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**Note:** The content of this Handbook does not constitute nor should it be construed as a promise of employment or as a contract between The College of the Holy Cross and any of its employees.

College of the Holy Cross, at its option, may change, delete, suspend, or discontinue parts of, or the policy in its entirety, at any time without prior notice.

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# Holy Cross & You

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## 1 ACKNOWLEDGMENT

I acknowledge that I have received a copy of the College of the Holy Cross Employee Handbook, and I do commit to read the Handbook.

I am aware that if, at any time, I have questions regarding College of the Holy Cross policies I should direct them to my manager or the human resources department.

I acknowledge that College of the Holy Cross policies and other related documents, including this Handbook, do not form a contract of employment, are not a guarantee by College of the Holy Cross of the conditions and benefits that are described within them, and do not change my status as an employee at will..

I also am aware that the College of the Holy Cross, at any time, may-change, add to, or delete the provisions of the Employee Handbook.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date



## 2 INTRODUCTION

The policies summarized in this handbook have been adopted voluntarily by the College of the Holy Cross and are not intended to give rise to contractual rights or obligations. We value our employees and look forward to a continuing relationship with each of you, but it is understood that neither you nor the College is obligated to continue our relationship if either of us does not wish to do so. The handbook reflects current College human resources policies, practices, and employee benefits, and, as in any progressive organization, the College may change those policies, practices and benefits from time to time.

## 3 Mission and Goals

### 3.1 Mission

The College of the Holy Cross is, by tradition and choice, a Jesuit liberal arts college serving the Catholic community, American society and the wider world. To participate in the life of Holy Cross is to accept an invitation to join in the dialogue about basic human questions: What is the moral character of learning and teaching? What are our obligations to one another? What is our special responsibility to the world's poor and powerless?

As a liberal arts college, Holy Cross pursues excellence in teaching, learning and research. All who share its life are challenged to be open to new ideas, to be patient with ambiguity and uncertainty, to combine a passion for the truth with respect for the views of others. Informed by the presence of diverse interpretation of the human experience, Holy Cross seeks to build a community marked by freedom, mutual respect and civility. Because to search for meaning and value is at the heart of the intellectual life, critical examination of fundamental religious and philosophical questions is integral to liberal arts education. Dialogue about these questions among people from diverse academic disciplines and religious traditions requires everyone to acknowledge and respect differences. Dialogue also requires us to remain open to that sense of the whole which calls us to transcend ourselves and challenges us to seek that which might constitute our common humanity.

The faculty and staff of Holy Cross, now primarily lay and religiously and culturally diverse, also affirm the mission of Holy Cross as a Jesuit college. As such, Holy Cross seeks to exemplify the longstanding dedication of the Society of Jesus to the intellectual life and its commitment to the service of faith and the promotion of justice. The College is dedicated to forming a community which supports the intellectual growth of all its members while offering them opportunities for spiritual and moral development. In a special way, the College must enable all who choose to do so to encounter the intellectual heritage of Catholicism, to form an active worshipping community, and to become engaged in the life and work of the contemporary church.

Since 1843, Holy Cross has sought to educate students who, as leaders in business, professional and civic life, would live by the highest intellectual and ethical standards. In services of the ideal, Holy Cross endeavors to create an environment in which integrated learning is a shared responsibility pursued in classroom and laboratory, studio and theater, residence and chapel. Shared responsibility for the life and governance of the College should lead all of its members to make the best of their own talent, to work together, to be sensitive to one another, to serve others, and to seek justice within and beyond the Holy Cross community.

## **3.2 Purpose of the Handbook**

This handbook is designed as a general guide to and summary of the employment policies, practices and benefits of Holy Cross. Naturally, no written statement can be an effective substitute for direct and regular contact with your supervisor, but this handbook is intended to give you some guidance as to what is expected from you as an employee and what you can reasonably expect from the College as your employer. The information in this handbook is often presented in condensed and informal language. For more detailed information, you should review the actual applicable College Policy, if any, and consult the human resources department. Because no two employment situations are ever exactly alike, the director of human resources, on behalf of the College, may modify the policies and practices described here should particular circumstances warrant a different approach.

Separate documents describe the College's benefit plans, which are summarized only briefly here. Your specific rights and benefits under those plans are governed by the specific document that describes each individual benefit plan.

## **3.3 Scope**

This handbook applies to all non-faculty employees.

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## **4 The College's Employment Practices and Policies**

### **4.1 Non-Discrimination in Employment**

The College rejects and condemns all forms of harassment, discrimination, retaliation and disrespect, and is committed to sustaining a welcoming environment for everyone and especially for those vulnerable to discrimination on the basis of race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability, genetic information, sexual orientation or gender identity. It is the policy of the College to adhere to all applicable state and federal laws prohibiting discrimination. The College does not discriminate unlawfully in hiring and employment in its programs and activities on the basis of a person's race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability, genetic information, sexual orientation, gender identity or any other legally protected status, while reserving its right where permitted by law to take action designed to promote its Jesuit and Catholic mission.

It is the responsibility of all members of the Holy Cross community to work together to ensure that our commitment to non-discrimination is vigorously promoted.

### **4.2 Employment of Relatives and Members of Households**

The employment, or engagement for services, of relatives or members of an employee's household is allowed, except in circumstances where hiring, engagement, promotion, or transfer places related people or household members in subordinate or supervisory roles within the same department, or in a situation where influence could be exerted on decisions concerning the status of employment, engagement, promotion or compensation.

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

### **4.3 Pre-employment Tests**

It is the policy of Holy Cross to hire and promote qualified candidates. In an effort to meet this goal, candidates for certain clerical positions may be administered a standard computerized typing test and/or skills test. Where a test is administered, all candidates selected to move to the next level of consideration will be tested. To be consistent with good human capital management practices and with applicable federal and state laws and regulations, all testing of applicants for open positions will be conducted by the human resources department rather than individual departments.

In order to be eligible for promotional opportunities, current employees may be required to update their test scores.

### **4.4 Medical Examinations**

Any offer of employment made to an individual applying for a non-exempt positions in Facilities, Dining and Public Safety is contingent upon the results of a medical examination. This exam is conducted for the sole purpose of determining whether the employee, with reasonable accommodation, is capable of performing the essential functions of the job.

An appointment will be made prior to beginning work by the human resources department. An examination conducted by a College physician/nurse practitioner is free of charge. Prospective employees may choose to have the examination conducted by their private physician, at their own expense.

Medical examination forms, available in the human resources department, are to be completed, signed by the attending physician and returned to Health Services prior to beginning work. If the College physician requires that the prospective employee be seen by his/her own physician, it is the responsibility of the prospective employee to pay the fees.

## 4.5 Employment Eligibility and Verification

All new employees must complete an I-9 Form as required by the Immigration Reform and Control Act of 1986 (IRCA). In accordance with IRCA, the College is required to verify that all employees hired after November 6, 1986, are legally entitled to work in the United States. You must provide the necessary documentation, specified on the I-9 Form, to establish identity and employment eligibility.

## 4.6 Orientation

When you begin your employment you will meet with a representative from Human Resources for review and completion of new hire paperwork and on line new hire information. You will complete two on-line training courses: *Harassment Prevention* and *Data Security* coupled with an introduction to Holy Cross Gmail. Through the department of Public Safety, you will be issued a parking decal and Holy Cross ID card used to access the College facilities and systems, as well as identification for privileges and services that require proof of employment. Within the first week of employment, you will be contacted by the HR Benefits Office for an explanation of benefits and enrollment options.

Within the first 90 days you will be invited to join other newly hired employees and the Human Resources Employment team for a comprehensive Orientation. We will supply you with general information about the College and provide resources that will help you make a smooth transition into your new role.

Twice annually newly hired employees are invited to participate in a walking tour of the campus to see and learn about the mission, culture, and rich history of Holy Cross.

## 4.7 Employment Status

Most employees are hired for an indefinite period of time and not for a fixed term. Where an employee is hired for a fixed term, the term will be specified in the offer letter.

The following definitions apply:

- **Full-time**  
An employee scheduled to work at least 27 1/2 hours per week, 40 weeks per year is considered full-time. Full-time employees are eligible to receive the benefits associated with full-time employment.
- **Part-time**  
An employee scheduled to work less than 27 1/2 hours per week considered as part-time. Part-time employees scheduled to work a minimum of 20 hours per week, 40 weeks per

year, are eligible for some College benefits. Employees working less than 20 hours per week, 40 weeks per year are not eligible for most College benefits.

- **Temporary**  
An employee who works for a specified, limited period of time, on an as needed basis, regardless of the number of hours per week. A temporary employee is not eligible for most College benefits.
- **Hourly Paid or Non-Exempt (see also 4.16, The Work Week)**  
These terms are often used interchangeably. Hourly paid means employees are paid at an hourly rate for the hours they work. Hourly paid employees receive a weekly pay check.  
Non-exempt describes a status under Federal Fair Labor Standards Act (FLSA). This law requires that certain employees be paid overtime at the rate of time and one-half for hours actually worked over 40 hours in a payroll week.
- **Salaried or Exempt (see also 4.16, The Work Week)**  
These terms are often used interchangeably. Salaried describes when an employee is paid a pre-determined amount each pay period. The amount is not adjusted for fluctuations in the quality or quantity of the employee's work. Salaried employees receive a semi-monthly pay check.  
Exempt describes a status under the FLSA. Exempt employees are not subject to (and thus "exempt" from) any requirement that they be paid overtime.

## 4.8 Appearance

All Holy Cross employees represent the College. Your appearance during working hours must meet appropriate standards for the department in which you work.

Department heads and/or supervisors have the authority and responsibility to communicate the standards to employees in their departments/sub-units and to enforce those standards. Failure to meet the standard may result in discipline, in accordance with Section 4.46 of this Handbook.

## 4.9 Introductory Period

Although employees employed "at will", for regularly scheduled non-exempt employees, the first 90-days of employment are an introductory period. For regularly scheduled exempt employees, the first 180-days of employment are an introductory period.

The College has established an introductory period to provide employees with the opportunity to become familiar with an initial or a new job. During this period, the immediate supervisor closely monitors performance to determine whether an employee can demonstrate the skills, job knowledge, attitudes, work habits, and other qualifications necessary for continued employment.

By mutual agreement between the supervisor and the director of human resources, the introductory period may be extended up to six months for non-exempt employees. No introductory period shall extend more than a total of six months.

If it is determined before the conclusion of the introductory period that the employee is not performing satisfactorily, the employment may be terminated at any time.

The successful completion of the introductory period does not change the at-will nature of the employment relationship and should not be construed as creating a contract, as guaranteeing employment for any specific duration, or as establishing a just cause termination standard.

On-call employees, and other employees who are not regularly scheduled, do not serve an introductory period and, if the employee is not performing satisfactorily, may be terminated at any time.

## 4.10 Time Recording of Work

For the purpose of collecting time, the College uses an electronic timekeeping system that requires hourly paid employees to record their time worked so that they can be paid for all the hours they work. Time collection can take various forms including using a time clock, and or logging work start and work end times on-line. Department heads and supervisors are responsible for the accurate reporting of time worked by their hourly paid employees.

Salaried employees are paid on a “salary basis” – a pre-determined amount each pay period – based on their regularly scheduled hours of work. The periodic pay amount for a salaried employees is not adjusted for fluctuations in the quality or quantity of the employee’s work obviating the need, in most cases, for salaried employees to record their actual hours of work.

All leave eligible employees, whether paid hourly or salaried, are required to report when they are using sick time, vacation time floating holiday time, and personal time. Department heads and supervisors are responsible for the accurate reporting of time off for their leave eligible exempt and non-exempt employees.

The human resources department uses the timekeeping system to maintain an attendance record for each employee. This serves as a permanent record of the number of sick, vacation and floating holidays, and personal days that have been earned and used. This then becomes the official documentation for calculation of the payment of accrued and unused time at the time of termination (see the specific leave sections for how leave is treated at termination).

An employee who falsifies any time record will be subject to disciplinary action, up to and including termination.

### 4.10.1 Non-Exempt

The employee is responsible for the accurate reporting of hours worked and leave taken, and the immediate supervisor or department head is responsible for approving the employee’s account of hours worked and leave taken.

The payroll work week is the seven (7) day period starting at 12:00:00 AM on Sunday and ending at 11:59:59 the following Saturday. Each week, employees must report time worked and leave taken during each payroll week, by the payroll department deadline of the following Monday at Noon.

When using a time clock or logging in to record starting time, an employee must record work starting time no more than 10 minutes before he or she starts work and record work ending time at the time clock, and or log-in work ending time on-line when he or she leaves. Employees should not record a start time (“punch in) or work end time (“punch out”) prior to the beginning, or after ending of the normal schedule of working time, unless the employee has been authorized by the supervisor to work extra hours.

For employees who are absent or late because of illness, or for any other reason, the supervisor is responsible for the accurate reporting of absences in the electronic time keeping system. Likewise, with using leave for planned absences (personal day, floating holiday, or vacation day), the supervisor is responsible for the accurate reporting of leave in the electronic time keeping system.

#### **4.10.2 Exempt**

Time for salaried employees is recorded on an “exception” basis only – i.e. only the recording of leave when an employee is not at work. Department heads are responsible for the accurate reporting of all leave time (vacation, floating holiday, personal and sick) for administrators reporting to them. Exempt employee leave must be entered into the time keeping system prior to the end of each payroll period. Leave not reported by the deadline within a pay period should be communicated to human resources for retroactive entry into the proper payroll period.

### **4.11 Position Classification for Non-Exempt Positions**

Holy Cross wants its compensation system to be fair and equitable. Equity is achieved by documenting the requirements and responsibilities of each position and evaluating them in accordance with pre-established criteria. In addition to evaluating job content, the College compares the jobs in the Holy Cross community. We attempt to ensure that people who are performing similar kinds of work generally are compensated within the same pay range. At the same time, we want to recognize differences in education, experience, skill and effort that are required to perform different jobs.

Holy Cross also wants to be competitive with the external labor market. We take steps to ensure that our compensation levels are competitive with comparable positions in the local labor market. Salary ranges will be reviewed annually and adjusted where appropriate. You should keep in mind that the position classification process measures job content and is not intended to evaluate your job performance. If you feel that the classification level for your job may not be appropriate or that your responsibilities are not accurately described in your job description, you should discuss the situation with your supervisor. Your supervisor may then want to discuss the matter with a member of the human resources department. Also, from time to time, departmental demands may change and necessitate a review of job descriptions. You may then be asked to fill out and submit a new position questionnaire for re-evaluation. Position questionnaire forms are available from the human resources department.

### **4.12 Promotions and Transfers**

Holy Cross believes that career growth is desirable and encourages internal promotions.

#### **4.12.1 Promotions**

A promotion is a change from one position to another at a higher level and is normally accompanied by an increase in salary. The College adheres to its published policy of equal employment opportunity and non-discrimination and considers for advancement all applicants regardless of race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability unrelated to essential job requirements, genetic information, sexual orientation, gender identity or any other legally protected status. As job openings occur, they are posted within the College so that you can apply and receive consideration for promotion. We encourage you to discuss the possibilities of advancement with your supervisor when you feel the time is appropriate for such a move; you may discover that there is good potential for increased responsibilities within your own department. No employee will be adversely affected, within or outside of their individual department, as a result of expressing an interest in another job opening.

Information about current position openings in the College is normally posted for five days and may be obtained from several sources:

- Job Posting announcements circulated to all departments and to all employees via e-mail.
- The official job posting board at human resources and 2nd floor O'Kane, as well as bulletin boards located by the time clocks in Environmental Services and Dining.
- Department of Human Resources representatives are available to discuss advancement opportunities with employees. Normally, however, applications for promotions or transfers are not accepted until you have spent at least six months in your current position.

Anyone interested in a posted position is encouraged to contact the human resources department on a confidential basis for further information and consideration. If you are a finalist with the hiring department, you must notify your department head as department heads interviewing an internal candidate for an existing vacancy will be contacting the present supervisor for a recommendation.

In some situations, the result of a promotion may not prove to be satisfactory to either the employee or the College. For this reason, there is an introductory period, during which time the employee and the supervisor have the opportunity to evaluate the new situation. If expectations are not met, every effort will be made to find the employee a more suitable position within the College. The normal introductory period for non-exempt positions is 90-days, and for exempt positions, it is 180-days.

#### **4.12.2 Transfers**

You are encouraged to make full use of your talents, skills, and potential at Holy Cross. A transfer represents a permanent change from one position to another within the same department or between departments. A transfer may result from a request made by either the College or yourself and may be initiated to develop your career or to provide you the opportunity to work in an area where your full potential can be better realized. Transfers may also occur when positions or jobs are to be phased out. Because of reasons such as reorganization, personal request, inability to perform or re-evaluation, either an employee or the College may initiate a move to a job at a lower level. Under some circumstances, an employee's pay may be reduced to coincide with the new salary range. Because the College is committed to fair and equitable treatment, the supervisor and employee should discuss any action of this nature with the director of human resources.

#### **4.13 Salary**

Salaries are reviewed annually in conjunction with performance.

#### **4.14 Performance Appraisal System**

The College of the Holy Cross, as a Jesuit Liberal Arts College, is dedicated to the intellectual, religious, moral and personal growth of all those it has been established to serve. Key to this service are the members of the faculty, administration, and staff who together so generously give their abilities and energy as employees of the College. It is on behalf of its employees and their development that the College has adopted a Performance Development Program, which includes the performance appraisal system.

Open, free, and frank communications are essential to all personal and professional development. The Performance Development Program was designed to foster on-going feedback and open discussion between employees and managers.

#### **4.14.1 Non-Exempt Employees**

Non-Exempt employees are eligible for merit reviews on an annual basis. Managers are expected to use the review to communicate expectations and actual performance so that competencies and results can be fairly evaluated; to provide feedback and coaching to guide the employee in reaching key results expected, as well as to provide assistance in professional development. Employees are expected to use the program to develop knowledge of their roles and responsibilities while aligning their performance in support of the department's needs and goals.

Individual ratings are reviewed by the department head and next higher level manager to monitor quality. Supervisors are expected to complete a written appraisal for each of their employees and required to provide an opportunity to discuss the appraisal with the employee. Each employee is required to sign their individual appraisal. This signature indicates that they have received the evaluation. Each employee is provided an opportunity to respond in writing to the appraisal. This becomes a permanent part of the employee's personnel file.

#### **4.14.2 Exempt Employees**

Exempt employees below the level of Vice-President will be evaluated through the Exempt Performance Review Document. The purpose of the Exempt Performance Review is to afford administrators, and administrators with faculty status, an opportunity for beneficial interaction with their respective department managers. It is expected that such interaction will assist the administrators with gaining clear understanding of department priorities and help administrators to identify and fulfill their own improvement needs goals through:

- Enhanced communication and feedback mechanisms
- Procedures to establish individual goals and objectives that complement departmental and College-wide strategies, goals and objectives
- Identification and support of training and professional development needs.

The administrator receiving the review must sign the Performance Review Document to acknowledge that they have received the appraisal.

### **4.15 Attendance**

Each employee's position is important to the College. Duties must be performed, and absences place an unfair burden on other staff members. If you are going to be absent or late, you must notify your supervisor in accordance with department policy prior to your start time but in no case later than one hour past your start time. Chronic absence and lateness are causes for disciplinary action. Employees who are chronic offenders may be required to provide a doctor's note for their absences.

For an absence of 5 days or longer, a doctor's note will be required.

Except under unusual circumstances, an absence of 3 consecutive days without notification from the employee is considered a voluntary quit.

### **4.16 The Work Week**

#### **4.16.1 Standard Full-Time Work Schedules**

The following are considered "standard" full-time departmental work schedules:

1. Work 5 days per week, 8 hours per day for a total of 40 hours (standard full time work week in Dining, Facilities, Public Safety, etc.)

2. Work 5 days per week, 7.5 hours per day for a total of 37.5 hours (standard work week for administrative staff in most academic departments)

Actual departmental schedules and the regularly scheduled hours of individual employees may vary from the standard hours, in accordance with the needs of the department and the demands of the work.

#### **4.16.2 Meal and Rest Breaks**

Breaks for a meal (typically lunch) and rest are scheduled by supervisors to ensure proper coverage throughout business hours.

The meal period is unpaid. The length of a standard meal period for a full-time day of 8 or 7.5 hours is either one hour (for clerical and technical employees) or one half (1/2) hour (for dining services, facilities, public safety and health services employees). Employees must be completely relieved of all work responsibilities during the meal period. An employee is not relieved if he or she is required to perform any duties, whether active or inactive, while on the meal break.

Rest breaks are paid and are 15 minutes, one each in the first half and the latter half of a full-time work day. Rest periods count as time worked.

Meal periods and rest breaks may not be used at the start of the working day (to report for work later than the scheduled start time) or end of the working day (to leave before the scheduled quitting time). Rest breaks may not be combined with each other or used to extend the meal period.

Employees may not be scheduled for, or work six (6) consecutive hours without a half-hour unpaid meal period. If an employee does work six (6) consecutive hours, the employee must be given a half-hour paid break at the end of the six (6) hours. The 15 minute rest breaks do not break the consecutive nature of the time worked.

Please contact HR for rules that apply to employees in 24/7 service departments.

#### **4.17 Overtime**

As a condition of employment, employees may be required to work overtime as required by the operational needs of the College.

Work performed by non-exempt hourly paid employees beyond the normal daily work schedule must have the prior approval of the supervisor or department head. Work that is performed without prior approval must be paid, at the appropriate rate, but employees who perform work without prior approval may be disciplined, in accordance with the College disciplinary policy.

Non-exempt hourly paid employees are paid one and one half times their regular rate of pay ("time and one half") for all hours worked in excess of forty (40) in a payroll work week.

Non-exempt hourly paid employees who are regularly scheduled to work less than forty (40) hours are paid at their straight time rates for all hours worked up to forty (40)

For purposes of the calculation of hours worked for overtime, Vacation, Holiday and Personal Time hours are counted as hours worked; Sick Time hours are not counted as hours worked.

Please contact HR for rules that apply to "shift" employees.

Duplication and Pyramiding. There shall be no duplication, pyramiding, or compounding of any premium wage payments.

Compensatory Time Off and Non-Exempt Employees. Because non-exempt hourly paid employees are paid time and one half for all hours worked in excess of forty (40) in a payroll work week,



compensatory time off for working in excess of scheduled hours must be taken in the same payroll work week where it is “earned” and cannot be carried forward to a subsequent payroll work week. Compensatory time granted to be taken in the same payroll work week must be approved by the supervisor or department head.

#### **4.18 Call-Back Pay Non-Exempt Employees**

Regularly scheduled non-exempt hourly paid employees, required by their department to be available to respond to requests for service outside the normal regularly scheduled hours of work, who report to back to work, will be paid time and a half for the hours they work, or the equivalent of 3 hours pay at the base rate, whichever is the greater amount.

Regularly scheduled non-exempt hourly paid employees, required by their department to be available to respond to requests for service outside the normal regularly scheduled hours of work, who report to back to work on a Sunday or a traditional Holiday, will be paid twice times base rate for the hours they work, or the equivalent of 3 hours pay at the base rate, whichever is the greater amount.

Before ending the call back shift and/or leaving the College campus, an employee called back to work must contact Public Safety and verify that there are no other remaining tasks to be completed.

Call back for Emergency Essential Personnel during a College closure due to inclement weather or other emergency will be governed by the College Inclement Weather Policy.

Different rules apply in the case of employees who reside on campus and are required by the nature of their work to be available to respond to service demands outside of their normal regularly scheduled hours of work.

#### **4.19 Pay For Business Travel**

Non-exempt hourly paid employees are paid hour for hour for all hours worked. For purposes of calculating working hours while traveling on College business, the following principles apply.

- Time spent working, even outside of an employee’s regularly scheduled hours, is compensable time.
- Commuting time – time spent going from home before the regular work day and returning to home after the end of the work day – is not compensable.
- For an employee who is assigned to work at a different location from their normal work location and who commutes to that location and returns home from it on the same day, the time spent traveling to and returning from the other work location is compensable, but only to the extent it exceeds the employee’s regular commuting time. For purposes of this calculation all campus locations and the Joyce Contemplative Center are considered the normal work location.
- Travel that is part of the regular job – e.g., employee works as a Van Driver – is compensable time, as is travel from one work site to another.
- “Travel away from home” is travel that necessitates an overnight stay. Travel away from home is compensable when it cuts across an employee’s workday, even during the corresponding hours on non-working days. With this exception: time when the employee is traveling and not working is not compensable.

*Travel Time and Exempt Employees.* Exempt salaried employees are paid a predetermined amount each pay period and the pay amount is not reduced for fluctuations in the quality or quantity of the employee's work, so exempt employees are paid the same regardless of their schedules when traveling.

For more information, please see the Hours of Work Policy.

## **4.20. Issuance of Paychecks**

Non-Exempt employees are paid weekly, every Thursday. Your paycheck reflects the previous payroll week's hours worked, beginning at 12:01 a.m. on Sunday and ending at midnight on Saturday. Exempt employees are paid semi-monthly, on the 15th and 30th of the month. When payday falls on a weekend or holiday, you will be paid on the preceding workday. You are encouraged to have your check deposited directly into your bank account. Employees must visit either the payroll department (O'Kane 159) or human resources (O'Kane 72) to complete the necessary forms for direct deposit. Once the forms are completed, there is up to a 15-day waiting period before direct deposit becomes effective. Checks for Non-Exempt employees are sent to the Departments for distribution. Exempt employee checks are sent to the Cashier in the Controller's Office.

Holy Cross is required by law to deduct social security and state and federal income taxes from each paycheck. The amount withheld is based on your gross salary less the number of exemptions you claim. If you wish to change the number of exemptions you claim, you need to sign a new withholding exemption form at the payroll office.

You may authorize deductions for United Way, health insurance, dental insurance, optional insurances, flexible spending accounts, health savings accounts, and supplemental retirement annuities through human resources.

Employees are responsible for paychecks that have been issued to them. Lost or missing checks should be immediately reported to the payroll department so that a stop payment form may be sent to the bank. A new check will be issued after a short waiting period.

## 4.21. Authorized Absences from Work

### 4.21.1 Holidays

Holy Cross observes eight traditional holidays and four floating holidays each year.

### 4.21.2 Traditional Holidays

New Year's Day	Columbus Day
Good Friday	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day

If one of the traditional holidays falls on a Sunday, it will be observed on Monday.

In order to be eligible for holiday pay, you must be regularly scheduled to work on that day and in a pay status (such as, at work, or using vacation, personal, sick, jury duty or military leave) on the scheduled work day before and after a holiday. Employees who are in their introductory period are eligible for traditional holiday pay. If you are required to work on a traditional holiday, you will be paid at your regular pay for that day. In addition, you will be given the choice of another day off with pay, or you will be paid your regular pay, plus time and one-half for hours worked on the holiday. Employees assigned to work on a traditional holiday and who do not come to work will not receive holiday pay.

### 4.21.3 Floating Holidays

Labor Day	Martin Luther King Day
Veterans Day	President's Day

In addition to these eight traditional holidays, full-time employees will receive four floating holidays each year: Labor Day, the first Monday in September; Veterans Day, November 11; Martin Luther King Day, the third Monday in January; and Presidents' Day, the third Monday in February. The College will be open on floating holidays, and all departments are required to staff accordingly. You can take floating holidays on the day they occur or any time thereafter with the prior approval of your supervisor. Floating holidays are available to use on the first day of the month in which they occur. Floating holidays cannot be carried over from year-to-year. If your employment is terminated for any reason, you will be paid for any unused floating holidays.

When requesting a floating holiday, you should give your manager/supervisor sufficient notice, and you must have your manager/supervisor's approval to take the time off.

It is the responsibility of managers/supervisors to approve and track the usage of employee floating holiday time, using the Kronos system. All leave shall be approved by the manager/supervisor prior to use and entered into the Kronos system. Employees who are managers and supervisors also need to have their leave approved by their supervisor (the Department Head, Director or Vice-President, as appropriate).

### 4.21.4 Personal Days

Non-Exempt employees are eligible for three personal days with pay each fiscal year (July through June). During your first year of employment, the granting of these additional days off will be prorated as follows:

3 days if hired prior to October 1

2 days if hired between October 1 and December 31

1 day if hired between January 1 and February 28

0 days if hired between March 1 and June 30

Personal days will be available to use after 90-days of employment and completion of the introductory period review. Unused personal days may not be carried over to the next fiscal year, may not be taken after notice of termination is given and are not paid upon termination.

Exempt may use up to three days of their sick time as Administrative Personal Time each fiscal year. If the sick time is not used in such a manner then the time will be accumulated according to the regular sick time rules.

In order to utilize the Administrative Personal Time, exempt personnel will have had to accrue the appropriate sick time. If an individual's Administrative Personal Time used exceeds twenty-four hours in a fiscal year, the excess time will be charged to vacation time.

When requesting a personal time, you should give your manager/supervisor sufficient notice, and you must have your manager/supervisor's approval to take the time off.

It is the responsibility of managers/supervisors to approve and track the usage of employee personal time, using the Kronos system. All leave shall be approved by the manager/supervisor prior to use and entered into the Kronos system. Employees who are managers and supervisors also need to have their leave approved by their supervisor (the Department Head, Director or Vice-President, as appropriate).

#### 4.21.5 Vacation

Each fiscal year you accrue vacation with pay which you are eligible to take in the following fiscal year. Vacation is scheduled at your request, provided departmental staffing and workload permit and approval is given by your department head. If your position is less than 52-weeks, your vacation time must be taken within the budgeted weeks allotted to your position.

Vacation is accrued on a month-by-month basis, and you must be in a pay status to accrue vacation. An employee who accrues vacation in a fiscal year (July-June) is eligible to take that vacation as earned vacation in the following fiscal year, if the employee remains employed by the College.

When requesting vacation time, you should give your manager/supervisor sufficient notice, and you must have your manager/supervisor's approval to take the time off.

It is the responsibility of managers/supervisors to approve and track the usage of employee vacation time, using the Kronos system. All leave shall be approved by the manager/supervisor prior to use and entered into the Kronos system. Employees who are managers and supervisors also need to have their leave approved by their supervisor (the Department Head, Director or Vice-President, as appropriate).

New employees, in their first 12 months of employment, can borrow accrued vacation time from their regular annual accrual balance after 90 days of employment (with approval of supervisor). Borrowing accrued vacation time will reduce the earned balance available for use in the following fiscal year.

When a traditional or floating holiday falls during time requested as vacation, the time is charged to the holiday and not counted against vacation. Once vacation time has been requested and approved it cannot be changed in cases of illness, bereavement or College closing.

**You may carry forward up to one week of the previous year's earned vacation into the next fiscal year (based on your normal schedule, not to exceed 40 hours). All earned vacation carried forward must be**

**used no later than 30 September of that same year, or it will be forfeited.** Other than this carry-forward, unused earned vacation time which the employee has earned cannot be carried forward from year to year (in situations where College business prevented the vacation, exceptions may be granted by Human Resources, but only if requested in advance). Pay in lieu of vacation is not permitted. To promote a good work-life balance, managers and supervisors should encourage their staff to take advantage of vacation time throughout the year to rest, rejuvenate and spend time with loved-ones.

At termination, you will be paid for any unused earned or accrued vacation.

#### **4.21.6 Vacation Accrual Rates for Non-Exempt Employees**

Non-Exempt employees accrue vacation at the rate of .83 days per month of completed service. After 7 years of continuous service, the monthly vacation accrual rate increases from .83 days to 1.25 days for each month of service. After 15 years of continuous service, the monthly vacation accrual increases from 1.25 days to 1.66 days for each month of service. If your 7 or 15 year anniversary has occurred during the past fiscal year, you will accrue at two different rates for that year; example: if your hire date is November 1 and you have completed 7 years of service you will have accrued 4 months at .83 days per month (July, August, September and October) and 8 months at 1.25 days per month (November, December, January, February, March, April, May and June) for a total of 13 days of available vacation beginning in July.

#### **4.21.7 Vacation Accrual Rates for Exempt Employees**

Exempt employees accrue vacation at the rate of 1.66 days per month of completed service. You may request that your vacation be paid on the payday before you begin your vacation. Requests should be made at least two weeks in advance.

#### **4.21.8 Sick Leave**

Regular attendance is necessary for the successful operation of the College and an essential function for all positions. You are expected to be at work when scheduled or assigned to work, unless there is a qualifying reason for your absence. Absence for a qualifying reason may sometimes be unavoidable. Therefore the College has adopted a sick leave plan to help prevent income losses in these instances. The full Sick Leave Policy is available at <http://college.holycross.edu/policiesforms/administration/SickLeavePolicy7-15.pdf>.

Exempt and non-exempt employees are eligible for sick leave as follows:

Full-time employees (scheduled to work at least 27.5 hours/week and forty weeks/year) accrue 1.25 days of paid sick leave for each month of completed service, up to a maximum total of 120 days. The accrual is expressed as a percentage of a "day" of sick leave and the number of hours in the day is based on your regularly scheduled weekly hours divided by five (5). For example, an accrual of 1.25 days/month for an employee regularly scheduled to work 40 hours/week would be 10 hours of sick leave; for an employee regularly scheduled to work 30 hours/week it would be 7.5 hours of sick leave.

For the sick leave accrual for part-time employees, working at least 20 hours/week, but less than 27.5 hours/week, see Section 4.42, Benefits for Part-Time Employees.

All other employees earn 1 hour of sick leave for every 30 hours worked, up to a maximum of 40 hours of sick leave earned. For purposes of sick leave accrual, worked hours include overtime hours and paid sick leave hours. Sick leave accruals are credited monthly. Accruals are expressed as hours of sick leave. For example, an employee who worked 900 hours in the course of a year would accrue 30 hours of sick leave

Accrued sick leave may be used for the following purposes:

- To care for your own personal physical or mental illness, injury or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care.
- To care for the physical or mental illness, injury or medical condition of your child, spouse, parent or parent-in-law that requires home care, professional medical diagnosis or care, or preventative medical care.
- To attend your routine medical appointment or a routine medical appointment for your child, spouse, parent or parent-in-law.
- To address the psychological, physical or legal effects of domestic violence (see Domestic Violence Policy at <http://college.holycross.edu/policiesforms/administration/DomesticViolenceLeavePolicy.pdf>)
- Travel related to one of the above reasons, to and from an appointment, pharmacy or other relevant location.

If you are going to be absent or late because of your illness, the illness of a qualifying family member (or any other reason), you must call your immediate supervisor or department head prior to your regularly scheduled starting time to report your absence, the reason for it and the expected date and time of your return to work. If, because of an emergency, you cannot call in advance you must call as soon as possible, with the same information and the reason why you were not able to give advance notice for the absence. If you cannot return at the expected time, you must call your supervisor or department head once again to explain the reason, and the updated expected date and time of your return to work. Sick leave may not be invoked as an excuse to be absent unless one of the authorized reasons, above, applies.

The College may condition payment of sick leave on the production of medical certification from a health care provider, or other appropriate documentation. The College requires a Family and Medical Leave form and medical certification when you have been absent for five (5) consecutive sick leave days or in other circumstances where deemed appropriate. In cases of abuse of sick leave – use for other than an authorized reason, failure to follow the call-in procedures, patterned absenteeism, etc. – you may be disciplined or discharged.

Sick leave is not paid out on termination. However, hourly paid employees who are aged 55 or older and have 10 or more years of consecutive full-time service, and are thus eligible for early retirement or retirement, will be paid out their accrued and unused sick leave at time of termination, on the following schedule. However, no payout will be made in the case of an employee terminated involuntarily (e.g. termination for a disciplinary reason, job abandonment, etc.)

<b>Consecutive Years of Service Prior to Retirement</b>	<b>Sick Leave Payout Up To &amp; Including</b>
10 -14 years	20 days
15-19 years	30 days
20-24 years	40 days
25+ years	60 days

#### 4.21.9 Bereavement

You may be absent without loss of pay for up to three days if someone in your immediate family or household dies. Members of your immediate family are considered to be your spouse, child, brother, sister, parent, parent-in-law or other relatives living in the immediate household. The purpose of this benefit is to allow you, in time of personal loss, the opportunity to travel or to grieve. You will be paid only for the time you are absent. Funeral attendance for anyone other than those listed above must be charged to vacation, floating holiday or personal time.

#### **4.21.10 Jury Duty**

If you are required to serve on a jury, or to appear in court as a witness (but are not a party to the court action) you will continue to receive your regular salary. To receive this, a juror service certificate or witness fees voucher is to be presented to the human resources department. However, you are expected to be at work for any days, or parts of days, that you are not required for court attendance. Should you receive any payment from the court system for your appearance or jury service, those funds must be submitted to the College through the human resources department.

#### **4.21.11 Military Leave**

You will be given time off for required annual military reserve training. You will continue to receive your regular salary for such duties. Military pay vouchers are to be submitted to the human resources department so that the necessary adjustments in salary can be made. For more information, please refer to the Reserve Call-Up policy, available in human resources.

#### **4.21.12 Inclement Weather**

The College normally does not close for inclement weather unless the Governor of the Commonwealth of Massachusetts declares a State of Emergency. Providing instruction and services to our students is our business, and, therefore, the College will remain open and all employees are expected to come to work. Employees unable to get to work must call their supervisor to inform them of their intentions. Vacation, floating holiday or personal time may be used, as is appropriate, to receive pay for the missed day, or a leave without pay day will be assessed. Sick time may not be used for this purpose. In the case of later developing storms, individuals leaving early from work may also use vacation, floating holiday or personal time as is appropriate.

Essential personnel are required to remain at or report to work as directed.

#### **4.21.13 Parental Leave**

This policy is applicable to all exempt and non-exempt employees. The full Parental Leave Policy is at <http://college.holycross.edu/policiesforms/administration/ParentalLeavePolicy7-15.pdf>. In the case of a discrepancy between this description and the full Policy, the terms of Policy shall apply.

An employee who is a new parent and a primary caregiver, and who meets the service eligibility criteria for leave under the Family and Medical Leave Act (FMLA) Policy, is eligible for a paid parental leave of up to eight (8) weeks related to giving birth, the placement or adoption of a child under the age of 18, or the placement for adoption of a child under the age of 23 if the child is mentally or physical disabled.

An employee who is a new parent and a primary caregiver, and who does not meet the service eligibility criteria for leave under the Family and Medical Leave Act (FMLA) Policy, but who has completed his or her Introductory Period (or 90 days of employment, whichever is less), is eligible for a unpaid parental leave of up to eight (8) weeks related to giving birth, the placement or adoption of a child under the age of 18, or the placement for adoption of a child under the age of 23 if the child is mentally or physical disabled.

An employee who is a new parent and not a primary caregiver, and who meets the service eligibility criteria for leave under the Family and Medical Leave Act (FMLA) Policy, is eligible for a paid parental leave of up to one (1) week related to giving birth, the placement or adoption of a child under the age of 18, or the placement for adoption of a child under the age of 23 if the child is mentally or physical disabled.

Employees are asked to give as much advance notice as possible to their supervisor and Human Resources. The leave application procedures are the same as for FMLA Leave (see FMLA Policy at [http://www.holycross.edu/sites/default/files/migration/files/310000-006fmlapolicy\\_0.pdf](http://www.holycross.edu/sites/default/files/migration/files/310000-006fmlapolicy_0.pdf)). The Affidavit of Primary Caregiver Status – available through Human Resources – must accompany the application of any employee seeking to take advantage of the leave available to primary caregivers .

In the case of multiple births, or placements of more than one child for adoption, the above leave benefits apply for each instance of childbirth or adoption – e.g. in the case of twins 16 weeks of leave (8 for each child). If both parents are eligible employees of the College, the leave benefits are split between the parents.

Parental leave runs concurrently with other applicable leaves, such as FMLA leave.

#### **4.20.14 Family and Medical Leave**

This policy is applicable to all exempt and non-exempt employees. Employees who have completed 12 months of employment and who have worked more than 1250 hours in the preceding 12 months are eligible for Family and Medical Leave Act (FMLA). FMLA may be taken by eligible employees for up to 12 weeks unpaid leave during a 12 month period for the following purposes:

- To care for a newborn, a newly adopted or newly placed foster child.
- To care for a child, a spouse or a parent who has a serious health condition.
- To deal with the employee's own serious health condition if the employee is unable to perform the functions of his/her position (sick leave must be used).
- Active Duty Leave: Leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.
- Caregiver Leave: This benefit provides 26 weeks of FMLA leave during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member.

The 12 weeks of FML must be used with available and unused vacation days, personal days and floating holidays. Leave requested by employees to care for a seriously ill child, spouse or parent or for their own illness may be taken intermittently or they may work a reduced time schedule to an equivalent of 12 work weeks. Reduced work time may be approved by an area vice president, subject to their operational needs, for birth or placement of a child not to exceed a period of 12 weeks total. Pay and accruals of vacation, sick time or other times will be pro-rated based upon time worked. Health benefits will be continued for the 12 week period of FML on the same basis as if the employee were continuously employed.

While you are on leave without pay, you do not accrue any vacation, sick or personal days; nor will you be paid for holidays. An employee returning from FML is entitled to restoration to his/her job or its equivalent including equivalent benefits and pay. However, employees are not entitled to any benefit greater than those to which they would have been entitled had they not taken leave. For example, if a lay off occurred during the leave, the employee's job restoration benefits would depend upon his/her status had he/she been on the job at the time of the lay off. Female employees may combine FML with maternity leave, but the total leave time will not exceed 12 weeks in a given year. A male or female employee may take 12 weeks of FML for the adoption of a child and use up to 8 weeks of accrued sick pay. If spouses are employed by the College, the couple's combined leave for adoption shall not exceed 12 weeks or the combined sick time exceed 8 weeks. To care for a sick parent, the couple's combined leave will be limited to a total of 12 weeks, if however, the leave is requested to care for a seriously ill child, each parent is entitled to the full 12 week leave. Upon the approval of the area vice president, and based upon the operational needs of the department an additional 90-days accommodation of prorated reduced time may be approved. Reduced time will not exceed 50 percent of scheduled time. It must be emphasized that the granting of an extension is not an entitlement and will only be accommodated as approved by the area vice president on a



case by case basis. For Family Medical Leave purposes, a serious health condition is defined as an illness, injury, impairment or physical or mental condition that

1. involves inpatient care in a hospital, hospice or residential facility, or
2. involves continuing treatment from a health care provider.

Family relationships are defined as parent/child relationships including step-children and step-parents, legal wards and guardians, and those standing in loco parentis. A child is defined as a son or daughter under the age of 18, but includes children over the age of 18 who are incapable of self-care due to a physical or mental disability. A spouse is defined as a husband or wife.

Requests for foreseeable Family Medical Leave must be made 30 days prior to the expected leave period or otherwise as may be reasonable and practical. Leave requests will be forwarded to human resources. Certification by a medical practitioner must accompany any requests for leave on a health basis. Verification for requests for adoption or child placement is also required. Employees who voluntarily do not return to work after a leave period may have to reimburse the College for medical coverage provided during the leave period. Additional details are available in human resources.

#### **4.21.15 Small Necessities Leave Act (SNLA)**

The SNLA is a Massachusetts law providing eligible employees with a right to 24 hours unpaid leave during any 12-month period for the purposes of:

- Participation in school activities directly related to the educational advancement of a son or daughter of the employee, such as a parent teacher conference or interviewing for a school;
- Accompanying the son or daughter of an employee to routine medical or dental appointments, such as checkups or vaccinations; and
- Accompanying an elderly relative of the employee (i.e. an individual 60 years old who is related by blood or marriage to the employee) to routine medical or dental appointments or appointments for other professional services relating to the elder's care, such as interviewing at nursing or group home.

Eligible employees are those who meet the requirements of the Federal Family and Medical Leave Act (FMLA), i.e. those persons who have worked for the employer (1) for at least 12 months and (2) for at least 1250 hours during the previous 12 month period. The leave provided by the Massachusetts law is in addition to the twelve weeks of unpaid leave provided for under the FMLA. As with FMLA, employers may require employees to substitute accrued paid leave for the leave provided under the statute. Employees are required to provide at least seven (7) days notice prior to the beginning of the SNLA leave if the leave is foreseeable.

The College will provide FMLA eligible employees the 24 hours of leave provided under the Small Necessities Leave Act. Such leave must be taken in at least hourly increments. The leave will be unpaid. Employees may, at their discretion, elect to substitute paid vacation time or floating holidays for unpaid Small Necessities Leave or take the time as leave without pay. However, employees are required to substitute any unused personal days/time prior to using unpaid time/leave under the SNLA. SNLA leave time must be annotated in the College's time recording system.

#### **4.21.16 Personal Leave (without Pay)**

The demands made upon the exempt and non-exempt staff of the College make it impossible to establish a general personal leave policy for all staff. However, under extraordinary circumstances and for reasons judged to be sufficient by the area vice president, such leaves may be approved. (For purposes of this policy, a leave is defined as a period of 30 days or more.) Normally, leaves may only be granted after all other available time has been exhausted. You should discuss your request fully with your supervisor. If upon review, it is decided that the department is able to provide services to the community during your absence, the supervisor may request an unpaid leave of absence on your behalf. The request should be

made to the human resources department; human resources will then request approval from the area vice president.

During a leave of absence, you remain an employee of the College, but you receive no salary and you do not accrue any vacation or sick time. You may continue your medical insurance and /or dental insurance coverage by arranging, in advance of your leave, payment of your entire contribution with the human resources department.

#### **4.21.17 Domestic Violence Leave**

Up to fifteen (15) days of Domestic Violence Leave during any rolling twelve (12) month period is available to all employees to address the effects of domestic violence including abuse, abusive behavior, including domestic violence, stalking, sexual assault, or kidnapping, of the employee, or a family member of the employee. Perpetrators of domestic violence are not eligible for this leave.

Leave may be granted to seek or obtain medical attention, counseling, victim services, or legal assistance; to secure housing; to obtain a protective order from a court; to appear in court or before a grand jury; to meet with a district attorney or other law enforcement official; to attend child custody proceedings; or to address other issues directly related to abusive behavior against the employee or a member of the employee's family. For purposes of this leave the employee's family is persons who are married to one another; persons in a substantive dating or engagement relationship and residing together; persons having a child in common, regardless of whether they have married or resided together; a parent, stepparent, child, stepchild, sibling, grand-parent, or grandchild; or persons in a guardian relationship.

Leave must be requested in advance, from Human Resources, for foreseeable events and as much notice as possible given if the need for leave is unforeseeable. If there is an imminent threat to the health or safety of an employee or the employee's family, advance notice is not required, but Human Resources must be notified as soon as possible and within three (3) days.

More information about Domestic Violence Leave, the complete policy and application instructions, are available at <http://college.holycross.edu/policiesforms/administration/DomesticViolenceLeavePolicy.pdf>. In the case of a discrepancy between the Holy Cross & You description and the full Policy, the terms of Policy shall apply.

### **[4.22-4.31 THESE SECTIONS LEFT INTENTIONALLY BLANK]**

#### **4.32 Insurance**

Complete details of all policies and plans referred to are available in human resources.

##### **4.32.1 Health and Dental Insurance**

Holy Cross offers comprehensive health and dental insurance coverage to employees who are regularly scheduled to work at least 27 1/2 hours per week, 40 weeks per year. You are eligible to participate in these programs the first of the month on or after date-of-hire.

The College and you share the cost. Your share is deducted from your paycheck, and if you are a participant in the Flex Plan, the deduction will be done on a pre-tax basis.

Forms necessary for enrollment in either plan are available in human resources. Enrollment is only allowed during the eligibility periods. As a new employee of the College, you are eligible to enroll in a plan during your new employee orientation offered by human resources. Employees who do not sign up for insurance during their new employee orientation must normally wait until the annual re-enrollment date of January 1, to enroll (exceptions to this policy would be the occurrence of a qualifying event, such as spouse's loss of coverage, marriage, divorce, etc.).

### **4.33 Flexible Spending Account**

The College offers a Section 125 Flex Plan. The Flex Plan provides a way for you to take advantage of the special tax benefits made available by current governmental regulations.

Through the Flex Plan you may set aside a portion of your pay in an account to pay medical and dental insurance premiums, certain health care and dental expenses not provided through the College plans and dependent-care coverage.

If you elect this option, the amount you set aside is not included in your income for purposes of determining Social Security and both Federal and State taxes.

Full-time employees may join the Flex Plan for medical/dental insurance premium deductions at the time that they enroll in a medical or dental plan. Enrollment in the dependent care account may be done at the time of hire, at open enrollment for a January 1 effective date, or any time during the year if you have experienced a change in status as determined by the plan. Enrollment in the health care reimbursement account may be done only during open enrollment for a January 1 effective date. Enrollment forms are available at the human resources department.

### **4.34 COBRA**

The Consolidated Omnibus Budget Reconciliation Act of 1985 requires that employees and certain family members are afforded the opportunity to continue health/dental coverage under the plan at group rates in certain instances where coverage under the group health/dental plan would otherwise be terminated. Instances where this could occur would be upon termination, reduction in hours, death, divorce or separation, eligibility for Medicare, and/or loss of dependent child status under the plan. For further information on continuation of coverage, please contact the human resources department.

### **4.35 Group Life and Accidental Death and Dismemberment (AD&D) Insurance**

Employees who are employed full-time participate in the College's group life and accidental death and dismemberment insurance plan at no cost to the employee. You are eligible the first of the month following one month of employment.

The amount of group life benefit is based on your age and salary.

The AD&D coverage provides benefits in the event of an insured employee's death or loss of limb or eyesight caused solely through external, violent and accidental means. Benefits are payable to your beneficiary in the event of your death or to you for loss of limb or eyesight in accordance with the terms of the plan.

You must enroll to be covered by the life and AD&D insurance plan. Specific coverage details and forms are available at the human resources department.

If you should leave the College, you may elect to convert all or a portion of your group life insurance to an individual policy within thirty-one days from the date of your termination.

#### **4.36 Long Term Disability**

Holy Cross provides a total disability plan for full-time employees to provide for the replacement of a substantial part of their income should they become permanently disabled. The College pays the entire premium for this benefit.

You are eligible the first of the month after completing one year of continuous service.

Should you become totally disabled and unable, by reason of sickness or bodily injury, to engage in any occupation for which you are reasonably suited by education, training or experience, you may apply for benefits in accordance with the terms of the plan.

The total disability benefit is coordinated with other sources, such as Social Security and Workers' Compensation. Together, these two income sources are designed to replace 66 2/3% of your salary up to \$8,500 per month.

#### **4.37 Workers' Compensation**

You are expected to be safety-conscious and report any unsafe conditions to your supervisor. An employee, including student workers, who is injured on the job, must report the injury immediately to his/her supervisor or department head. The employee must then report to Health Services. If it is deemed necessary, the employee will be referred by Health Services to an affiliated hospital.

You must complete an Industrial Accident Report and file it with the human resources department immediately, or as soon as possible, after the accident or injury has occurred.

If you are absent from work as a result of a work related injury you may be eligible for partial income in lieu of lost wages, as well as certain medical payments under the Massachusetts Workers' Compensation Law beginning with the sixth day of absence.

Workers' Compensation benefits are coordinated with the College's leave policies and in cases of prolonged disability, with the Long Term Disability Insurance Plan.

An employee must submit a clearance from the attending physician before returning to work following an absence because of a work-related injury.

Workers' Compensation leave will be counted as FML leave if otherwise applicable.

#### **4.38 [LEFT INTENTIONALLY BLANK]**

#### **4.39 Retirement**

Holy Cross has a normal retirement date of the last day of the month in which you attain your 65th birthday. You may apply for retirement benefits at an earlier or later date by contacting the human resources department. It is recommended that you do so at least 120-days prior to retirement.

Plan documents are available in human resources.

##### **4.39.1 Non-Exempt Employees**

Holy Cross maintains a defined benefit retirement plan for non-exempt employees at no cost to the employee. If you work a minimum of 1,000 hours and you are 21 years of age, you may participate in the

plan after one year of continuous service. If you participate in the plan, your benefit is at least 2% of your average base salary times your years of service.

The plan requires that you complete five years of service in order to be vested and entitled to receive a retirement benefit in accordance with the terms of the plan. The benefits under the plan are based on your years of service and pay history during those years, in accordance with the plan document.

#### **4.39.2 Exempt Employees**

Exempt employees are required to participate in a TIAA or Fidelity defined contribution retirement plan. Contributions by you and the College are mandatory. The employee contributes 2% and the College contributes 10% of the employee's base pay up to the social security maximum. Over the social security maximum, the employee contributes 5% and the College 12%. There is a one-year waiting period, unless previous employment circumstances have met the criteria of the plan document. More information can be obtained from the human resources department.

### **4.40 Supplemental Retirement Annuity (SRA)**

Holy Cross offers you the opportunity to set aside additional money for your retirement through supplemental retirement annuities. The contributions you make to your SRA are deducted from your pay and are not subject to federal and state taxes until you withdraw the money. Certain restrictions and penalties apply if you withdraw the money before age 59 1/2. For further information please contact the human resources department.

### **4.41 Educational Opportunities**

#### **4.41.1 Dependent Tuition Remission**

Full-time employees with at least seven (7) years of continuous full-time active employment before any semester in which the benefit is sought are eligible for the tuition benefit for their dependent children who are matriculated, degree-seeking students at Holy Cross. Students must meet the admissions requirements for acceptance to the College.

Students must be formally admitted, enrolled full-time and maintain good standing at Holy Cross. The tuition benefit is available for a maximum of eight semesters. The benefit covers the cost of tuition, but it does not cover the cost of housing, books and other fees.

#### **4.41.2 Employee Tuition Assistance**

If you work full-time, have completed 3 months of employment and work 27 1/2 hours or more per week for 40 weeks per year, you are eligible to receive tuition assistance to improve your job performance and/or enhance your career opportunities at the College.

The College will reimburse you up to 75% of the cost of tuition, up to a maximum reimbursement of \$1,800 per fiscal year, for courses taken at other colleges. Registration fees and other education-related fees are reimbursable. The course must be either job-related or a requirement under the degree program you are currently enrolled in and you must obtain a grade of "C" or better.

Tuition Assistance Applications are available in the human resources department. An application must be completed, submitted and approved by the director of human resources prior to enrollment in the course.

You may enroll in one course per semester free of charge at Holy Cross, provided there is space in the class, the instructor has granted permission and your supervisor has given written approval detailing how you will make up any release time. Courses must be approved by the director of human resources and the Registrar. Applications are available in the human resources department.

## **4.42 Benefits for Part-Time Employees**

Part-time employees who are scheduled to work a minimum of 20 hours per week, 40 weeks per year are entitled to some College benefits. They are as follows:

### **4.42.1 Holiday**

You may be eligible for the eight traditional holidays and four floating holidays celebrated by the College, as long as the holiday falls on one of your regularly scheduled work days.

### **4.42.2 Vacation**

You will accrue vacation on a month-by-month basis at the rate of .42 days per month of completed service. After 5 years of completed service, you will accrue vacation on a month-by-month basis at the rate of .83 days per month completed service.

### **4.42.3 Sick Leave**

Part-time employees accrue 1 day of paid sick leave for each month of completed service, up to a maximum total of 30 days. The accrual is expressed as a percentage of a "day" of sick leave and the number of hours in the day is based on your regularly scheduled weekly hours divided by 5. For example, an accrual of 1 day/month for an employee regularly scheduled to work 20 hours/week would be 4 hours of sick leave; for an employee regularly scheduled to work 25 hours/week it would be 5 hours of sick leave.

### **4.42.4 Retirement**

If you work a minimum of 1000 hours in a plan year and you are 21 years of age, you are enrolled in the Holy Cross defined benefit retirement plan for non-exempt employees.

### **4.42.5 Supplemental Retirement Annuity**

You may set aside additional money for retirement by participating in a Supplemental Retirement plan. For more information, contact human resources.

### **4.42.6 [LEFT INTENTIONALLY BLANK]**

### **4.42.7 Miscellaneous**

All other rules and regulations pertaining to the above noted benefits are outlined in their individual sections of this handbook.

Except as where noted above, part-time employees who are scheduled to work a minimum of 20 hours per week, 40 weeks per year, are not entitled to other benefits that are provided to full-time employees.

Part-time employees, who are scheduled to work fewer than 20 hours per week, 40 weeks per year, and casual or temporary employees, are not entitled to benefits with the exception of Sick Leave and the Supplemental Retirement Annuity plan.

#### **4.42.7.1.1 *Massachusetts Health Care Reform Act***

Under the guidelines of the Massachusetts Health Care Reform Act, the College is now able to offer part-time employees who average 768-hours per year and are enrolled in one of the plan options through Commonwealth Choice, the opportunity to participate in the College's Section 125 plan. If it is determined that you are eligible, this plan allows you to have your health premiums deducted from your pay on a pre-tax basis. Premium contributions are not subject to state, federal, or FICA withholding taxes, resulting in a tax savings to you.

#### **4.43 Sexual and Discriminatory Harassment Policies and Complaint Processes**

The College of Holy Cross rejects and condemns all forms of harassment, wrongful discrimination, retaliation and disrespect and is committed to sustaining a welcoming environment for everyone and especially for those vulnerable to discrimination on the basis of race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability, genetic information, sexual orientation or gender identity. It is the policy of the College, to adhere to all applicable state and federal laws prohibiting discrimination. The College does not discriminate unlawfully in admission to, access to, treatment in or employment in, its programs and activities on the basis of a person's race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability, genetic information, sexual orientation, gender identity or any other legally protected status, while reserving its right where permitted by law to take action designed to promote its Jesuit and Catholic mission.

Unlawful discrimination, harassment, including, but not limited to, sexual violence and sexual misconduct, and retaliation are prohibited and will not be tolerated at the College. Such behavior violates College policies and may result in disciplinary action, up to and including termination or dismissal from the College. To review the College's policies regarding discrimination and harassment and related investigation and resolution procedures, please see the following links: [Sexual Misconduct Policy](#) and [Discriminatory Harassment Policy](#).

The College has designated the Director of Human Resources and the Title IX Coordinator to oversee its compliance with state and federal non-discrimination and equal opportunity laws including, but not limited to the Title IX Coordinator with respect to the Title IX of the Education Amendments Act of 1972 (Title IX) and the Director of Human Resources with respect to Section 504 of the Rehabilitation Act of 1973 (504) and the Americans with Disabilities Act of 1990 (ADA). Anyone with questions, concerns or complaints regarding discrimination, discriminatory harassment or retaliation may contact the Director of Human Resources or the Title IX Coordinator.

David Achenbach  
Director of Human Resources  
College of the Holy Cross  
One College Street  
O'Kane 72  
Worcester, MA 01610  
[dachenba@holycross.edu](mailto:dachenba@holycross.edu)  
(508) 793-3320

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Tracy Kennedy  
Title IX Coordinator  
College of the Holy Cross  
Hogan Campus Center, Room 505  
Worcester, MA 01610  
508-793-3336  
[tkennedy@holycross.edu](mailto:tkennedy@holycross.edu)

The College has appointed the following individuals to serve as Deputy Title IX Coordinators:

Deputy Title IX Coordinators:

Josep Alba-Salas  
Stein Hall, Room 414  
508-793-2539  
[jalba@holycross.edu](mailto:jalba@holycross.edu)

Alan Hurley  
Human Resources, O’Kane Room 72  
508-793-2426  
[ahurley@holycross.edu](mailto:ahurley@holycross.edu)

Paul Irish  
Hogan Campus Center, Room 109  
508-793-2669  
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Melisa Jaquez  
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508-793-3592  
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Ellen Keohane  
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Theresa McBride  
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508-793-2770  
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Michelle T. Rosa  
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[mrosa@holycross.edu](mailto:mrosa@holycross.edu)

Rose Shea  
Luth Athletic Complex  
508-793-2318  
[rshea@holycross.edu](mailto:rshea@holycross.edu)



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In addition to the College's policies and procedures regarding discrimination and harassment, individuals who believe that they have been subjected to unlawful discrimination, harassment, or retaliation may file a complaint with government authorities by contacting the appropriate agency listed below:

### **The U.S. Department of Education**

Office for Civil Rights  
5 Post Office Square, 8th Floor  
Boston, MA 02109-1424  
(617) 289-0111  
Fax (617) 289-0150; TDD (877) 521-2172  
[ocr.boston@ed.gov](mailto:ocr.boston@ed.gov)

### **Equal Employment Opportunity Commission**

John F. Kennedy Federal Building,  
475 Government Center  
Boston, MA 02203  
(617) 565-3200/(800) 669-4000

### **Massachusetts Commission Against Discrimination**

Worcester City Hall  
484 Main Street, Rm. 320  
Worcester, MA 01608  
(508) 453-3630

Boston Office  
One Ashburton Place  
Sixth Floor, Room 601  
Boston, MA 02108  
(617) 994-6000

Springfield Office  
436 Dwight Street  
Second Floor, Room 220  
Springfield, MA 01103  
(413) 739-2145

New Bedford Office  
800 Purchase Street  
Room 501  
New Bedford, MA 02740  
(508) 990-2390

## **4.44 Drug and Alcohol Policy**

The College is committed to maintaining a learning and working environment free from the damaging influence of drug and alcohol abuse and to protecting the safety, health and well-being of all employees, students and community members. The Employee Drug and Alcohol Policy at [http://www.holycross.edu/sites/default/files/files/policyprocedure/adminfinance/employee\\_drug\\_alcohol\\_policy\\_final\\_march\\_2017.pdf](http://www.holycross.edu/sites/default/files/files/policyprocedure/adminfinance/employee_drug_alcohol_policy_final_march_2017.pdf) details what conduct is prohibited and how the prohibitions will be enforced. It explains illegal drugs and the illegal use of prescription medications. It details the status of Marijuana,

which remains an illegal drug under Federal Law, and thus also for purposes of the Policy (with the limited exception as to off-site use as noted in the Policy).

Because alcohol and drug abuse are treatable illnesses, the Policy also contains information and resources on counseling, rehabilitation and community resources.

Attachment A to the Policy contains a detailed compendium of pertinent local, State and Federal Laws as well as descriptions of the physical, psychological and emotional effects of alcohol and some of the more commonly abused drugs.

#### **4.45 [LEFT INTENTIONALLY BLANK]**

#### **4.46 Progressive Discipline**

It is a violation of College policy to retaliate against anyone for their good faith participation, in any capacity, in any investigation undertaken in connection with these disciplinary policies, without regard to the merits of the issue(s) being investigated. Retaliation includes engaging in conduct that may be reasonably perceived to adversely affect a person's work environment or discourage a person from participation. Retaliation includes, but is not limited to, acts or words that constitute intimidation, threats, or coercion intended to pressure any individual to participate, not participate or provide false or misleading information and may include abuse or violence, other forms of harassment, and/or making false statements about another person with intent to harm their reputation.

##### **4.46.1 Non-Exempt**

From time to time, problems related to your job may develop. Such problems may include, but are not limited to: violation of or conflict with College policy, performance on the job, or other job-related situations. It is the College's desire that these problems be the subject of candid and open conversation with the goal of improvement and prompt resolution.

Members of the human resources department are available to counsel you and your supervisor at any point during the progressive discipline process. The following steps cover the normal pattern of progressive disciplining for non-exempt employees:

1. The supervisor discusses with the employee the specifics of the problem(s), what corrections are needed, and a date by which corrections should occur. The supervisor should document the date and content of the conversation and retain a copy.
2. If the problem(s) persists, the supervisor and the employee will have another discussion. If required at this time, a written warning will be issued to the employee. This warning should contain a statement of the problem(s), what corrections are necessary, and a date by which the improvement should occur. The employee should be asked to sign the written warning, indicating that she/he has read it. A copy should be placed in the employee's human resources file and a copy given to the employee.
3. If the problem(s) still persists, a second written warning will be issued, adhering to the format outlined in step 2 above.
4. If the problem(s) recurs after the second written warning, disciplinary action up to and including discharge may occur.

Any of these steps may be omitted in appropriate cases after approval by the director of human resources.

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The Progressive Discipline policy described above does not apply to serious infractions that may result in immediate written warning, demotion, suspension or dismissal. Such infractions include, but are not limited to, the following:

- Violation of College harassment policies
- Stealing
- Possession or use of alcohol or illegal drugs on College property or on College business
- Intoxication
- Any interaction with staff, faculty, students or visitors involving inappropriate sexual conduct
- Falsification of personnel, timecard, or other College records
- Breach of confidentiality
- Physical violence or threats toward staff, faculty, students or visitors
- Sleeping while on duty
- Insubordination
- Possession of a weapon on College property or on College business
- Retaliation against anyone for their good faith participation in an official investigation

The meaning of insubordination is not always clear to everyone. The following acts are examples:

- Refusal or intentional failure to obey orders or perform a task assigned by any supervisor, authorized employee, or College representative
- Public display of disrespect toward a supervisor or the College on the College's premises
- Threats, intimidation, coercion, or interference with supervision
- Abusive language
- False, vicious, or malicious statements about management, staff or the College - published or openly spoken
- Countermand of a supervisor's order
- Failure to cooperate in an official investigation

The decision to terminate a non-exempt employee must be discussed with the director of human resources before any action is taken.

This Policy does not apply in the case of "On Call" employees. When a department seeks to discipline an on-call employee HR will advise on the proper course of action, which may include all or none of the steps outlined above.

### **4.46.2 Exempt**

Exempt employees are expected to maintain high standards of performance and professional behavior. Occasionally situations may occur where the level of an individual's professional performance or behavior may not meet the desired expectations of their managers.

The following steps toward corrective action should normally be taken:

1. The manager discusses with the exempt employee specifics of the problem-what the problem is, what corrections are needed and a date by which correction should occur. The manager should document the discussion and provide the individual with a written summary of the expected corrections and the date by which correction should be made.
2. If the problem persists, the manager and the exempt employee discuss the problem further. A written warning will be given to the employee. The written warning should state what the problem(s) are, what corrections are necessary and a date by which the improvement should occur. The warning should clearly state that "failure to attain the level of performance expected by the date designated will result in termination". The employee should be asked to sign the written warning, acknowledging receipt. He/she will be afforded an opportunity to respond to the written

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warning within 10 working days. The written warning and written response, if provided, will be reviewed by the area vice-president and copies forwarded to the director of human resources to be placed in the individual's human resources file.

There are occasions when an incident is of such a serious magnitude that the above steps do not apply and immediate written warning, demotion suspension or dismissal will result. Such infractions include, but may not be limited to:

- Violation of College harassment policies
- Stealing
- Possession or use of alcohol or illegal drugs on College property or on College business
- Intoxication
- Any interaction with staff, faculty, students or visitors involving inappropriate sexual conduct
- Falsification of personnel, timecard, or official College records or documents
- Breach of confidentiality
- Physical violence or threats toward staff, faculty, students or visitors
- Sleeping while on duty
- Insubordination (see explanation in 4.46.1, above)
- Possession of a weapon on College property or on College business
- Retaliation against anyone for their good faith participation in an official investigation

The decision to terminate an exempt employee must be discussed with the area vice president, director of human resources and vice president for administration and finance.

Exempt individuals who are terminated may appeal their termination to the director of human resources. Such appeals will be made in writing within 15 calendar days of notice of termination. The appeal should spell out the specific reasons for reconsideration. A summary of the reasons cited in the appeal and a recommendation for disposition will be forwarded to the area vice president for final decision.

### 4.47 Grievance Procedure

Holy Cross has established a grievance procedure in an effort to ensure that employees receive fair and equitable treatment in the application of College policy, to provide employees with an easily accessible procedure for expressing dissatisfaction and to sustain sound employee relations through communication and resolution of work-related problems.

All employees who have completed their introductory period are covered by this policy.

It is a violation of College policy to retaliate against anyone for their good faith participation, in any capacity, in the grievance process, without regard to the merits of the issue being grieved. Retaliation includes engaging in conduct that may be reasonably perceived to adversely affect a person's work environment or discourage a person from participation. Retaliation includes, but is not limited to, acts or words that constitute intimidation, threats, or coercion intended to pressure any individual to participate, not participate or provide false or misleading information and may include abuse or violence, other forms of harassment, and/or making false statements about another person with intent to harm their reputation.

The following issues are subject to the grievance procedure:

- Disciplinary actions, including written warnings placed in an employee's personnel file, and discharges, where the employee questions the appropriateness of the cause.
- Alleged violation, misinterpretation, or improper application of policy or procedure affecting the employee.

The following issues will not be considered for the grievance procedure:

- Termination resulting from reorganizations, reductions in force, the end of grants or contracts.

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- The content of published College personnel policies and procedures.
- Performance evaluations.
- Alleged discrimination against an employee on the basis of race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability, genetic information, sexual orientation, gender identity or any other legally protected status, in violation of College policy. To review the College's policies regarding discrimination and harassment on the basis of a person's race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability, genetic information, sexual orientation, gender identity or any other legally protected status and related investigation and resolution procedures, please see Section 4.43 above and the *Discriminatory Harassment Policy and Complaint Process* (<http://www.holycross.edu/sites/default/files/files/policyprocedure/adminfinance/harassmentpolicywithnoticefinal.pdf>) and the policies and procedures at *Sexual Respect and Title IX* (<http://www.holycross.edu/sexual-respect-and-title-ix>)

The following steps may be taken to help resolve your complaint:

### Step I: INFORMAL

Most difficulties can be resolved by talking to someone. If you have a complaint, you are encouraged to discuss these problems with your supervisor. It is very important that you voice your concerns so that your supervisor can attempt to resolve your complaint at this stage. You and your supervisor should explore all possibilities for discussion and resolution before the formal grievance procedure is implemented. This should include contact with the human resources department.

### Step II: FORMAL

Within 10 days after the circumstances giving rise to the grievance, submit a written statement of your grievance to your supervisor. The statement shall include the nature of your complaint, an indication of the policy or practice that has been violated and your signature. Your supervisor shall investigate your complaint and give you a written response within 5 working days. A copy of the grievance and response shall be sent by the supervisor to the director of human resources.

### Step III

If you have not received an answer within 5 working days, or if you are not satisfied with the written response, you may ask your supervisor to send the written statement of the grievance to the next level of administration (e.g.: chair or department head) within the next 5 working days. The grievance shall be investigated further. The investigation may involve a meeting with you, the department head and the director of human resources; As a result of this meeting you will receive a written response within 5 working days. A copy of the response shall be sent to the director of human resources.

### Step IV

If the outcome of these proceedings is not satisfactory to you or if you have not received a decision on the matter within the 5 working days specified, within the next 5 working days you may contact the director of human resources and request that human resources review the grievance. Within the next 10 working days, the director of human resources shall investigate the matter. Within 30 days after receiving the written statement of the grievance, the director of human resources shall render a final written decision. All final decisions will be approved by the area vice president as coordinated through the director of human resources.

The timelines in any step are subject to the extension for good cause.

The decision of the director of human resources for the College is final and binding and shall not be subject to review under any other grievance procedure in effect at the College.

#### 4.48 Conflict of Interest

As an academic institution, Holy Cross and the individuals representing it must conduct their affairs according to the highest possible ethical and moral standards. Administrators are leaders of the College both on campus and in the community in which the College participates, and as such must lead by example. There will be many instances where Administrators have real or perceived conflicts of interest with decisions or transactions involving the College. In order to avoid situations which may cause the College to be legally or otherwise vulnerable to criticism, embarrassment, or litigation in the opinion of its various constituencies, administrators of the College must carefully adhere to the principles set forth in the Statement of Policy. The Statement of Policy is set forth in the Conflict of Interest Policy.

This Conflict of Interest policy applies to: 1) all individuals who have the authority to bind the College; and 2) all individuals designated as the primary or secondary manager or supervisor of a department or unit of the College other than an academic department. Disclosure forms will be forwarded to the Office of the General Counsel for review and to maintain on file. Each Administrator must disclose to his/her department head or immediate supervisor all outside activities for the purpose of obtaining approval to engage in such outside activities. An Administrator who is also a member of the full-time teaching faculty is referred to the procedure and guidelines set forth in The Statutes of the Faculty of The College of the Holy Cross.

#### 4.49 Solicitation and Distribution

For the purposes of these rules the following definitions apply:

- a. "Soliciting" includes approaching any person or persons for any of the following purposes: offering anything for sale, asking for donations, collecting funds, canvassing, or seeking to promote, encourage or discourage (i) participation in or support for any organization, activity or event or (ii) membership in any organization. Handing out or delivering membership cards or applications for any organization is considered soliciting.
- b. "Distributing literature or materials" includes handing out or delivering to any person or persons any literature or other materials, including circulars, notices, papers, leaflets, or any other printed written matter (except that handing out or delivering membership cards or applications for any organization is considered soliciting).
- c. "Soliciting" and "distributing" includes using the College's electronic communications systems.

1. Non-Employees

Persons who are not employed by the College are prohibited from soliciting and from distributing literature and other materials, for any purpose and at any time, within the College's buildings or property.

2. Employees

- a. Working Time - Employees are prohibited from soliciting during their working time or during the working time of employees being solicited. Employees are prohibited from distributing literature or other materials during their working time or during the working time of employees to whom distribution is made.
- b. "Working time" does not include meal periods, coffee breaks or rest periods, and other specified periods during the work day when employees are properly not engaged in the performance of their work tasks.
- c. Any Time - Employees are prohibited from distributing literature or other materials in working areas of the College.

Individuals may use Cross-Listings to sell non-commercial items, offer opportunities to car-pool, seek items, services or charitable support; however, individuals may not advertise commercial products, such as Avon or Tupperware, or commercial services such as electrical work or computer repair. Fundraising activities such as the sale of Girl Scout cookies or candy bars are allowed. All Postings are subject to the Cross-Listings Terms of Use.

#### **4.50 Reduction in Force**

The College values the stability of its work force. If the College determines that a reduction in force is necessary because of the elimination of programs, reduction in services, reorganization, or other reasons, it is the policy of the College that the reductions be accomplished through attrition, transfer or reassignment of employees, whenever practicable in the judgment of the College.

#### **4.51 Personnel Files and Credit Information Requests**

Personnel files are maintained by the human resources department for all exempt and non-exempt personnel. Any employee may inspect his/her own file by request to the director of human resources. Ordinarily the only information that will be released from an employee's file in response to an outside inquiry will be job title and dates of employment, except where further information is required to be divulged by law. You may authorize the release of additional information (e.g.: for bank, credit, or employment references) by submitting a written request to the human resources department.

A department head interviewing a candidate applying for a position in his/her department may request to inspect extracts of the file of an employee applying for a position to help determine qualifications, attendance and seniority.

#### **4.52 Changes in Personal Data**

It is important that our records contain your current home address and telephone number. In addition, you should make certain that the records accurately reflect your name, marital status, withholding exemptions and dependents for your benefits coverage. You should notify the human resources department of any changes in this information. Some of these changes you may be able to make through self-service in the HR Information System (HRIS). Contact HR for more information.

#### **4.53 Traveling Expenses/Mileage Allowance**

If you travel on College business, your authorized expenses will be reimbursed. This would include such expenses as coach plane fares, use of an automobile, hotels and meals. When you are authorized to use your own automobile to travel on College business, you will be reimbursed at the College's current mileage rate. For more information please refer to the College's Travel Policy available in the Controller's Office.

#### **4.54 Safety**

As part of the effort to assure the safety and health of all members of the Holy Cross community, the College has established a Safety Committee and put in place a program designed to keep accidents and health hazards at a minimum.

The focus of the Safety Committee, which meets monthly, is on safety awareness, accident prevention, identifying potential work hazards, and recommending corrective action.

Your personal diligence in matters of safety and health is of the greatest importance, and we urge you to play an active role in making Holy Cross a healthy and safe place for all.

In an ongoing effort to assure the safety of our employees, and to reduce the number of accidents attributable to foot-related injuries, the College of the Holy Cross has instituted a subsidized Safety Shoe Program.

The College will contribute a set amount of money each year towards the purchase of safety shoes for a designated group of employees who are required to wear safety shoes as a condition of employment. Any balance over the College's contribution is the employee's responsibility. You may purchase shoes from Holy Cross-approved vendors.

Employees not wearing safety shoes, as required, will be subject to the College's progressive discipline procedure.

#### **4.55 Massachusetts Right-to-Know Law**

If you are exposed to toxic or hazardous substances in the performance of your job, you have a right to receive guidance on the safe handling of those substances in accordance with the Massachusetts Right-to-Know Law. In addition, you have the right to obtain and examine the Material Safety Data Sheet for any toxic and hazardous substance to which you may have been exposed. Should you have questions or concerns, contact the Chief Risk Management/Compliance Officer.

#### **4.56 Resignation**

If you are voluntarily terminating your employment for any reason, you should make an appointment with the human resources department to discuss your benefits, reasons for leaving and any other matters of mutual interest and concern. Non-Exempt employees are expected to give a minimum of two weeks' working notice and exempt employees four weeks' working notice in writing to their supervisor. Failure to give proper notice may affect your consideration for re-employment with the College.

#### **4.57 Personal Work**

Performance of personal work or services by an employee for his/her supervisor can be inconsistent with the employee's job responsibilities and can significantly reduce job satisfaction. It is, therefore, contrary to Holy Cross policy to require an employee to perform personal work or services.

#### **4.58 Smoking**

For health and safety reasons, all buildings at the College of the Holy Cross, including residence halls, are smoke free. Smoking is not permitted in any area of the buildings. In order to keep entryways smoke free, smoking is not permitted within 20 feet of entryways. Smoking is not permitted on the Stein Bridge, or within 20 feet of the entry to the bridge. The placement of containers for unused smoking materials will be located at a distance indicating where smoking is permitted in any entry way.

#### **4.59 Visitors at the Workplace**

The College offers employees and their families the use of exceptional recreational facilities; however, visitors of any age, not engaged in Holy Cross business, should not be in work areas for an extended period of time.

#### **4.60 Pets on Campus**

To protect the members of the Holy Cross community and to reduce the College's potential liability exposure, pets are not allowed on campus.



## **4.61 Outside Activities**

Ordinarily, the College will not attempt to dictate the use of your private time. However, if you decide to engage in any business employment or vocation, or to accept a position of responsibility outside the College while remaining an employee of the College, you should discuss this with your supervisor or department head. You cannot expect to continue employment with the College if your outside activities interfere with your regular work or cause poor attendance or poor quality of work.

## **4.62 Other Activities, Facilities and Services**

### **4.62.1 Service Award Program**

To honor our long-service employees and recognize them for their achievement and dedication, the College holds an annual recognition luncheon where the following employees are honored:

- Employees who have completed five years of service and at each 5-year interval thereafter.
- Employees who attain 25 years of service are inducted into the President's 25-Year Club at a special reception and given a College chair in recognition of their many years of service. In addition, they are honored and presented with a gift at each 5 year interval thereafter.

## **4.63 President's Receptions**

Throughout the year, the President hosts various receptions for different employee groups to offer a personal thank you for their individual contributions to the College. You will be notified of these events through the President's Office and human resources department.

## **4.64 Fitness Center, Athletic Facilities and Events**

The Fieldhouse has a fitness center, spinning room, group exercise space, and basketball courts. There are also outdoor tennis and basketball courts. You may use any of these facilities at prescribed times by presenting your College I.D. card.

The Luth Athletic Complex has an auxiliary gym and indoor center for scheduled games or open gym time, an indoor skating rink, swimming pool, and basketball court. Many facilities are open for employee access at prescribed times.

You are welcome to attend all intercollegiate sporting events. Tickets may be purchased at a discount for selected events.

## **4.65 Hogan Campus Center**

The Henry M. Hogan Campus Center offers many services and facilities. You will find Crossroads Pizza and Grill, Cool Beans coffee shop, Lobby Shop convenience store, private dining rooms, meeting rooms, lounges, a ballroom, party rooms, hair styling salon, laundry and dry cleaning drop off, copy center and bookstore as well as administrative offices and student organization in this building. Other services, located on the first floor of the Campus Center, are the automatic teller machines and a U.S. Post Office.

As an employee of the College you may book events such as weddings, organization meetings, receptions, etc., but all such events are subject to availability. The price list for various rooms is available by calling Conference Services.

#### **4.66 Libraries**

You may use any of the libraries on campus. Dinand Library is the main library, which includes Archives & Special Collection. The Joseph T. O'Callahan, S.J. Science Library is located in Swords Hall. The Music Library is located in the east wing of Fenwick Hall. The Rehm Library is located in the Carol and Park B. Smith Hall. [The Worcester Art Museum Library](http://college.holycross.edu/bridgestoart). (<http://college.holycross.edu/bridgestoart>) Library hours vary at each location.

#### **4.67 Optional Insurance Programs**

Holy Cross does not sponsor any insurance programs other than those listed under "Insurance and Retirement Plans" in this handbook. But for your convenience, a representative from Sullivan, Garrity and Donnelly Insurance Agency is on campus during the school year in the human resources department to assist you with your insurance. This agency offers automobile, homeowners, disability, and life insurance on a payroll-deduction basis.

#### **4.68 Employee Assistance Program (EAP)**

The EAP is a 24/7 confidential assessment, short-term counseling, consultation and referral service for emotional and work-life balance issues. The College has contracted with Framingham based KGA to provide these services. The program is free of charge to faculty and staff their spouses, and adult household members. KGA professional counselors are experienced and knowledgeable and can get you access to the services you need. For counseling, they will provide a number of counseling sessions with their staff, and if indicated, will coordinate further sessions through your health care provider.

#### **4.69 Parking**

Free parking is available for all College employees in designated areas as described in the Parking and Traffic Regulations. You must register your vehicle with the Public Safety department. Employee requests for handicapped parking must be made in writing to human resources.

#### **4.70 United Way**

The annual United Way Fund drive is a College-supported, on-campus charity campaign. All employees are encouraged to contribute and may elect to have contributions deducted on a one time or periodic basis from their pay. The campaign takes place in October.

## 5 Use of Information Technology Resources

### 5.1 Definition

- **Information technology resources** are the computer equipment and facilities that comprise the College network and all electronic information and communication contained on the network.
- A **network** is the electronic infrastructure that allows a user's computer to be connected to other information technology resources.
- **Users** are all members of the College community, including but not limited to students, faculty and staff who have an account on the College network.
- A **network identifier** is a unique pre-formatted code assigned to the user that is the property of the College.
- A **network password** is an eight character alphanumeric code created by the user to access the College network.
- A **network file** is any personal, academic or administrative record stored electronically on the College network.

### 5.2 Policy Statement

College information technology resources are provided to enable faculty, staff and students to advance the mission of the College in their academic and administrative activities. Information technology resources are to be accessed and utilized in an ethical manner that does not compromise the integrity of the system. All users of information technology are to adhere to high moral, legal and professional standards, and to act in the best interests of the College.

In addition, all users of information technology resources are responsible for protecting the proprietary rights of the College and maintaining the accuracy, integrity and confidentiality of the information to which they have access. Resources are not to be abused or employed in such a way as to interfere with, or cause harm or damage to, another person, institution or company within or outside the College community. While the College encourages the exploration of educational and scholarly interests through the use of its information technology resources, respect for the rights and privacy of others must be observed. Community members and their guests may not access the files or communications of others without authorization. Those who are authorized to access confidential files must respect the privacy rights of others and use data only for legitimate academic or administrative purposes.

The College is committed to providing accessibility to information technology resources for all members of the community. The College acknowledges its responsibility to all faculty, staff and students to provide a safe environment for work and study.

All users of information technology are to comply with the following policies, procedures and security controls. The director of Information Technology Services (ITS) is charged with the responsibility of implementing, monitoring and revising the provisions of this Policy.

### 5.3 Access

Most of the information technology resources of the College are accessible to members of the College community. Some resources are also accessible to the public. Access to certain resources may require authorization by an academic or administrative department head who will also provide adequate orientation and training for the appropriate use of such resources. Users are not to attempt to access, search or copy information without the proper authorization.

A user's network identifier and password provide access to information technology resources. In some cases, this includes authorized access to restricted information. A user's network password is not to be shared with anyone, and its confidentiality is to be strictly maintained. Users will be held accountable for all actions performed under their network identifier, including those performed by other individuals as a result of user negligence in protecting their network password. If a user's password is compromised, the user must change the password immediately. Students are required to change their passwords every 180 days; faculty and staff are required to change their passwords every 90 days.

No one is to use the information technology resources through another individual's network identifier, either with or without permission. Active sessions are not to be left unattended. Providing false or misleading information in order to gain access to information technology resources is prohibited.

## 5.4 Confidentiality

Academic, financial and personnel records of the College are considered confidential and private, whether or not they exist in computerized form. Every effort will be made to limit access to those records only to authorized individuals. The College may be compelled to release confidential records to comply with legal obligations.

All users with access to confidential data are to safeguard the accuracy, integrity and confidentiality of that data by taking all necessary precautions and following established office procedures to ensure that no unauthorized disclosure of confidential data occurs. For information regarding the confidentiality of student education records, please refer to [http://www.holycross.edu/general\\_counsel/legal\\_information/](http://www.holycross.edu/general_counsel/legal_information/)

## 5.5 Privacy

The College will not monitor users' private electronic data, software and communications files as a routine matter. The College reserves the right to access and to disclose the contents of an individual's electronic data, software and communications files when a legitimate need exists. The reasons for such access and disclosure include, but are not limited to, investigations of serious violations of College policies or unlawful activities.

Users should note that all network files are regularly copied to backups and stored for indefinite periods in off-site locations. In such instances, user deletion of an electronic file, such as an e-mail message, may not delete a network copy of that file.

It is a violation of College policy for authorized users to access confidential files of others without a legitimate academic or administrative purpose.

## 5.6 Copyright

Copyright is a form of protection the law provides to the authors of "original works of authorship" for their intellectual works that are "fixed in any tangible medium of expression," both published and unpublished (Title 17, United States Code). It is illegal to violate any of the rights provided by the law to the owner of a copyright. The College respects the ownership of intellectual material governed by copyright laws. All members of the College community are to comply with the copyright laws and the provisions of the licensing agreements that apply to software, printed and electronic materials, graphics, photographs, multimedia, and all other information technology resources licensed and/or purchased by the College or accessible over network resources provided by the College. Individual author, publisher, patent holder and manufacturer agreements are to be reviewed for specific stipulations.

## 5.7 Web Use

A significant portion of the College's information technology resources is its Web site. Faculty, staff and students authorized to publish on the Web must comply with the Holy Cross Web Policy. Please refer to [http://www.holycross.edu/web/web\\_policy.html](http://www.holycross.edu/web/web_policy.html).

## 5.8 System Integrity and Protection

The integrity and protection of the College's information technology resources are integral to an efficient and high-performance network. Any activity that compromises the integrity or protection of the system is prohibited. Such activities include but are not limited to:

- Creation, importation or exportation of destructive code, such as a virus
- Degradation of system performance, including the creation of unnecessary processes or excessive printing
- Unauthorized use of mass e-mail ([http://www.holycross.edu/its/it\\_policies/pol\\_use\\_of\\_email/](http://www.holycross.edu/its/it_policies/pol_use_of_email/))
- Propagation of chain e-mail
- Failure to provide adequate physical security for information technology resources
- Prohibited uses of Information Technology Resources
- Faculty, staff and students are encouraged to make full use of the College's information technology resources. Such use, however, is not without limitations. Any activity that violates College policy or any local, state or federal law is prohibited. The following uses are also proscribed:
  - Soliciting sales, advertising or managing a private business
  - Impersonating other individuals or concealing one's identity in electronic communication
  - Viewing offensive or objectionable material at publicly accessible stations
  - Posting offensive or objectionable material on the College Web site

Communications from members of the College community are to reflect mutual respect and civility. Obscene or intolerant language, as well as offensive images, clearly violate these standards and are considered inappropriate for electronic and all other forms of discourse among members of the College community. The determination of what is obscene, offensive or intolerant is within the sole discretion of the College. Users should note that College information technology resources may be accessed by minors.

## 5.9 Reporting Suspected Violations

Suspected violations of this policy are to be reported to the director of Information Technology Services. Depending on the nature of the violation, the ITS director may refer the matter to the relevant academic or administrative vice president. If a suspected violation is reported instead to a supervisor, chairperson, director, dean or other responsible person, that person is to report the instance to the ITS director.

The College will consider the intent, effect, and seriousness of the incident in levying sanctions for violations of this policy. Any person who engages in any prohibited activity as described above may be subject to disciplinary action, including the loss of computer privileges and/or dismissal from the College, and to criminal prosecution under the applicable state and/or federal laws.

See the policy online at: [http://www.holycross.edu/its/it\\_policies/it\\_use\\_policy/](http://www.holycross.edu/its/it_policies/it_use_policy/)

