effective, thorough, and objective investigation of the allegations. The investigation will be completed and a determination regarding the reported perceived discrimination will be made.

If the University determines that prohibited discrimination has occurred, the University will take effective remedial action commensurate with the circumstances. Any employee, regardless of position or title, whom the University determines has subjected an individual to harassment, will be subject to discipline, up to and including termination of employment. Whatever action is taken will be communicated to the employee who complained. When applicable, the investigation and grievance process will be governed by EWU's Policy on Title IX Sexual Harassment and Sexual/Gender-Based Misconduct.

Additionally, any manager or supervisor who observes discriminatory conduct must report the conduct to the OHRAS, so that an investigation can be made and corrective action taken, if appropriate.

An employee who has experienced conduct they believe is contrary to these policies has an obligation to take advantage of this complaint process. A failure to fulfill your obligations could affect your rights and could impede the University's ability to appropriately and adequately respond to the complaint.

Employees are obligated to report incidents of harassment that they witness. Any employee who witnesses or observes any form of prohibited harassment or discrimination has a duty to report any such behavior and should follow the Complaint Procedure above, with the exception of Confidential Resources who are asked by

the victim to maintain confidentiality. See EWU's Policy on Title IX Sexual Harassment and Sexual/Gender-Based Misconduct regarding "Confidential Resources."

Anti-Retaliation Policy

No one will be subject to, and the University prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of discrimination of any kind, pursuing any discrimination claim, cooperating in related investigations, or requesting a reasonable accommodation. If you believe you have been subjected to conduct that violates this anti-retaliation policy, you must report it immediately to your direct supervisor or, if you are not comfortable bringing the matter to the attention of your supervisor or are unsatisfied with your supervisor's response, you must provide a written or verbal complaint to the OHRAS. The University will immediately undertake or direct an effective, thorough, and objective investigation of the allegations. The investigation will be completed and a determination regarding the reported perceived violation will be made.

An employee, regardless of position or title, whom the University determines has retaliated against an individual in violation of this anti-retaliation policy, will be subject to discipline, up to and including termination of employment.

EMPLOYMENT PRACTICES

Employment Applications/Resumes

All resumes and applications for employment are accepted and maintained at the University for a period of twelve (12) calendar months.

The information contained in the application and related documents, or information obtained during the screening process, must be correct and complete. Where there is evidence that any statement is untrue, or that intentional omissions have been made, the employee may be subject to disciplinary action, up to and including termination of employment. This is true even if the false statements are discovered after the employee is hired, regardless of the timing of the discovery.

Background Checks

The University recognizes the importance of maintaining a safe workplace with employees who are honest, trustworthy, qualified, reliable, nonviolent, and do not present a risk of serious harm to their coworkers, customers, and visitors. For purposes of furthering these concerns and interests, before hiring an individual or after a conditional job offer is made, the University reserves the right to investigate an individual's prior employment history, personal references, and educational background, as well as other relevant information that is reasonably available to the University. The University will consider your job duties, among other factors, in determining what constitutes satisfactory completion of the background check. In hiring for certain positions, the University may review an applicant's credit report and criminal background, if any. In the event that a consumer report is obtained, the University will comply with the federal Fair Credit Reporting Act and applicable state and local law, including providing the job applicant with any required notices and forms. Job applicants may be asked to sign certain authorization and release forms. Consistent with legal requirements, the University reserves the right to exclude any applicant from consideration for employment, or revoke any conditional offer, where the applicant refuses to sign these forms as requested or where the results of the investigation disclose that the individual is not qualified for employment at the University or are otherwise unsatisfactory.

All information obtained as a result of a background check will be used solely for employment purposes and will be kept confidential. The University complies with all applicable federal, state, and local laws regarding background checks.

Immigration Compliance

The University will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States.

If you have any questions or need more information on immigration law issues, please contact the OHRAS.

Employment Status

Employees at the University are classified as exempt or nonexempt, in compliance with applicable federal and state law.

A. Classifications:

Exempt employees are those whose job duties meet the legal requirements for overtime exemption. Exempt employees generally are compensated on a salary basis and are not eligible for overtime pay. Generally, executive, administrative, professional, and certain outside sales employees are exempt.

Non-exempt employees receive overtime pay in accordance with our overtime policy. Their salaries are calculated on an hourly basis.

B. Categories:

Employees of EWU are classified as either Faculty, Administrators, or Support Staff.

Faculty are all persons having appointment for the direct academic instruction to students. Refer to the Faculty Handbook for more information regarding the definition of "faculty."

Administrators are those employees who serve as Executive Assistant to the President, and Special Assistant to the President, Vice President and Director of major administrative areas of the University; or direct the activities of significant units under the four major administrative areas. All other employees of the University fall under the supervision of one of these administrators. The minimum level of training required for these positions is usually a bachelor's degree or higher.

Support Staff are those personnel who assist the Administrators and administrative staff in various support roles, including secretarial, clerical, maintenance, and housekeeping.

NOTE: Certain employees may have mixed or dual appointments as set forth in their offer letters. The OHRAS will answer any questions regarding which policies apply to employees with mixed/dual appointments.

C. Employee Status:

Full-Time: Full-time employees are those who are normally scheduled to work and who may work a schedule of forty (40) or more hours per week. Full-time appointments are not considered filled until the three-month introductory period[1] has been satisfactorily completed. Upon employment, all full-time employees are eligible to participate in any benefits program provided by the University.

Part-Time: An employee who is normally scheduled to work and may work a regular schedule of 20 hours or more, but less than 40 hours per week. Part-time employees are generally non-exempt and not eligible for benefits at the University unless provided otherwise in the plan documents or required by law.

[1] Completion of the introductory period does not create an employment contract or the promise of continued employment or retention in full-time status.

Temporary: An employee who is employed for a specific, short-term assignment. Short-term assignments will generally be periods of ninety (90) days or less. Temporary employees are not eligible for benefits, except as required by applicable law, and may be classified as exempt or nonexempt on the basis of job duties and compensation.

New Employees

All new employees must report to the Human Resources Department on their first day of work. HR staff will verify that the proper forms for statutory and optional salary deductions for the various benefits plans are completed. If applicable, all persons employed at EWU may be required to present an official transcript certifying all courses, credits, certificates, degrees, or other credentials.

All new employees are introduced to the philosophy and procedures of EWU through a general orientation program at the beginning of employment. Employees should review and sign a copy of their job description and submit the signed job description to the Office of Human Resources.

Introductory Period

The first 90 days of continuous employment at the University will no doubt be a learning experience. You will learn your job duties and responsibilities, get acquainted with your supervisor(s) and fellow employees, and familiarize yourself with the University in general. We refer to this initial period of employment as your introductory period (also sometimes referred to as an employee's "probationary period").

While we understand that you will be learning a lot about your new job, you are still expected to perform satisfactorily and your performance will be reviewed closely. During the introductory period, employees may be terminated at any time, with or without cause or notice. Also, please understand that completion of the introductory period does not guarantee continued employment and does not change the at-will nature of the employment relationship.

Change in Status

Requests for changes in the terms of employment of any employee are to be submitted by the department head to the Office of Human Resources. The following changes will be considered as changes in status: salary change, change of title or other employment status, change in hours, interdepartmental position transfer or promotion, interdivisional position transfer or promotion, leave of absence with or without pay, or temporary reduction of force. Changes in contact information (telephone number, mailing address) should also be immediately reported to the Office of Human Resources.

Job Duties

As part of your initial orientation, your supervisor will provide you a job description outlining the basic duties and responsibilities of your job. These job descriptions are subject to change at any time in the sole discretion of the University. The University maintains certain expectations and standards applicable to your job position.

It is expected that employees will perform additional duties and assume additional responsibilities as needed by their supervisor for the efficient operation of the University.

Employment Records and Files

The University maintains employment files on each employee, which may contain information including but not limited to an employee's employment history with the University, performance evaluations, salary information, commendations, counseling documentation and the use of benefit time. The University will keep any medical information that it obtains maintained in a separate medical file. All records concerning an employee are considered the property of the University. Employees may request a copy of their personnel file by sending a written request to humanresources@ewc.edu. Employees are responsible for printing costs for the personnel file.

It is the responsibility of the employee to advise the University of any change in professional status (license or certificate status relating to the employee's job requirements) or personal information (change in name, address, telephone number, marital status, change in dependents, or emergency contact information) so that the personnel file may be maintained current and accurate. Additionally, if you are arrested or have criminal

charges filed against you, you are required to report the arrest/charges to the OHRAS within 48 hours of the arrest or notification of the charges.

Employment of Minors

The Florida Child Labor Law provides for certain restrictions and regulations regarding the employment of minors. Supervisors must confer with the Human Resources Executive Director before recommending any prospective employee under the age of 18. Under no circumstances should a minor be hired (even on a temporary basis) without the proper work permit and permission from the President.

Student Employment

The University may hire students as part-time or temporary employees. However, the University prefers that all students seek financial assistance through work-study and/or internships as a primary option in an overall effort to promote academic achievement as top priority.

Any student seeking part-time employment with the University must initially obtain the permission of the applicable division head as well as the Executive Vice President and Chief Operating Officer.

The employment of students at Edward Waters University is restricted to the following guidelines: (a) the division head has provided a comprehensive job description; and (b) the student does not exceed 20 hours of work per week.

In all cases, compensation is kept within the rates consistent with student employment. Supervisors are responsible for diligently keeping and reporting the hours worked.

All work must be performed satisfactorily, and all reports of unsatisfactory work must be reported to the Human Resources Office.

Note: The employment of international students is currently on a case-by-case basis to ensure compliance with written policies and guidelines set forth by the U.S. Department of Homeland Security.

Parking Facilities

Designated parking areas are provided at all University-owned sites where space is available. The parking areas are designated as follows:

1. Student parking to accommodate currently enrolled full and part-time students and general public.
2. Faculty/staff parking to accommodate employees of the University.
3. Administrative parking to accommodate Administrators and Board members.
4. Visitor Parking.
5. In addition to the above designation, an appropriate number of spaces to accommodate handicapped persons shall be provided in each designated area.
6. Parking in areas designated as Faculty, Staff, Administrators and handicapped are limited to vehicles with valid decals.
7. The Security Office is responsible for the issuance of appropriate parking decals.
8. Employee and Board parking decals are valid for the duration of the academic year.

Violations of the above shall result in a fine for each violation. Failure to pay a fine within ten (10) University business days of the issuance of the ticket shall result in a late payment charge. The Board of Trustees approves fines and fees. Repeated violations of the parking policy may result in employee discipline.

As a safety precaution, employees are not authorized to park on the public street or roads. An employee who chooses to circumvent obtaining valid parking decal by parking on the public street or road will face disciplinary action, which may include termination.

Conduct & Employment Outside of Work for the University

In general, the University does not seek to interfere with employees' off-duty activities. However, the University will not tolerate off-duty conduct that impacts negatively on the University, either in terms of an employee's individual work performance or the business interests of the University, including its reputation. Also, the University prohibits outside employment (including self-employment) that conflicts with employment at the University, impacts the employee's work performance or schedule, and/or affects the business interests of the University. Employees must contact their supervisor prior to engaging in any outside employment. The appropriate vice president and the Office of Human Resources must approve external employment. Contact OHRAS for the appropriate External Employment form.

EMPLOYEE RELATIONS, CONDUCT AND CULTURE

Open-Door Policy

The University recognizes that employees will have suggestions for improving the workplace, as well as complaints about the workplace. The most satisfactory solution to a job-related problem or concern is usually reached through a prompt discussion with your supervisor. Please feel free to contact your supervisor with any suggestions and/or complaints.

If you do not feel comfortable contacting your supervisor or are not satisfied with your supervisor's response, please submit your complaint or suggestion in writing to the OHRAS who will review your written submission and provide you with a final resolution.

Performance Reviews

NOTE: Faculty members should refer to the Faculty Handbook for information regarding performance review.

Periodic communication between an employee and his/her supervisor regarding the employee's performance is beneficial for the employee as well as the University, in that it is a time of guidance and professional development. Evaluation of an employee's ability to perform the functions of his/her job will occur as appropriate at the University's discretion. Formal performance reviews are routinely scheduled at least once within twelve (12) months following the employee's hire or contract date. In all performance review procedures, the University will utilize objective and professional methods to ensure an accurate and fair assessment of the employee's job performance.

The purpose of a performance review is to enable the employee's supervisor to reiterate job performance standards, acknowledge the employee's efforts, advise the employee of areas needing improvement, and set goals and objectives for future review periods and/or alternate job functions. Performance reviews do not necessarily precipitate an increase in compensation. All EWU employees are expected to perform their job with excellence; provide quality customer and student service; adhere to all administrative and University guidelines; and meet all contractual requirements and compliance protocols.

The supervisor will encourage an employee's input to the correction of identified deficiencies, if any, and alternatives for growth potential. Additionally, an employee will have an opportunity to initiate a written response to the evaluation. All documentation relating to a performance review will become a part of an employee's personnel file.

Performance counseling sessions may be appropriate at a time other than the formal performance review period to address specific performance traits and skill competencies, and to offer suggestions and state expectations for corrected, improved, or enhanced performance of an employee's position duties, professional image or conduct.

Documentation of the counseling session and the detail of the performance expectations, required action, and time frame for implementation will ordinarily be prepared by the supervisor and placed in the personnel file as a record. The employee's failure to meet the performance expectations may result in additional corrective action procedure.

Work Product

As it relates to all work (including without limitation printed material, computer software or databases, audio and visual material, dramatic works, etc.), intellectual property (including without limitation all rights in and to copyrights, trade secrets, trademarks and related goodwill, and patents), works in progress and other results of an employee's employment with EWU of any nature whatsoever that are created, produced, authored, amended, conceived or reduced to practice by the employee, individually or jointly with others, during the time the employee is employed by the University and made within the scope of the employee's employment (regardless of when or where prepared or whose resources are used), including all data, information, analyses, documentation, inventions, improvements, modifications or works of authorship (the "work product"), all work product in which the University may have an interest shall be disclosed to the Provost and the Senior Vice President for Academic Affairs. Employees must disclose works in progress or work product to the Provost and Senior Vice President for Academic Affairs as soon as the employee begins working on the work or work product. If the University determines that the work product should be considered as work product owned by the University, the University and the creator(s) of the work product will prepare an agreement related to the work product. Faculty members should refer to the Faculty Handbook policy regarding the development of commercially valuable products.

Prohibited Conduct

In order to assure orderly operations and provide the best possible work environment, the University expects employees to follow rules of conduct that will protect the interests and safety of the University's employees, guests, and other visitors. Employees should report to their work area and remain during their work hours and avoid engaging in unproductive activities, including but not limited to gossiping, reading confidential information on the desk of fellow employees, and being disruptive within the office.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace but the following are examples of infractions of rules of conduct that may result in any disciplinary action that the University deems appropriate in its sole discretion, including but not limited to, suspension, demotion, or termination of employment:

1. Falsification of employment records, including "time worked" reports, employment information or other records, or obtaining a leave of absence under false pretenses.
2. Theft or damage of any University property including irregularity in handling University assets; borrowing or removal of University property from the campus without authorization.
3. Theft or damage of the property of any employee, customer, or visitor.
4. Unauthorized use of the University's equipment, technology, time, materials, or facilities (including unauthorized personal use for non-University business).
5. Working with alcohol or illegal substances in your system.
6. Possessing, distributing, selling, transferring, using, or having alcohol, intoxicating substances, or illegal drugs while in the workplace.
7. Provoking or participating in a fight or fighting during working hours or on premises owned or occupied by the University or otherwise engaging in threatening or offensive conduct; striking or assaulting, threatening, intimidating, coercing or interfering with students, administrators and/or fellow employees on campus.
8. Provoking or participating in horseplay or practical jokes on the University's time or premises.
9. Engaging in illegal conduct on or off campus which is detrimental to the University's reputation, whether or not related to job performance.
10. Causing, creating, or participating in a disruption of any kind during working hours or on the University's premises.
11. Insubordination, including but not limited to failure or refusal to obey the orders or instructions of any supervisor or member of management, the use of abusive or threatening language toward any supervisor or member of management, or refusal to fully disclose information in the course of University investigations.
12. Being disrespectful or using profane or abusive language at any time during working hours or while on the University's premises.
13. Failing to personally notify the appropriate supervisor when unable to report to work; Failing to obtain permission from your immediate supervisor to leave work for any reason during normal working hours.

14. Unreported absence of two consecutive scheduled workdays.
15. Failing to observe working schedules, including rest and lunch periods.
16. Abusing sick or personal leave.
17. Failing to provide a physician's certificate when requested or required to do so.
18. Sleeping or malingering on the job.
19. Making or accepting for improper purposes personal telephone calls during working hours or excessive, unauthorized use of University telephones for non-University business.
20. Working overtime without authorization or refusing to work assigned overtime.
21. Wearing unprofessional or inappropriate styles of dress or hair while working or failing to wear assigned uniforms.
22. Violating any safety, health, or security policy, rule, or procedure of the University.
23. Committing a fraudulent act, dishonest act, breach of trust, violating professional ethical standards, or violating the duty of loyalty to the University in any circumstances.
24. Failing to protect confidential, proprietary, or trade secret information of the University or engaging in direct competition with the University, including without limitation unauthorized possession, use, copying or reading of University records or unauthorized disclosure of information contained in such records.
25. Soliciting gratuities or negatively commenting on the amount of a gratuity.
26. Poor job performance, including, but not limited to, poor attitude that detracts from job performance or the efficient operation of the University.
27. Refusal to permit security checks or inspections.
28. Violating the University's policies prohibiting unlawful discrimination, harassment, and retaliation.
29. Smoking in any area other than an area specifically designated as a permitted smoking area.
30. Excessive, unauthorized absenteeism or tardiness.
31. Any willful act, careless act, or conduct detrimental to University operations or the safety and rights of other persons on University premises.
32. Failing to report to work upon expiration of an approved leave of absence.
33. Concealing or having possession of any weapons, firearms, or explosives while on University premises, including University-owned vehicles.

This list is illustrative only, and not exhaustive. An employee may be terminated for conduct not specifically covered by this list, if said conduct is harmful to, interferes with, or is detrimental to the operation of the University, its employees, students, or visitors. In the case of misconduct or violation of the University's policies, immediate termination may be appropriate depending on the particular facts of the situation.

Progressive Corrective Action Process

The University encourages our employees to develop and perform to their fullest potential at all times. When an employee's performance or conduct does not meet established standards, we do not look to "punish" but rather to quickly, effectively, and eagerly support the employee in correcting the behavior or improving his or her performance. The University has developed the following general procedure for addressing most behavior or performance issues.

Corrective action procedures may be utilized in cases of unsatisfactory performance, improper conduct, or non-compliance with the University's directives. There are generally three (3) steps in the progressive discipline process prior to potential action of employment termination being initiated – provided that the employee is not in his or her introductory period or that the seriousness of the offense does not merit more immediate action.

The general steps of the Progressive Corrective Action Procedure are:

- oral warning,
- written warning, and
- final warning.

  - In cases where poor conduct and/or performance has occurred, the employee may receive an Oral Warning of the topic and suggested plan of action. Written documentation of the session may be completed and placed in the employee's personnel file as a reference.

- If sufficient improvement is not displayed, or if there is a reoccurrence, a Written Warning may be issued. The immediate supervisor may prepare a written statement of the details of the unsatisfactory performance or violation and corrective actions required of the employee including a timetable for compliance. A meeting may be scheduled to discuss the matter with the employee.
- If improvement is not displayed, or if there is a reoccurrence, a Final Warning documentation may be issued summarizing prior disciplinary actions and a statement of corrective actions required. Depending on the gravity of the offense, suspension may be deemed appropriate.

Please note: This statement of the University's progressive corrective action process does not alter or limit the University's policy of employment at-will. The University does not restrict itself from altering its approach to corrective action as circumstances warrant, in the University's sole discretion.

Anti-Nepotism Policy

Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would:

(i) create a supervisor/subordinate relationship with a family member;

(ii) have the potential for creating an adverse impact on work performance; or

(iii) create either an actual conflict of interest or the appearance of a conflict of interest.

This policy will also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family includes an employee's: spouse; parent; child; sibling; in-law; aunt; uncle; niece; grandparent; grandchild; and members of household. This policy also applies to romantic relationships.

Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position within the University to which one of the employees will transfer. If employees become immediate family members or establish a romantic relationship, the University will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security, or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, the University will decide in its sole discretion who will remain employed.

Romantic or Sexual Relationships

Employee-Employee Relationships

Consenting "romantic" or sexual relationships between employees, particularly who work together, may at some point lead to unhappy complications and significant difficulties for all concerned. Any such relationship may, therefore, be contrary to the best interests of the University. Accordingly, the University strongly discourages such relationships and any conduct that is designed or may reasonably be expected to lead to the formation of a "romantic" or sexual relationship.

If a romantic or sexual relationship should develop between two employees of the University, it shall be the responsibility and mandatory obligation of each person to promptly disclose the existence of the relationship to the Executive Director of Human Resources and Administrative Services. Every person that becomes involved in a romantic or sexual relationship must make this required disclosure, even if the other person in the relationship has already done so. Failure to disclose the existence of the relationship, in accordance with this policy, may lead to discipline up to and including termination from employment.

The Executive Director of Human Resources shall inform those with a need to know of the existence of the relationship, including in all cases the person responsible for the employee's work assignments. The University may take all steps that it, in its discretion, deems appropriate. At a minimum, employees who maintain a

romantic or sexual relationship will not thereafter be permitted to work together on the same matters (including matters pending at the time disclosure of the relationship is made). Additionally, any supervisor or manager who maintains a romantic or sexual relationship with an employee must withdraw from participation in activities or decisions (including, but not limited to, hiring, evaluations, promotions, compensation, work assignments, and discipline) that may reward or disadvantage any employee with whom the supervisor or manager has or has had such a relationship. In addition, and in order for the University to deal effectively with any potentially adverse consequences such a relationship may have for the working environment, any person who believes that he or she has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make his or her views about the matter known to the Executive Director of Human Resources. This policy shall apply without regard to gender and without regard to the sexual orientation of the participants in a relationship of the kind described.

Employee-Student Relationships

Sexual or romantic relationships between employees and students are prohibited, regardless of academic discipline, department, or college affiliation. Relationships that pre-date one or both parties' affiliations with the University and that would otherwise be prohibited under this policy shall be promptly disclosed by the employee to his or her supervisor. Employees who have, or have had, a sexual or romantic relationship with a student are prohibited from directly or indirectly exercising academic, evaluative, or supervisory authority over that student.

Employees should refrain from allowing students to ride in their vehicles or visit employees' residences. Likewise, employees should not ride in students' vehicles or visit students' residences (with the exception that Residence Life and Housing staff and staff performing authorized University business may visit campus residences to perform their job duties as appropriate).

Faculty, Administrators, and Support Staff must maintain professional relationships with students. Consistent with this policy, the following forms of behavior are also prohibited:

- Inappropriate physical conduct such as touching or kissing students;
- Verbal sexual advances toward students, propositions, verbal abuse, sexually suggestive or degrading words;
- Leering, sexual gestures, or displaying sexually suggestive objects or images.

This list is not exhaustive. Inappropriate personal or sexual conduct between employees and students will not be tolerated. Violations of this policy by employees will result in disciplinary action, up to and including termination.

COMPENSATION AND PAYROLL

Working Hours & Schedule

You will be assigned a work schedule and you will be expected to begin and end work according to the schedule. In order to accommodate the needs of our business, it may be necessary to change individual work schedules on either a short-term or long-term basis.

At times, emergencies such as power failures, road closings, fires, or severe weather may interfere with the University's operations. In such an event, the University may order a temporary shutdown of part or all of its operations. Since adverse conditions are beyond the University's control, non-exempt employees normally will not be paid for time not worked. In the event of a shutdown for reasons outside the University's control, employees may use their available vacation days to maintain their weekly scheduled hours, not to exceed 40 hours.

Timekeeping Procedures

Non-Exempt Employees

Non-exempt employees must accurately record all of their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends. Non-exempt employees must also record any departure from work for any non-work-related reason. Non-exempt employees who forget to accurately

record their time in or out must immediately notify their supervisor. No non-exempt employee may perform any work without reporting their actual time spent on their time records so that the University can ensure that the employee is properly compensated for all hours worked on the University's behalf. If anyone including, but not limited to, an employee's supervisor instructs a non-exempt employee not to record any hours they work, the non-exempt employee must immediately notify the OHRAS to correct the situation. Time sheets must be submitted at the time designated by your supervisor or department head. Failure to submit time sheets that are accurate and submitted by the designated times may result in disciplinary action, up to and including termination.

All hours in the workweek are recorded pursuant to the procedures set forth below so that accurate records can be kept of time worked.

1. Annual, administrative, or sick leave must be recorded. (These days are paid but are not considered as hours worked for purposes of calculating overtime or for earning additional leave.)
2. Unauthorized work during established lunch periods is not permitted. Employees are required to leave their work area during lunch period, unless otherwise authorized.
3. Work should not be performed before or after the established work time.
4. Falsification of records will subject one to immediate dismissal.

Each non-exempt employee is required to take a 1-hour lunch break each day during which they are not authorized to perform any work for the University. Non-exempt employees should not eat lunch at their workstations. In the event a non-exempt employee is requested to work during a scheduled lunch period, the employee must make certain that the amount of time worked is noted on their timecard.

Note: Time sheets are required for non-exempt employees and all employees who are paid from contracts and grants.

Exempt Employees

Exempt employees may be required to record their time worked and report full days of absence from work for reasons such as leaves of absence, sick leave, or personal business.

Generally

Altering, falsifying, or tampering with the University's time records or failing to report all hours worked is prohibited and will result in disciplinary action, up to and including termination of employment. Any errors in your time records must be reported immediately to the OHRAS, who will correct legitimate errors.

Overtime

When operating requirements or other needs cannot be met during regular working hours, you may be scheduled to work overtime.

Non-Exempt Employees

Generally, it is expected that the University's various workloads should be accomplished within the basic schedule of the workweek. For non-exempt employees, all overtime work must be authorized in advance by your supervisor. Working overtime without prior authorization may result in disciplinary action. Non-exempt employees will be paid time and one-half compensation for all hours worked in excess of 40 hours in one workweek and as otherwise required by state and federal law. For the purposes of calculating overtime for non-exempt employees, the workweek begins at 12:01 a.m. Sunday and ends at midnight on Saturday.

Exempt Employees

Exempt employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime or additional compensation is provided to exempt employees.

Payment of Wages

Payroll for monthly employees is disseminated on the last business day of the month. If there is an error in your check (including, but not limited to any errors in the payment of overtime), you must report it immediately to your supervisor or the Payroll Office. No one other than the employee to whom the paycheck is written will be allowed to pick up a paycheck unless written authorization has been given for another person to do so. In the event an employee is to receive a physical payroll check, those payroll checks will not be mailed or given to anyone other than the employee; unless the employee provides written notification. Written notice must be provided to the Payroll Office the day before checks will be released.

Questions regarding time and/or hours worked, sick pay and/or deductions should be discussed with the employee's supervisor(s). If necessary, the Office of Human Resources and Administrative Services may be consulted for clarification of questions regarding time/deductions and the Payroll Manager's Office for paychecks.

Federal Income Tax and Social Security deductions are required by law: Other optional deductions will be made in accordance to an authorization, properly signed by the employee for health insurance, life insurance, tax sheltered annuities, etc.

Salary Pay Policy

Exempt employees will be paid a salary in accordance with applicable law. Although exempt employees are generally entitled to their salary for any week in which work is performed, deductions can be made when permitted by law.

Pay Deductions for Exempt Employees

University employees who are classified as exempt from the minimum wage and/or overtime requirements of the federal Fair Labor Standards Act ("FLSA") are not subject to salary deductions due to variations in the quality or quantity of the work performed. These employees will receive, subject to certain limited exceptions and permitted deductions set-forth below, their full salary for any week in which the employee performs work, without regard to the number of days or hours worked by the employee. The University will not make any deductions from these individuals' predetermined salary for absences caused by the University or the University's operating requirements. Moreover, deductions will not be made if, for some reason, the employee is willing to work but work is not available. In short, exempt employees are paid a consistent salary for the job they perform and their compensation is not tied to the number of hours they work.

There are certain circumstances, however, where the University is legally permitted to make deductions from an exempt employee's salary. The following is a list of circumstances under which deductions may occur pursuant to the University's policies and which are permitted under the FLSA.

- An exempt employee who is absent from work for one or more full days for personal reasons, other than for sickness or disability, may have such time off deducted from the salary otherwise due;
- An exempt employee who is absent for one or more full days for sickness or disability, may incur a salary deduction if that deduction is in accord with a bona fide plan, policy or practice of providing compensation for loss of salary occasioned by such sickness or disability;
- An exempt employee who is absent due to jury duty, attendance as a witness or temporary military leave may have deductions made from his or her salary in amounts equal to the amount received by the employee as jury fees, witness fees, or military pay;
- An exempt employee who is suspended for one or more full days as a result of a violation of a safety rule of major significance may incur a salary deduction for the day(s) the employee is suspended;
- An exempt employee who is subject to other unpaid disciplinary suspensions of one or more full days for violation of a workplace conduct rule (such as, for example, a violation of the University's anti-discrimination/anti-harassment policy) may incur a salary deduction for the day(s) the employee is suspended;
- An exempt employee who works only a partial week during his/her first or last week of employment may only receive compensation for the days actually worked during that first and last week of employment;

- ❖ An exempt employee who takes unpaid leave under the Family and Medical Leave Act may incur a salary deduction proportionate to the time actually worked in that salary week; and
- ❖ Any other circumstance permitted by applicable law.

The University's policy does not permit any payroll deductions unless approved by OHRAS and all deductions made from any exempt employee's salary will be made in good faith and in compliance with applicable law. No manager or other employee of the University has the authority to order any deductions from an exempt employee's compensation without the approval of OHRAS.

In the event you feel that there has been an improper deduction from your compensation pursuant to this policy, you must contact OHRAS immediately. The University encourages and expects its employees to immediately report any suspected improper deduction. No person will be retaliated against for reporting any suspected improper deduction or other violations of the University's pay policies. If an employee believes he/she is being subjected to any retaliation for reporting a suspected improper deduction, the employee must use this complaint procedure to report the matter to OHRAS.

All complaints of improper deductions will be investigated. After the investigation is completed and a determination made regarding the reported deduction, the determination will be communicated to the employee who reported the deduction. If the University determines that an improper deduction has occurred, the University will provide the employee with payment for the previously deducted amount. Such payment will be reflected in the employee's paycheck following the determination of an improper deduction.

Direct Deposit

Employees may designate one or more bank accounts for direct deposit of their paychecks. For example, a set amount may be directed into your savings account, with the balance deposited into your checking account. EWU employees are strongly encouraged to enroll in the Direct Deposit program. Changes to the direct deposit information may be made via Self-Service.

Wage Garnishments

The University would like to avoid incurring the administrative costs of garnishments and wage assignments for employees. Accordingly, the University encourages all employees to meet their financial obligations without involving the University. Nonetheless, the University will adhere to legally imposed wage assignments and garnishments, and will not modify the terms of those legal arrangements unless ordered by a court. The University may deduct the administrative costs of complying with wage assignment and garnishment orders, up to the amount allowed by applicable law.

EMPLOYEE RESPONSIBILITIES AND STANDARDS

Conflict of Interest

The University does not intend to direct an employee's political, community, or personal business activities; however, an employee must ensure that a conflict of interest is not present in his or her actions pertaining to the relationship with individuals, organizations, or companies associated with the University or the employee's representation of the University. The University requests that the employee refrain from participating in any political or civic arenas which would be contrary to the University's philosophy, image, or interest.

It is considered a conflict of interest for EWU to enter any contract with: an EWU employee; a member of an EWU employee's immediate family; or a business in which an EWU employee or a member of an EWU employee's immediate family holds a substantial financial interest unless:

a. The contract is made after public notice;

b. Competitive bidding; and/or

c. Authorized by the President.

Any questions regarding any potential conflict of interest should be brought to OHRAS before any such contract is finalized. Instances of suspected conflict of interest will be reviewed by OHRAS, and if found to be contrary with good business practices or the University's policies, the employee will be required to rectify the situation or risk separation of employment from the University.

Punctuality & Attendance

The University requires regular and punctual attendance from all employees. Generally, employees are required to report for duty at 8:00 a.m. or other times designated to be the beginning of the work period. One hour is allowed for lunch. An employee's lunch break should be finished by 2:00 pm unless approved in advance by the employee's supervisor. Employees may not perform any work during their lunch break (e.g., employees may not skip lunch so that they can leave early at the end of the workday). The work period ends at 5:00 p.m. or other times designated to be the end of the work period. Absenteeism, early departures from work, and late arrivals burden your fellow employees and the University. If you cannot avoid being late to work or are unable to work as scheduled, you must call your supervisor as far in advance as possible.

If an employee calls to report any expected tardiness or absence, the employee must call their supervisor at least thirty minutes prior to their scheduled reporting time. A call directed to another employee of the department will not be recognized as an acceptable report of absence/tardiness. Every time you are absent, late, or leave early, you must provide your supervisor with an honest reason or explanation. You must also inform your supervisor of the expected duration of any absence. The University will comply with applicable laws relating to time off from work, but it is your responsibility to provide sufficient information to enable the University to make a determination. You must notify your supervisor of any change in your status as soon as possible.

Excessive absenteeism, continuing patterns of absences, early departures, or tardies—regardless of the exact number of days— may lead to disciplinary action, up to and including termination of employment.

If you fail to report for work without any notification to your supervisor, you may be considered to have abandoned your employment.

Absence or tardiness that has occurred should be recorded in Ellucian for timekeeping purposes. Should disciplinary action occur, the Disciplinary Report Form, signed by both the employee and the appropriate University administrator/supervisor, should be submitted to OHRAS.

Qualified individuals with disabilities may be granted reasonable accommodation in complying with these policies if undue hardship does not result to the University's operations. However, regular attendance and promptness are considered part of each employee's essential job functions.

Dress Code

The University strives to maintain a professional atmosphere that is conducive to our business environment, contributes to the morale of all employees, and projects an image of efficiency and professionalism. Employees are relied upon to exercise common sense and good judgment regarding their clothing and appearance in the workplace and to dress in a manner that is professional, practical, and compatible with the employee's job assignment and environmental conditions. The Dress Code policy applies at any time that you are representing the University, including when you are working at University events such as sporting events or special programs.

On Mondays through Thursdays, appropriate business attire is required. Business attire includes blazers, business suits, sport coats, dress slacks, khakis with belt, dresses or skirts, dress shirts, dress shoes, nylons or stockings. Appropriate business casual attire is permitted on Fridays. Appropriate business casual attire includes khakis, dress slacks with belts, polo shirts with collars, button-down shirts, sweaters, cardigans, loafers, dresses or skirts and dress sandals. Fridays are also designated as "Spirit Fridays". You may wear jeans (no rips), and Edwards Waters paraphernalia. Tennis shoes are permitted. If you are not participating in Sprit Friday, appropriate business casual attire is permitted. Additionally, during the Summer months, business casual attire is permitted throughout the work week.

Any employee who is not dressed in proper professional attire consistent with this policy will be considered unsuitable to work and may be asked to go home and return to work appropriately dressed. In such a case, the employee may not be compensated for time spent away from work. Employees that disregard this policy and its standards may be subject to discipline.

Any questions about the requirements of this policy or what constitutes appropriate workplace attire should be directed to the OHRAS.

COVID-19 and other Contagious Illnesses

The University maintains policies regarding the COVID-19 virus that may be updated from time to time as new guidance becomes available. More information may be found at: ew.edu/covid/. Employees are expected to abide by all policies that the University publishes regarding COVID-19 and any other contagious illnesses.

Confidentiality

Information about the University, its employees, guests, customers, suppliers, and vendors is to be kept confidential and divulged only to individuals within the University with both a need and authorization to receive the information. If in doubt as to whether information should be divulged, err in favor of not divulging information and discuss the situation with your supervisor.

All records and files maintained by the University are confidential and remain the property of the University. Records and files are not to be disclosed to any outside party without the express permission of your supervisor. Confidential information includes, but is in no way limited to: financial records; business, marketing, and strategic plans; personnel and payroll records regarding current and former employees; the identity of, contact information for, and any other account information on guests, vendors, and suppliers; inventions, programs, trade secrets, formulas, techniques, and processes; and any other documents or information regarding the University's operations, procedures, or practices. Confidential information may not be removed from the University premises without express authorization. Any employee who accesses, discloses or uses confidential information for any non-business purpose, or otherwise violates this policy, will be subject to discipline, up to and including termination of employment.

Confidential information obtained during or through employment with the University may not be used by any employee for the purpose of furthering current or future outside employment or activities or for obtaining personal gain or profit. The University reserves the right to avail itself of all legal or equitable remedies to prevent impermissible use of confidential information or to recover damages incurred as a result of the impermissible use of confidential information.

Employees may be required to enter into written confidentiality agreements confirming their understanding of the University's confidentiality policies.

The University will comply with applicable student privacy laws, including the Family Educational Rights and Privacy Act. Employees (other than those authorized by the Office of the Registrar) may not disclose student education records and/or student personally identifiable information.

Use of University Equipment

All University property—including desks, storage areas, work areas, lockers, file cabinets, credenzas, computer systems, telephones, cellular telephones, radios, modems, facsimile machines, duplicating machines, and vehicles—must be used properly and maintained in good working order. Employees who lose, steal, or misuse University property may be personally liable for replacing or fixing the item and may be subject to discipline, up to and including termination.

The University reserves the right, at all times and without prior notice, to inspect and search any and all of its property for the purpose of determining whether this policy or any other policy of the University has been violated, or when an inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. These inspections may be conducted during or after business hours and in the presence or absence of the employee. An employee has no reasonable expectation of privacy regarding the use of University equipment.

In addition, in order to ensure the safety and security of employees and customers, and to protect the University's legitimate business interests, the University reserves the right to question and inspect or search any employee. The inspection or search may include any packages or items that the individual may be carrying, including briefcases, handbags, knapsacks, and shopping bags. These items are subject to inspection and search at any time, with or without prior notice. The University also may require employees while on the job or on the University's premises to agree to reasonable inspection of their personal property and/or persons. An employee may be requested to self-inspect his or her personal property or person by displaying the contents of any packages, turning out his or her pockets, or other similar procedures, in the presence of a representative of the University, typically a management employee of the same gender. The University will not tolerate any employee's refusal to cooperate in these procedures or to complete a search required by the University.

The University also may maintain a video monitoring system to protect the interests of the University and its employees. Generally, only public areas of the University's premises or other non-public areas of the University's premises where authorized employees may perform work (for example, the University's warehouse area) would be subject to video surveillance.

Employees are not permitted to use the University's equipment for non-work purposes. Accordingly, employees have no right of privacy as to any information or file maintained in or on University property or transmitted using University property. For purposes of inspecting, investigating, or searching employees' files or documents, the University may override any applicable passwords, codes, or locks in accordance with the best interests of the University, its employees, or its guests or visitors. All bills and other documentation related to the use of University equipment or property are the property of the University and may be reviewed and used for purposes that the University considers appropriate.

Employees may access only files or documents that they have permission to enter. Unauthorized review, duplication, dissemination, removal, damage, or alteration of files, or other property of the University, or improper use of information obtained by unauthorized means, may be grounds for disciplinary action, up to and including termination of employment.

Use of Technology and the Internet

The University's technical resources—including desktop and portable computer systems, e-mail, telephones, internet access, software, programs, and online servers or databases of the University—belong to the University and must be used for business purposes only and with caution. These resources are provided for use in the pursuit of University business and are to be reviewed, monitored, and used only in that pursuit, except as otherwise provided in this policy. Employees have no right of privacy as to any information or file maintained in or on the University's property or transmitted or stored through the University's technical resources.

This policy applies to all technical resources that are owned or leased by the University, are used on or accessed from University premises, or are used on University business. This policy also applies to all activities using any University-paid accounts, subscriptions, or other technical services, such as Internet and World Wide Web access, voice mail, and e-mail, whether or not the activities are conducted from University premises. Your use of the University's University-provided technical resources and communications systems signifies your understanding of and agreement to the terms and conditions of this policy. The University does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the performance of one's duties.

Unacceptable Uses

- The University's technical resources should not be used for personal gain or the advancement of individual views. Employees who wish to express personal opinions on the Internet are encouraged to obtain a personal account with a commercial Internet service provider and to access the Internet without using University resources.
- Solicitation for any non-University business or activities using University resources is strictly prohibited. Your use of the University's technical resources must not interfere with your productivity, the productivity of any other employee, or the operation of the University's technical resources.
- You should not send e-mail or other communications that either mask your identity or indicate that they were sent by someone else. You should never access any technical resources using another

employee's password. Similarly, you should only access the libraries, files, data, programs, and directories that are related to your work duties. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of the University, or improper use of information obtained by unauthorized means, is prohibited.

- Sending, saving, or viewing offensive material is prohibited. Messages stored and/or transmitted by computer, voice mail, e-mail, or telephone systems must not contain content that may reasonably be considered offensive to any employee. Offensive material includes, but is not limited to, sexual comments, jokes, or images, racial slurs, gender-specific comments, or any comments, jokes or images that would offend someone on the basis of his or her race, color, religion, sex, sexual orientation, age, national origin or ancestry, physical or mental disability, marital status, HIV-positive status, as well as any other category protected by federal, state, or local laws. Any use of the Internet to harass or discriminate is unlawful and strictly prohibited by the University. Violators will be subject to discipline, up to and including termination.

Access to Information

When you use the University's computers, you are creating University documents using a University asset. The University respects the individual privacy of its employees. However, that privacy does not extend to an employee's work-related conduct or to the use of University-provided technical resources or supplies. Accordingly, employees have no reasonable expectation of privacy with respect to University technology, information maintained in or on University property, or information transmitted using University property or technology.

Security of Information

Technical resources such as computer, voice mail, and e-mail systems resources belong to the University, are to be accessible at all times by the University, and are subject to inspections by the University with or without notice. The University may override any applicable passwords or codes to inspect, investigate, or search an employee's files and messages. All passwords (for example, voicemail, computer software, or hardware) must be made available to the employee's supervisor so that the University may access these materials at any time. You should not provide a password to other employees or to anyone outside the University and should never access any technical resources using another employee's password.

In order to facilitate the University's access to information on its technical resources, you may not encrypt or encode any voice mail or e-mail communication or any other files or data stored or exchanged on University systems without the express prior written permission from the University.

The University's Software Policy

Employees are prohibited from installing any software on any University technical resource without the express prior written permission from the University so that the University can manage the software on University systems, prevent the introduction of computer viruses, and meet its obligations under any applicable software licenses and copyright laws. In an effort to protect the University's resources from viruses or other malicious software, you should not open or download email attachments from unknown sources. Computer software is protected from unauthorized copying and use by federal and state law; unauthorized copying or use of computer software exposes the University and the individual employee to substantial fines and exposes the individual employee to imprisonment. Therefore, employees may not load personal software onto the University's computer system and may not copy software from the University for personal use. In addition, employees may not accept the terms or conditions of website agreements without first obtaining approval from Information Technology & Telecommunications.

Violations of any guidelines in this policy may result in disciplinary action, up to and including termination. In addition, the University may advise appropriate legal officials of any illegal violations.

Social Networking Policy

The University does not seek to unduly interfere with its employees' personal non-working activities. Certain limits and reminders, however, are required to protect both the employee and the University. The University also recognizes that the Internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, Twitter, Instagram, blogs, and wikis (collectively, "Social Media"). However, employees' use of Social Media can pose risks to the University's confidential and proprietary information, reputation and brands, and can jeopardize the University's compliance with rules and laws.

To minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that the University's IT resources and communications systems are used only for appropriate business purposes, the University expects its employees to adhere to the following rules and guidelines regarding the use of Social Media. Violations of the following rules and guidelines may lead to discipline, up to and including termination. To the extent that this policy conflicts with any employee rights under state or federal law, then the policy does not apply. Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment. Employees have the right to engage in or refrain from such activities.

Additionally, if the University has a social media account managed by University employees, the social media account is considered University property, along with any names and passwords associated with the social media account. Any such names and passwords associated with the University's social media account must be provided to the University.

Compliance with Related Policies

All of the University's other policies that might apply to use of Social Media remain in full force and effect, such as, for example, the University's Anti-Harassment policy. Employees must always adhere to them when using Social Media. Employees who violate University policies whether through social media or otherwise will be subject to discipline, up to and including termination of employment.

Personal Use of Social Media

Unless an employee receives prior written authorization, use of Social Media is never permitted on working time or by means of the University's equipment, computers, software, networks, and other IT resources and communications systems. Please note that this restriction includes use of Social Media on your own personal electronic devices, such as smartphones, during working time.

Include a Disclaimer

If you disclose your affiliation as an employee of the University, refer to the work done by the University or provide a link to the University's website, it is recommended that you also include a disclaimer substantially similar to the following: "***The views in this posting do not represent the views of my employer***. ***My employer has not authorized or approved this posting and accepts no responsibility for this posting***."

References Through Social Media

Unless authorized by OHRAS, employees must never provide references for University stakeholders on social or professional networking sites, as such references, positive and negative, that can be attributed to the University and create legal liability for yourself and the University (such as interference with prospective business contacts and allegations of wrongful termination).

Additional Guidelines for Responsible Use of Social Media

The above material covers specific rules, policies and obligations that employees must follow when using Social Media, whether for personal or business purposes, in consideration of their employment and subject to discipline for violations. The following sections of the policy provide employees with common sense guidelines and recommendations for using Social Media responsibly and safely, in the best interests of the University.

These guidelines reflect the "duty of loyalty" every employee owes its employer, and are intended to add to, not contradict, limit, or replace the applicable mandatory rules, policies, and obligations above.

a. Comply with Laws. Your use of Social Media must respect copyright, privacy, fair use, financial disclosure, and other applicable rules and laws.

b. Do Not Jeopardize the University's Confidential Information and IP. The University's Employee Handbook restricts employees' use and disclosure of the University's and its customers' confidential information and intellectual property. Beyond these mandatory restrictions, you must treat the University's valuable trade secrets and other confidential information and intellectual property accordingly and not do anything to jeopardize them through your use of Social Media. Do not use the University's logos, brand names, taglines, slogans or other trademarks, or post any confidential or proprietary information of the University. In addition, you must avoid misappropriating or infringing the intellectual property of other companies and individuals, which can create liability for yourself and for the University.

c. Respect your Co-Workers and Other University Stakeholders. Do not post anything that your co-workers or the University's customers, business partners, suppliers, vendors or other University stakeholders would find offensive, including ethnic slurs, sexist comments, discriminatory comments, insults or obscenity. In addition, you are prohibited from posting photographs of University operations, co-workers or customers without the written consent of the University or the individual in the photograph.

d. Use Good Judgment; Respect the University. If you communicate about your work or the University in general, you must disclose your connection to and role at the University, but be sure to reiterate that your views do not represent those of the University. Use good judgment about what you post and remember that anything you say can reflect on the University, even if you include a disclaimer. Always strive to be accurate in your communications about the University and remember that your statements have the potential to result in liability for yourself or the University. Be respectful to the University and be professional and honest in your communications.

e. Speak on Your Own Behalf. Make it clear in your Social Media postings that you are speaking on your own behalf. Write in the first person and use your personal e-mail address when communicating via Social Media.

f. Think Before You Post. You are personally responsible for what you communicate in Social Media. Remember that what you publish will likely be available to be read by the masses (including the University itself, future employers, and social acquaintances) for a long time. Keep this in mind before you post content. You are prohibited from engaging in illegal activity and are personally responsible for any civil or criminal liability that extends from your participation in illegal online activity. If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from making the communication.

g. Protect the University. If you see content in Social Media that disparages or reflects poorly on the University or its stakeholders, you must contact OHRAS. Protecting the University's goodwill, brands, and reputation is every employee's job.

Tape Recording Policy

It is a violation of the University's policy to record conversations with a tape recorder or other recording device unless prior approval is received from OHRAS and all parties to the conversation give their consent.

The purpose of this policy is to eliminate a chilling effect on the expression of views that may exist when one person is concerned that his or her conversation with another is being secretly recorded. This concern can inhibit spontaneous and honest dialogue especially when sensitive or confidential matters are being discussed.

Violation of this policy will result in disciplinary action, up to and including immediate termination.

Telephone Monitoring Policy

The University provides landline and/or mobile telephone access and voicemail systems to certain employees for use in connection with the performance of their job duties. During the course of ordinary business, members of the management team or their designee may listen in on customer service lines to ensure employees are being respectful and responsible to customers or for other legitimate business purposes. Business calls may also be monitored for training purposes to critique customer service skills and provide feedback for job performance as needed. Employees will be informed that they may be monitored at any time during business calls without notification. Each employee's written consent will be obtained prior to his/her commencing employment and a signed copy of this policy will be placed in the employee's file.

In addition, customers will also be notified of possible monitoring. If at any time during the monitoring process, a personal call is identified, the monitoring will immediately be suspended. However, a continuous excessive level of non-business related phone calls is a basis for disciplinary action.

Disclosure of confidential information and any other recordings of conversations in the workplace by employees without consent on the record by all parties is prohibited. A violation of this policy is a basis for disciplinary action, as determined by management.

Use of Wireless Devices

The University is aware that many employees use mobile telephones and other wireless communication devices (collectively, "Wireless Devices") in carrying out their daily duties and responsibilities. The University is also aware of the potential distractions that may arise when Wireless Devices are used by employees while operating a moving vehicle, such as a van, automobile, truck, golf and other shuttle carts, forklift trucks, and the like (each, a "moving vehicle"). In keeping with its obligations under federal and state occupational health and safety laws, to maintain a safe and healthful workplace, and to minimize the safety risks for our employees, customers, passengers in moving vehicles, and the public at large, the University has adopted the following policy with respect to employee use of Wireless Devices while operating a moving vehicle. This policy applies regardless of whether the employee is operating a University-owned moving vehicle, or the employee's own moving vehicle in the course of employment.

Definitions

1. For purposes of this policy, "use" of a Wireless Device includes dialing, texting, typing, talking, or listening on a Wireless Device.

2. "Hands-free" devices include any attachment, add-on, or addition to a Wireless Device, whether or not permanently installed in the moving vehicle, which when used, allows the operator of the moving vehicle to maintain both hands (or prosthetic devices or aids in the case of a disabled person), on the applicable steering device of the moving vehicle (for example, dash-mounted devices or handsets).

Policy

- Employees are required to familiarize themselves, and comply at all times, with the laws of the state/locality in which they work with respect to the use of Wireless Devices. For example, where a local law prohibits the use of a mobile phone by anyone operating a moving vehicle, employees are also prohibited by this policy from using a mobile phone.
- No employee is to engage in the use of a Wireless Device while operating a moving vehicle while the moving vehicle is in motion, unless such Wireless Device is equipped with and you are using a hands-free device. (The only exception to this policy is where a phone call is made in a bona fide emergency, such as to call "911" or a similar emergency number (for example, to call an ambulance, fire department, et cetera).
- Even with a hands-free device, Wireless Device use should be kept to a minimum, conversations, emails, and texting should be as brief as possible, and employees should refrain from making unnecessary calls, texts, and emails. Where possible and, again, even with a hands-free device, use of any Wireless Device should be made when the moving vehicle an employee is operating is not in motion. Employees using Wireless Devices should always remember not to discuss confidential

issues with others present who do not have a "need to know" such information, and that Wireless Device "courtesy" should be practiced at all times, for instance, when others are present, do not talk loudly or in a manner which could be offensive to others.

While this policy does not expressly prohibit the use of Wireless Devices while operating moving vehicles, the University discourages such use, except where essential for the employee to perform the employee's job duties.

Reimbursement for Wireless Device and hands-free device purchases shall be handled in accordance with the University's normal expense reimbursement policies. Employees should consult Finance, Administration, and Business Innovation for details.

Questions regarding this policy should be directed by employees to OHRAS.

In the event there is any circumstance for doubt as to an employee's consent to this Wireless Devices Policy, use of a Wireless Device constitutes consent by the employee to all of the terms and conditions of this policy.

Operation of Vehicles

Employees driving on business for the University—whether in a University-owned or leased vehicle or any other vehicle—are not permitted to engage in unauthorized activity or travel. The use of University-owned or leased vehicles is limited to authorized employees. These vehicles must only be used in work-related activities and may not be used for personal business or activities without the express prior approval of management.

All employees authorized to drive University-owned or leased vehicles in conducting business for the University, must possess a current, valid driver's license. Employees must obtain any specific, state-required permits or licenses necessary to operate University-owned or leased vehicles. Any change in license status or driving record must be reported to management immediately. From time to time, the University or its insurance carrier may request reports from the Department of Motor Vehicles regarding the license status and driving record of employees whose job responsibilities include driving. In the event that the license status or driving record of any employee whose job responsibilities include driving becomes unacceptable to management or the University's insurance carrier, that employee may be restricted from driving, reassigned, suspended, or terminated, at management's discretion.

A valid driver's license must be in your possession while operating a vehicle on business for the University. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits.

Use of Telephones

In pursuit of excellence, employees must be cognizant of the way they communicate with guests and others. The following telephone guidelines should be followed by employees while at work:

- Promptly answer your own calls with a professional greeting and state your name;
- Return calls as soon as possible;
- Be pleasant and warm while on the phone—smile when you speak;
- Use the caller's name;
- Keep a positive, helpful, and confident attitude that will put callers at ease;
- Be alert; concentrate on the callers and their needs, not yours;
- Speak clearly and distinctly and do not use slang or profanity;
- When you will be away from the phone, leave word as to when or where you can be reached;
- Get complete information and ask the caller's permission before putting the caller on hold or transferring the caller.

While at work, employees are expected to perform their job duties and responsibilities. Personal cell phone calls, both incoming and outgoing, must be kept to a minimum and must not interfere with employees' duties and responsibilities. The personal use of the University's telephones or property is strictly prohibited. Abuse of the telephone policy may result in discipline, up to and including termination of employment.

Housekeeping

All employees are expected to maintain their desks and/or work areas in an orderly fashion. Also, please pick up after yourself when you use any University facilities, locker rooms, kitchens, break rooms, or restrooms.

Use of Stationery & Mail Services

All engraved or printed University stationery, envelopes, and other work materials are for University business only. These materials may not be used for personal correspondence or non-business matters. When signing business letters on University letterhead, the employee's name and title or position must be used.

Employees are requested not to send or receive personal mail using the University's campus mail services.

Solicitation & Distribution of Literature

The University has established rules, applicable to all employees, to govern solicitation and distribution of written material during working time and entry onto the University's premises and work areas. All employees are expected to comply strictly with these rules.

1. No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom the activity is directed;
2. No employee shall distribute or circulate any written or printed material in work areas at any time, during his or her working time, or during the working time of the employee or employees at whom the activity is directed; and
3. Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on the University's premises.

As used in this policy, "working time" includes all time for which an employee is paid and/or is scheduled to be performing services for the University; it does not include break periods or periods in which an employee is not, and is not scheduled to be, performing services or work for the University.

This policy is not intended to restrict communications or actions protected or required by state or federal law.

Use of Bulletin Boards

Bulletin boards are placed in strategic areas throughout the campus and in each major area of the University to display information of interest to employees, such as vacancy announcements. Bulletin boards are reserved for the exclusive use of the University for posting work-related notices or notices posted pursuant to local, state, and federal law. From time to time, special notices and information for Employees will be posted by the University on the bulletin boards. Please check the boards regularly for these notices. Employee postings are not permitted.

Licenses and Registration

When license or registration is required before an employee may perform certain duties, it is the responsibility of the employee to acquire and to renew such items. Failure to renew a license or registration could result in termination of employment.

Lost and Found

Articles or lost items found on the premises should be turned in to the Security Department.

Employee Property

Employees should not bring valuables to work. If you decide to do so, all valuables should be kept in a secure location. The University assumes no responsibility for the loss, theft, or damage of employees' personal property.

Voting

The University encourages an employee to exercise his or her privileges and responsibilities as a citizen by voting in the local, state, and national elections. For the voter's convenience, polls are opened before work hours and through the evening hours, which enables an employee to vote while maintaining his or her work schedule. The University will comply with all local, state, and federal laws with respect to voting rights.

Publicity/Statements to the Media

All media inquiries regarding the University and its operations must be referred to the President's Office, which is solely authorized to make or approve public statements pertaining to the University or its operations. No employees, unless specifically designated by the President's Office, are authorized to make those statements.

TIME-OFF AND LEAVES OF ABSENCE

Faculty

The Vacation Benefits and Sick Leave policies in this handbook apply to Staff and Administrators only (as indicated below). Faculty must refer to the Faculty Handbook regarding vacation and sick leave.

Vacation Benefits (not applicable to Faculty)

Full-time Employees are allotted paid vacations in accordance with the schedule below based on their position and years of service. Vacation time is not allotted until successful completion of the 90-day introductory period. Part-time and Temporary Employees do not receive paid vacation time. NOTE: Vacation leave is allotted at the end of the month for each full month worked.

Full-Time Employees

- Employees with zero (0) to four (4) years of service are allotted eight (8) hours (one day) for each month worked in the calendar year, which equals a maximum of 96 hours (12 days) per year.
- Employees with five (5) to nine (9) years of service are allotted ten (10) hours for each month worked in the calendar year, which equals a maximum of 120 hours (15 days) per year.
- Employees with over ten (10) years of service are allotted twelve (12) hours for each month worked in the current calendar year, which equals a maximum of 144 hours (18 days) per year.

Vice Presidents

- Vice Presidents with zero (0) to four (4) years of service are allotted ten (10) hours or 1.25 days for each month worked in the calendar year for a maximum of 120 hours (15 days) per year.
- Vice Presidents with five (5) to nine (9) years of service are allotted thirteen (13) hours or 1.67 days for each month worked in the calendar year for a maximum of 156 hours (20 days) per year.
- Vice Presidents with ten (10) or more years of service are allotted seventeen (17) hours for each month worked in the calendar year for a maximum of 202 hours (25 days) per year.

All eligible employees are encouraged to take their allotted vacation each year. Submit your vacation leave request to your supervisor via the Self-Service system. You must request vacation as far in advance as possible. Request for vacation leave must be pre-approved by the staff's supervisor and vice president, when appropriate before the scheduled time off. Vacations will be scheduled so as to provide adequate coverage of job and staff requirements. The Supervisor will make the final determination in this regard. The University reserves the right to deny vacation leave requests which may have an adverse effect on operations or cancel previously approved vacation leave requests if unexpected circumstances arise which require the employee's attendance at work.

Employees are required to report vacation leave hours taken by recording the vacation leave in Self-Service. Once approved, vacation leave hours taken will be charged against the staff member's vacation leave balances.

Note: Vacation days may only be used during the fiscal year they are earned. Unused vacation days may not be carried over from one fiscal year to the next and will be forfeited if not used. The fiscal year begins July 1 and ends on June 30. Therefore, available vacation leave must be used by June 30th each year or it will be forfeited.

Employees with time available in their vacation leave balance may not opt to take excused absences without pay in lieu of using vacation leave. Employees with insufficient vacation leave balances to cover requested periods of time off may be granted excused time off without pay in accordance with the Personal Leave of Absence policy. (See below).

Academic administrators or employees who transfer to faculty positions shall be paid for available, unused vacation leave at the time of transfer.

Employees who voluntarily resign and provide at least two weeks' notice of their resignation will be paid at the employee's final rate of pay for any unused vacation leave available to them at the time of their termination for full months worked. Employees who voluntarily resign with appropriate notice are not entitled to a partial/pro-rated vacation leave payout for partial months worked. Employees who are involuntarily terminated or who resign without providing at least two weeks' notice will not be paid for unused vacation leave.

Sick Leave (not applicable to Faculty)

To keep the University and each department running smoothly and efficiently, it is important that every employee be on the job on time regularly. For this reason, careful attention is given to promptness, absence record, and overall dependability.

The University recognizes, however, that an employee may occasionally be disabled by injury or illness. As a result, the Absence Due to Illness policy is designed to provide protection to employees against loss of income during unavoidable illness or injury. Sick leave should be used by eligible employees who are unable to perform their jobs due to illness or injury. This policy is not intended to be used for personal leave or for other personal purposes.

All full-time employees are allotted one (1) day of sick leave per month (12 days per year) to be carried over annually. An employee's total sick leave balance may not exceed 25 days (200 hours). **Employees are not paid for sick days either at the end of the calendar year or upon termination.**

To be eligible for sick pay, employees unable to report to work due to illness must telephone their supervisor directly, each day of their absence, as far in advance as possible, but no later than one hour before their scheduled arrival time. If an employee is unable to make the call personally, a family member or a friend should contact the Supervisor. The Supervisor must be contacted each day of absence. An employee who fails to contact his/her immediate Supervisor may be considered as having voluntarily resigned. The employee's supervisor must submit the sick leave request if the employee is incapacitated.

In the event that an employee needs to be absent for three or more consecutive days, a written certification from a physician or licensed health care professional may be required.

Sick Leave Donation Policy

EWU provides a donation program under which employees may donate some of their accrued but unused sick leave to other EWU employees who need time off to cope with a medical emergency, as outlined in this policy. This program provides a way that EWU employees (including eligible faculty, staff, and administrators) can help co-workers who would otherwise suffer a substantial loss of income as a result of taking unpaid leave. This policy does not entitle employees to take additional leave beyond their approved leave. OHRAS is responsible for the administration of EWU's Sick Leave Donation policy. For information regarding leave policies, contact the OHRAS.

An employee who abuses this policy will be subject to disciplinary action, up to and including termination of employment.

Employees Eligible to Donate Sick Leave

Employees are eligible to donate unused sick leave into a donation bank if they meet all of the following criteria:

- The employee has a minimum of 24 hours of available sick leave.
- The employee will retain a minimum of 8 hours for his or her own personal use after the donation.

Employees Eligible to Receive Donated Sick Leave

Employees are eligible to request up to 80 hours (10 days) per year of donated sick leave if they meet all of the following criteria:

- The employee is eligible to receive sick leave.
- The employee has not been disciplined for any violations or abuses of EWU's attendance and leave policies.
- The employee is on an approved leave of absence relating to a medical emergency.
- If the request relates to time off for a medical emergency, the employee has provided appropriate medical certification as requested by the OHRAS.
- The employee has exhausted all available paid time off/paid leave, including sick leave, bereavement leave, and vacation leave. Although the employee is not eligible to use donated sick leave until all forms of paid time off have been exhausted, the employee may request a donation in anticipation of exhausting all other paid time off.

For purposes of this policy, medical emergency means a serious medical condition (e.g., a heart attack or cancer) of the employee or the employee's family member (meaning the employee's spouse, parent, or child) that requires the employee to be absent from work for a prolonged period such that the employee will have exhausted all paid leave available apart from the sick leave donation program.

Donating Sick Leave

Employees who want to donate sick leave must submit a written and signed request on EWU's "Donation of Sick Time Request Form" and submit it to OHRAS. Employees who are eligible to donate sick leave must donate at least a minimum of 8 hours of unused sick leave but may not donate more than a maximum of 40 hours (5 days) in one fiscal year. Leave must be donated in increments of hours, provided that the employee donates the minimum and no more than the maximum amounts set out above.

Donations of sick leave is irrevocable, which means that once the time is donated it cannot be returned to the donor-employee.

Requesting and Using Donated Sick Leave

To request donated sick leave, an eligible employee must complete the "Request for Donation of Sick Time" Form available from the OHRAS. Among other things, the employee is required to demonstrate that he or she is on approved leave, provide a description of the medical emergency, and specify the amount of donated sick leave requested. Eligible employees may not request more than eighty (80) hours of donated sick leave each fiscal year.

Requests for donated sick leave will be granted by OHRAS on a first-come, first-served basis. Donor-employees may not designate the employee to whom their donated sick leave is to be awarded. Donations may only be used to compensate the recipient-employee for approved time off. Neither the donor-employee nor the recipient-employee may request or receive the equivalent monetary value of the time off in lieu of taking paid time off. In addition, donated sick leave may not be used for unapproved absences.

Donations will be processed at the recipient-employee's rate of pay. For example, if a donor-employee earns $20 per hour and donates 40 hours of sick leave, the donation bank will be credited with donated sick hours equivalent to $800. If a recipient-employee who earns $10 per hour needs 40 hours of donated time, an equivalent of $400 of paid time off from the donation bank will be used for the recipient-employee, and an equivalent of $400 of donated sick leave will remain in the bank to be donated to another eligible employee. Part-time employees who receive donated sick leave will be paid based on their regularly scheduled hours of work.

Each donor-employee and recipient-employee is solely responsible for assessing the impact a donation will have on his or her taxes and benefits.

Donated sick leave is not paid out on termination of employment. If the employee returns to work before exhausting donated sick leave, the remaining donated sick leave will revert to the donation bank and become available for other eligible employees.

There are no guarantees that donated sick leave will be available at the time an employee requests leave because donations into the donation bank are voluntary.

Employees are not eligible to receive vacation and sick leave while using donated sick leave.

Voluntary Participation
Participation in the sick leave donation program is entirely voluntary. EWU will endeavor to keep the names of donor-employees and recipient-employees anonymous, except from employees involved in the administration of this program.

Carry Over
Unused sick leave remaining in the donation bank at the end of the fiscal year (June 30) will be forfeited.

Holiday Schedule & Policy

The University recognizes the following holidays to be observed by the closing of all departments and offices except when continuous service is essential:

- New Year's Day
- Good Friday
- Easter Monday
- Labor Day
- Thanksgiving Day and the Day After
- Martin Luther King, Jr.'s Birthday
- Memorial Day
- Juneteenth
- 4th of July
- Veterans' Day
- Christmas Eve and Christmas Day

Employees become eligible for holiday pay 90 days after joining the staff. Employees on a leave of absence are not eligible for holiday pay.

To be eligible for holiday pay, employees must be in pay status (either by working the day before or using paid leave) on the workday before and after the holiday.

When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, the Monday immediately following the holiday is observed as a holiday.

If a recognized holiday occurs during an employee's authorized vacation leave period, the holiday will not be charged against vacation leave. **Exception:** Staff members that are on a non-pay status immediately before or after a holiday shall not be paid for the holiday.

An employee scheduled to work on a holiday will be given a day off on a date that is mutually agreed upon by the employee's supervisor or department head. The day off must be taken within the same month as the holiday worked and cannot be carried forward to the next month. If the employee does not work on a holiday for which he/she is scheduled, the Employee will not be paid for the missed day, and will not receive holiday pay or an alternate day for the holiday.

The Board of Trustees has approved five (5) paid holidays to be scheduled between December 23 and January 3—to be determined by the administration. In addition, the President may grant special holidays. Due to the needs of scheduling and staffing, staff members who are employed in departments that require seven (7) days per week operation may be required to work on the special holidays identified by the President. Non-exempt staff members who are required to work on special holidays will be paid for all hours worked; exempt staff members will receive their normal salary for the period that includes special holidays.

Salaried Employees

Employees who work on a paid holiday are entitled to an alternate day to be taken on a schedule-available basis. If your scheduled day off falls on one of the above-listed holidays, you are entitled to an alternate day to be taken on a schedule-available basis.

Hourly Employees

Full-time Employees who work on one of the above-listed holidays are entitled to holiday pay which will equal 8 hours of straight time, or an alternate day to be determined at the discretion of a supervisor. Part time Employees are entitled to 4 hours of straight time pay or ½ an alternate day. Holiday pay is straight time, not overtime pay, and does not count as hours worked for purposes of calculating overtime.

Bereavement Leave

In the event of the death of a full-time employee's parent, sibling, spouse, child, or relative for whom the employee is directly responsible, the employee will be granted time off with pay in the form of an excused absence for a period not to exceed five (5) workdays. In the event of the death of a grandparent, grandchild, or in-law, absence may be granted for a period not to exceed one (1) workday.

Temporary, part-time, and substitute personnel may be granted time off but will not be eligible for pay during the bereavement period.

Bereavement leave must be used within one month of the qualifying event. In the event an employee needs more time than the allotted days of bereavement leave, he/she may request use of other benefit time, i.e., personal or vacation time.

If the employee is paid hourly, he/she will be paid at straight time during approved bereavement leave. Bereavement time is not counted in the calculation for overtime pay. Proper documentation may be required.

Jury Duty

The University encourages Employees to serve on jury duty when called. You must notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court or a subpoena is received. A copy of the summons or subpoena must be given to the department head prior to approval of time off.

Full-time employees will be granted time off to serve on a jury or to serve as a court witness when subpoenaed without loss of pay and without charge against vacation leave time. Part-time and temporary employees will be paid for time spent serving as a juror in accordance with applicable law. Exempt employees will not incur any reduction in pay for a partial week of absence due to jury or witness duty. For employees who serve on a jury for less than five (5) days, employees will be permitted to retain any jury duty compensation that is received from the clerk of the circuit court so as to help defray expenses while serving on a jury. Beginning on the 5th day of jury service, any state payments, including mileage allowances, per diems, or other fees, will be credited against any payments made by the University. You will be required to provide verification from the court clerk confirming your service as a juror and you will be expected to report or return to work for the remainder of your work schedule on any day you are dismissed from jury duty.

Personal Leave of Absence

A full-time employee who has completed his or her three-month introductory period may request time off without pay for medical reasons not covered under the Family & Medical Leave Policy or for personal circumstances, for a designated period of time, not to exceed one calendar month. (If an employee has twelve (12) or more months of active employment, he/she may be eligible for leave with benefits continuance under the Family and Medical Leave Act. The employee should refer to the Family and Medical Leave section of this Handbook for additional information pertaining to this benefit.)

A request for a personal leave of absence must be made in writing by the employee to his or her immediate supervisor and Human Resources only after the employee has exhausted all applicable paid leave benefits, for example, vacation, sick, or personal days.

The granting of a personal leave of absence does not guarantee employment, and the University has the right to fill jobs vacated by a personal leave of absence. Attempts will be made, in the following priority, to place the returning employee in: (a) his or her previous job; or (b) a position comparable in wages and the employee's ability. If the employee declines any such offer, the employee will be terminated as a voluntary resignation.

During a personal leave of absence, the employee will not continue to earn paid leave benefits (for example, holiday, personal, vacation, or sick time). The employee must make regular/voluntary contributions for optional insurance coverage to maintain such coverage which can be arranged by contacting the Office of Business and Finance.

If the personal leave is granted for the employee's medical reason, the University will require that a statement or release from the physician, including any work limitation, be presented upon the conclusion of the leave to ensure the employee's well-being and fitness for duty.

Family and Medical Leave

Type of Leave Covered

Eligible employees may qualify for up to 12 weeks of unpaid leave during a 12-month period measured backward from the date an employee uses Family and Medical Leave Act ("FMLA") leave for one or more of the following reasons:

- for the birth of the employee's child, and to care for the newborn child;
- for the placement with the employee of a child for adoption or foster care, and to care for the newly-placed child;
- to care for an employee's spouse, child, or parent with a serious health condition;
- when the employee is unable to perform one or more essential functions of his or her job because of a serious health condition. Under some circumstances, employees may take family medical leave intermittently – which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule; or
- for any "qualifying exigency" arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty status (or has been notified of an impending call or order to covered active duty).

In addition to the above, employees may be entitled to a maximum of up to 26 weeks (including any time taken for leave as set forth above) if needed for the care of the employee's spouse, child, parent, or next of kin who: (a) is a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; or (b) is a veteran of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and was serving at any time during the five-year period preceding the date on which the veteran underwent the medical treatment, recuperation, or therapy. Employees with questions about what illnesses or circumstances are covered under this FMLA policy or under the disability leave policies are encouraged to consult with Human Resources.

Eligibility

In order to qualify to take family and medical leave under this policy, the employee must meet all of the required conditions under the FMLA, including without limitation:

- The employee must have worked for the University for at least 12 months. The 12 months need not have been consecutive. For eligibility purpose, an employee will be considered employed if they have been employed for an entire week, even if the employee was on the payroll for only part of a week or if the employee is on leave during the week;
- The employee must have worked at least 1250 hours during the 12-month period immediately before the date when the leave would begin;
- must be employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite; and
- The leave requested must be for a qualifying FMLA reason.

Notice & Medical Health Care Certification

If you need family medical leave, you may be required to provide:

- 30-day advance notice when the need for the leave is foreseeable;
- Medical certification from a health care provider (both prior to the leave and prior to reinstatement);
- Periodic re-certification;
- Periodic reports at least every 2 weeks during the leave regarding the employee's status and the intention of the employee to return to work;
- Fitness for duty certification; and
- Any other documentation authorized by law.

When leave is needed to care for an immediate family member or your own serious health condition, and is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt the University's operation. Employees must advise the University of the purpose of any paid leave request so that a Family Medical Leave designation may be made in a timely fashion in the appropriate case.

Compensation During Leave

Family medical leave is unpaid. The University may require you to use available paid leave (such as paid time off) to cover some or all of the family medical leave. The use of paid time off will not extend the length of a family medical leave.

Benefits During Leave

The University will maintain, for up to a maximum of 12 weeks of family medical leave or 26 weeks if needed for an injury or disability arising from military service, any group health insurance coverage that you were provided before the leave on the same terms as if you had continued to work. In some instances, the University may recover premiums it paid to maintain health coverage if you do not return to work following the leave.

While on paid leave as provided herein, the employee pays a portion of the health care premium and the University will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment should be received in the Human Resources Department by the 1st day of each month for which the premium is due.

Job Reinstatement

Under most circumstances, upon return from family medical leave, you will be reinstated to your previous position, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. Your use of family medical leave will not result in the loss of any employment benefit that you earned or were entitled to before using family medical leave. If you are returning from family medical leave for your own serious health condition, but you are unable to perform the essential functions of your job because of a disability, the University will attempt to accommodate you. However, the University does not have to create a position just for the purpose of accommodating your needs.

Unlawful Acts

It is unlawful and contrary to the University's policies for the University or any of its employees to interfere with, restrain, or deny the exercise of any right provided by state or federal family medical leave law. It is also unlawful and contrary to the University's policies for the University or any of its employees to refuse to hire or to terminate or discriminate against any individual for being involved in any proceedings related to family medical leave.

Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in twelve (12) consecutive weeks (or up to 26 weeks if related to an injury or disability arising from military service), may use the leave intermittently (take a day periodically when needed over the year), or under certain circumstances may use the leave to reduce the work week or work day, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 weeks (or up to 26 weeks if related to an injury or disability arising from military service) over a 12-month period.

The University may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

For the birth, adoption, or foster care of a child, the University and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a spouse, child, parent, or grandparent, the employee should try to reach agreement with the University before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the use of the leave must be medically necessary. The University may require certification of the medical necessity as discussed in this policy.

Military Leave of Absence

The University will ensure that an employee, who is a member of the United States Armed Forces, Coast Guard, National Guard, or Reserves and who leaves his/her job with the University because of national threat, will be treated in accordance to applicable state and federal laws regarding the hiring, employment, absence to report to military training or active duty, and the reinstatement to employment for that employee.

An employee will not continue to earn specific benefits (holiday, personal, sick, or vacation) while on a military leave of absence and may request that the use and payment of those benefits during the military leave. During a military leave, an employee must make regular/voluntary contributions for optional benefit programs to maintain that benefit.

Attempts will be made, in the following priority, to place an employee upon returning from military leave: (a) to his or her previous job; or (b) a position comparable in wages and his or her ability provided he or she as a veteran or reservist reapply within the established period denoted in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). If an employee declines any such employment offer, employment separation will be initiated as a voluntary resignation.

Workers' Compensation Disability Leave

Employee Eligibility

If you are injured or become ill on the job, then you may receive, at no cost to you, workers' compensation insurance benefits, which may include medical care, compensation, and vocational rehabilitation. The University will grant you workers' compensation disability leave in accordance with state law if you suffer an occupational illness or injury. Leave taken under the workers' compensation disability policy runs concurrently with any other medical leave, if any, available under both federal and state law.

Notice & Certification Requirements

In order to obtain workers' compensation insurance benefits, you must comply with the following requirements:

1. Report all accidents, injuries, and illnesses, no matter how minor, to your immediate supervisor. Employees must also notify Human Resources immediately (Forms are available in the Human Resources Office for this purpose);
2. Seek medical treatment and follow-up care if required; and

3. You must also provide the University with a health care provider's statement certifying your work-related illness or injury, your inability to work, any reasonable accommodations that would allow you to perform the essential functions of your job, and the expected duration of your leave.

Compensation During Leave

Workers' compensation disability leaves are without pay. However, you may utilize available vacation time and any other available paid time off during the leave. All of those payments will be coordinated with any state disability, workers' compensation, or other wage reimbursement benefits for which you may be eligible. At no time will you receive a greater total payment than your regular compensation.

Reinstatement

Upon the submission of a medical certification that you are able to return to work, you will be reinstated in accordance with applicable law. If you are disabled due to a work-related injury, the University will attempt to accommodate you.

Abuse of Workers' Compensation Benefits

State law imposes legal consequences on the abuse of workers' compensation benefits. The University will report any concerns of false or fraudulent claims to the workers' compensation insurance carrier for investigation. Any person who makes or causes to be made any material statement or representation, known to be false or fraudulent, for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a crime and subject to criminal and civil penalties, as well as disciplinary action.

Domestic Violence Leave of Absence

Any employee, who has been employed for three months or longer and is the victim of domestic violence or has a family or household member who has been the victim of domestic violence may be entitled to a special unpaid leave of absence of up to three working days in any 12-month period in order to deal with matters connected with the event, such as obtaining medical care for yourself or family members, securing injunctions for protection, counseling, personal security, and legal advice.

The University requests that any employee seeking a domestic violence leave of absence provide advance notice of the need for the leave and supporting documentation. This requirement may be waived under certain circumstances, such as in the case of imminent danger to the safety of you or your family.

Employees must utilize all of your regular benefits (vacation and sick leave) prior to using this special personal leave. Please be assured that all information relating to this leave will be kept strictly confidential.

EMPLOYEE BENEFITS AND PROGRAMS

Employees should contact the Office of Human Resources for further information regarding available benefits and eligibility requirements for specific benefits, including life insurance, supplemental insurance, health insurance, dental insurance, pre-paid legal insurance, the cafeteria plan, savings bonds, retirement, financial services, tuition remission, tuition exchange, etc.

Corporate Travel & Professionalism

From time to time, employees may be asked to travel and conduct business on the University's behalf. In general, the University does not seek to interfere with employees' off-duty activities. When traveling, however, employees must remember that they are representatives of the University and are expected to conduct themselves professionally at all times. The University will not tolerate any illegal or immoral conduct by a traveling employee that affects or has the potential to affect the University or its employees.

To protect the interests and safety of the University and its employees, the University requires you to abide by the following rules of conduct when traveling on its behalf:

(1) When traveling, employees must abide by all policies and practices of the University including, without limitation, the University's policies prohibiting harassment and discrimination. The University will not tolerate unlawful discrimination or harassment on any basis protected by federal, state, or local law. Any employee who is found to have engaged in prohibited harassment or discrimination is subject to disciplinary action.

(2) In the event the University or an employee rents a vehicle for business travel purposes, the University will provide written authorization for employees to operate the vehicle. The University does not authorize employees to operate rental vehicles without proof of a driver's license and insurance. Operation of a rental vehicle by an individual who has not been authorized by the University is prohibited.

(3) The use of alcohol, illegal drugs, intoxicants, and controlled substances are prohibited prior to operating a vehicle that was rented by the University or an employee for business travel purposes.

Any deviation from these rules may result in disciplinary action, including termination of employment.

HEALTH, SAFETY AND SECURITY

Health & Safety

The health and safety of employees and others on the University's premises are of critical concern to the University. The University also intends to comply with all health and safety laws applicable to our business.

To this end, the University must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods and known dangerous conditions or hazards. You should report any unsafe conditions or potential hazards to a Supervisor immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the University's premises, or in a product, facility, piece of equipment, process, or business practice for which the University is responsible should be brought to the attention of a Supervisor or other member of management immediately.

Periodically, the University may issue rules and guidelines governing workplace safety and health. All employees should familiarize themselves with these rules and guidelines because strict compliance will be expected. Contact your Supervisor for information concerning any current rules and guidelines. Failure to comply strictly with rules and guidelines regarding health and safety or negligent work performance that endangers health and safety will not be tolerated.

Any workplace injury, accident, or illness must be reported to the Employee's Supervisor as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, Supervisors will assist employees in obtaining medical care, after which the details of the injury or accident must be reported.

Policies Against Workplace Violence

Statement of Policy

The costs of workplace violence can be great, both in human and financial terms. Therefore, the University has adopted this policy regarding workplace violence.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the University or that occur on the University's premises or in the conduct of University business off the University's premises, will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in the University's operations, including, but not limited to, personnel, contract workers, and temporary employees of the University, and anyone else on University property or conducting University business off the University's premises. Violations of this policy, by any individual, may lead to disciplinary and/or legal action as appropriate.

This policy is intended to bring the University into compliance with existing laws requiring employers to provide a safe workplace; it is not intended to create any obligations beyond those required by existing law.

Definitions

Workplace violence is any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created. Workplace violence may involve any threats or acts of violence occurring on the University's premises, regardless of the relationship between the University and the parties involved in the incident. It also includes threats or acts of violence that affect the business interests of the University or that may lead to an incident of violence on the University's premises. Threats or acts of violence occurring off of the University's premises that involve employees, agents, or individuals acting as a representative of the University, whether as victims of or active participants in the conduct, may also constitute workplace violence. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

a. Threats or acts of physical or aggressive contact directed toward another individual;
b. Threats or acts of physical harm directed toward an individual or his or her family, friends, associates, or property;
c. The intentional destruction or threat of destruction of the University's property or another employee's property;
d. Harassing or threatening phone calls;
e. Surveillance;
f. Stalking;
g. Veiled threats of physical harm or similar intimidation; and
h. Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affects the University's legitimate business interests.

Workplace violence does not refer to occasional comments of a socially acceptable nature. These comments may include references to legitimate sporting activities, popular entertainment, or current events. Rather, it refers to behavior that is personally offensive, threatening, or intimidating.

Enforcement

Any person who engages in a threat or violent action on the University's premises may be removed from the premises as quickly as safety permits and may be required, at the University's discretion, to remain off the University's premises pending the outcome of an investigation of the incident.

When threats are made or acts of violence are committed by an employee, a judgment will be made by the University as to what actions are appropriate with respect to that employee, including potential medical evaluation and/or disciplinary action up to and including termination.

Important Note: The University will make the sole determination of whether and to what extent threats or acts of violence will be acted upon by the University. In making this determination, the University may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy alters the at-will nature of employment at the University.

Weapons in Our Workplace

Except as required by Florida law, the University prohibits its employees, contractors, or visitors from possessing weapons of any kind, including firearms, explosives, or any dangerous objects that can be used as weapons on its property or at University-sponsored events. The University's property includes but is not limited to: the University's work sites; University owned, rented, or leased property; University owned, rented, or leased vehicles; and parking lots.

Drug-Free Workplace

The University recognizes that its future is dependent upon the physical and mental well-being of all employees. Also, applicable law requires that the University maintain certain policies and programs that promote the maintenance of a drug-free workplace. Therefore, EWU prohibits the manufacture, use, and distribution of controlled substances in the workplace. The use and misuse of drugs and alcohol pose a threat to the University and its guests. The possession, use or sale of drugs and/or the use of alcohol, either in the workplace, while on University time or during breaks or meals, if the employee is returning to work after the meal, is strictly prohibited.

Violation of this policy may result in disciplinary action, up to and including termination. The penalties to be imposed by the University may range from written warnings with introductory status to expulsions from enrollment and discharges from employment. However, the following minimum penalties, as prescribed by the Board of Trustees, shall be imposed for the particular offenses described.

- **Trafficking in illegal drugs**: For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, or any controlled substance identified in the Florida Statutes (including, but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, metha-qualude) any employees shall be discharged.

- **Illegal possession of drugs**: For a first offense involving the illegal possession of any controlled substance the minimum penalty shall be suspension from employment for a period of at least one semester or its equivalent. After such suspension the employee shall be placed on probation for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular and/or random drug testing and accept such other conditions and restrictions, including a program of community service, as the President or the President's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in the employee's immediate termination. For second or other subsequent offense(s) involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including discharge.

- **Suspension pending final disposition**: When an employee has been charged by the University with a violation of policies concerning illegal drugs, he or she may be suspended from employment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the President or, in the President's absence, the President's designee concludes that the person's continued presence within the University community would constitute a clear and immediate danger to the health or welfare of other members of the University community or create an unacceptable, inappropriate presence in the workplace; provided, that is such a suspension is imposed, an appropriate hearing of the charges against the suspended person will be held as promptly as possible thereafter.

Any employee under the influence of alcohol or drugs which may impair judgment, performance or the safety of the employee or others while on University property, University business, or during work hours, is subject to discipline up to and including termination. Employees are required to promptly notify the University if they are taking any medication that may affect their judgment performance or behavior.

NOTE: On occasion, employees of the University may entertain donors, potential donors, or alumni, as representatives of the University, during work hours or after work hours. These occasions may include lunches, dinners, business conferences or other types of social gatherings. On these occasions, only the moderate and limited use of alcoholic beverages is acceptable. In addition, occasionally, alcohol is served at social events sponsored by the University. Only the moderate and limited use of alcohol is acceptable. Employees are expected to remain responsible, professional, and sober at all times.

Drug-Free Awareness Program: EWU maintains a drug-free awareness education program that educates employees of the dangers of workplace substance use and EWU's policies regarding maintain a drug-free workplace. EWU's Drug-Free Workplace Policy may be published in the University's Catalog, the Faculty Manual, the Human Resources Manual, and the University's newsletter and website. EWU may also distribute information regarding drug counseling and rehabilitation services that are available to members of the University community. Employees who voluntarily avail themselves of such services shall be assured that

applicable professional standards of confidentiality will be observed and that such participation will not be the basis for disciplinary action.

Employees must notify EWU within five (5) calendar days if he/she is convicted of a criminal drug violation. The University will, as required by applicable law, notify a supporting government agency within ten (10) days after receiving notice. The convicted employee may face disciplinary action, up to and including termination, or be required to participate in appropriate rehabilitation or counseling programs.

Drug Testing

The University is determined to eliminate the use of illegal drugs, alcohol and controlled substances at our work sites. The purpose of this program is to ensure job safety. This program is designed solely for the benefit of our employees to provide reasonable safety on the job and protection from offending individuals. In addition, this program attempts to meet our responsibility to the public, whom we serve.

Testing: Drug and alcohol tests will be administered under the following conditions:

- When an employee shows signs of impairment on the job;
- After any accident or occurrence that results in an injury on the job as defined by the Occupational Safety and Health Administration;
- After any vehicular accident when it appears that the employee might reasonably have avoided the accident or minimized the consequences, but did not do so; and
- At hiring time, when all new hires will be required to pass a pre-employment drug-screening test as a condition of employment.

Employees who refuse to submit to drug and alcohol testing will be terminated.

Progressive discipline:

- *First-time offenders* who test or screen positive shall be suspended for at least one calendar month (four work weeks) without pay. During that time, the employee is expected to examine his or her continued working relationship with the University and seek appropriate rehabilitative assistance.
- At the end of the suspension and before returning to work, the employee must be retested with negative results. Failure to test negative at this point will result in termination.
- Employees who test positive for the first time and compete their period of suspension, rehabilitation (if required), and subsequent negative testing shall be offered an opportunity to return to work as an at-will employee. These employees will be subject to increased, unscheduled random testing during a two-year introductory period.
- *Second-time offenders* and/or those subject to unscheduled random retesting who test positive will be discharged and terminated from payroll.

Security

Employees should be alert at all times and should immediately report the presence of any suspicious persons to their supervisor or other members of the management. Employees should also maintain in their possession at all times their keys, security passes, and identification badge(s). These items may not be lent to anyone who is not authorized to possess them. Similarly, computer passwords, electronic door codes, and any other security access information should not be disclosed to anyone who is not authorized to have that information.

In the event of an emergency, contact the Security Office (Extensions 8887 and 8888).

Uniforms

If a particular job requires the employee wears a uniform, the supervisor will advise the employee of the type. Uniforms are furnished to service workers. Care should be taken to maintain these uniforms in a presentable manner. Abuse of supplied uniforms may subject an employee to discipline. When an employee leaves the University, all uniforms should be returned to his/her supervisor.

Smoke-Free Workplace

The University recognizes the right of its employees to work in an environment free of tobacco smoke and complies with all requirements of the Florida Clean Air Act. Accordingly, no employee is permitted to smoke in any enclosed indoor workplace (including dormitories) and may only smoke outside in designated smoking areas. This prohibition on smoking extends to any kind of smoking, including vaping. Any employees who smoke must ensure cigarette butts are properly discarded.

EMPLOYEE SEPARATION

Voluntary Terminations

If you decide to leave your employment with the University, we ask that Vice Presidents, Directors, and Managers provide at least four (4) weeks' notice and all other employees provide at least two weeks' written notice. Appropriate notice is required to separate in good standing. This will give us the opportunity to make the necessary adjustments in our operation. Notice should be in writing and given to the employee's immediate supervisor and department Vice President, with copies to the Office of Human Resources and Administrative Services. A report must accompany the notice of resignation, stating the employee's forwarding address and other pertinent information. Once an employee's resignation is accepted the employee cannot withdraw the resignation without the agreement of the President. The University may accept a resignation and elect to accept the resignation effective immediately.

Employees may not use vacation leave in lieu of notice of resignation. The last day actually worked will be considered the date of separation from the University.

You are required to return all property owned by the University prior to your departure.

NOTE: Faculty members should abide by the Voluntary Terminations Policy set forth in the Faculty Handbook, which, among other requirements, requires faculty members to provide 90 days' written notice of resignation.

Involuntary Terminations

While the decision to commence employment is consensual, the same is not always true when the time comes to end the employment relationship. As an at-will employer, the University reserves the right to end the employment relationship at any time, with or without cause or notice. In the event your employment is terminated, you are required to return all property owned by the University to the Supervisor prior to your departure.

Obligations of a Terminating Employee

If an employee's employment with the University terminates, whether through resignation, involuntary termination, or end of contract, the employee is required to return all University owned property in his or her possession, if any, including keys, books, uniforms, and equipment. Additionally, funds will be deducted from the employee's final paycheck to satisfy any debt which may exist to the University. The University will issue the final paycheck once these obligations have been met but no later than the next regular payroll period.

All terminations should be sent in writing to the Office of Human Resources. In addition, the department head/supervisor should prepare the Human Resources Transaction Form to remove the employee from payroll.

Pay of a Terminating Employee

A non-exempt employee will be paid for hours actually worked through the date of employment separation in addition to pay for eligible benefit time. An exempt employee will be paid through the date of employment separation in full-day increments. The University is required to deduct all federal, state, or court-ordered deductions from the employee's final check, including payment of any insurance premiums to satisfy the balance of the employee's contributions for premiums due for that month.

Final pay will occur no later than the regular payday following employment separation.

Benefit Payment of a Terminating Employee

An employee's dental, vision, life, and long-term disability (LTD) benefits will cease on the last day of the employee's employment; the medical benefits will cease on the last day of the month in which the employee is terminated. An employee participating in the medical insurance program may elect to continue coverage for himself or herself and his or her dependents after employment termination and will be notified by mail of those options by the COBRA Administrator. See OHRAS for further details. An employee's life, dental, vision, and LTD coverage, if applicable, may not be continued past termination.

A terminating employee is eligible for payment of earned and unused vacation benefits as specified in the benefits section of this Handbook. Unused sick leave, holidays, and personal days are not compensable upon employment separation. It is recommended that an employee refer to the specific benefit policy for clarification of benefits paid upon employment separation.

Exit Interviews

At the time of employment separation, an exit interview may be conducted by OHRAS. The purpose of the exit interview is to obtain information that may assist the University in developing or enhancing administrative operations or programs. Additionally, the exit interview is structured to provide the employee with a full understanding of the status of his or her benefits and individual responsibilities after employment.

References

All reference requests should be directed to the Office of Human Resources. Only the Office of Human Resources is authorized or permitted to release references for a current or former employee of the University. The University will only disclose dates of employment and position. With the employee's written authorization, the University will also provide compensation information. No other information will be provided.

ACKNOWLEDGMENT AND AGREEMENT

Edward Waters University

This is to acknowledge that I have received a copy of the Edward Waters University (the "University") Employee Handbook and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities, and obligations of employment with the University. I understand and agree that it is my responsibility to read the Employee Handbook and to abide by the rules, policies, and standards set forth in the Employee Handbook.

I also acknowledge that my employment with the University is not for a specified period of time and can be terminated at any time for any reason, with or without cause or notice, by me or by the University. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing. I also acknowledge that only the University's Corporate Office has the authority to enter into an employment agreement--express or implied--providing for employment other than at will.

I acknowledge receipt of EWU's Drug-Free Workplace Policy.

I also acknowledge that, except for the policy of at-will employment, the University reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions, or additions must be in writing and must be signed by an officer of the University. No oral statements or representations can change the provisions of this Employee Handbook. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with the University may be modified at the sole discretion of the University with or without cause or notice at any time. No implied contract concerning any employment-related decision, term of employment, or condition of employment can be established by any other statement, conduct, policy, or practice.

_____

Date

_____

Employee Signature

_____

Employee Name [printed]