

HAMPSHIRE COLLEGE



POLICY MANUAL REVISED 1999

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Section 1–Introduction

Purpose/Administration of Manual

This manual has been published in loose-leaf form to allow for revisions and updates as needed. The Table of Contents at the beginning of the manual provides for instant reference for the major human resources policies categories. Each category has been broken down into sub-categories to allow for an orderly arrangement of material.

With constant use, the user will become familiar with the policies and procedures of the College. This manual brings together in a convenient form, human resources policies and procedures having general application throughout the institution. It is designed to serve as a ready reference for employees in everyday human resources administration. A separate staff handbook summarizes many of the policies contained in this manual. A faculty handbook, containing policies solely applicable to the faculty, has been distributed to all faculty. A copy of this manual should be kept in each office of the College, and is also accessible on the Human Resources page of the College's Web site.

This manual is published under the authority of the Director of Human Resources of Hampshire College. It is applicable throughout the College. No deviation from or expansion of policies/procedures contained herein may be made without the previous approval of the Director of Human Resources.

These policies and procedures do not constitute a contract of employment. Hampshire College reserves the right to change these policies or procedures or adopt new ones at any time.

Procedures and practices in the field of human resources management are constantly subject to change and further development. Each employee can assist in keeping our policies up-to-date by notifying the Director of Human Resources whenever problems are encountered or improvement can be made in the administration of our policies. Submit suggestions for changes and/or additions to the Director of Human Resources. These suggestions should be in writing, and should reference the policy/procedures that they affect (if applicable).

In this manual, many policies and plans (e.g., benefits, sexual harassment, nepotism, solicitation) apply to both faculty and staff; in these instances, the word "employee" is used to reference both groups. If a particular section (e.g., vacation) applies to non-faculty employees only, then the word "staff" is used in that section.

Governance

In an effort to maximize participation in the decision-making processes on matters of college-wide importance and policy, and to develop a sense of community responsibility, the constituencies of the College (faculty, staff, and students) ratified a constitution in 1970. The Constitution defined the responsibilities and functions of the major councils and committees which form the governance system of the College.

Many council and committee constituency or membership is defined in the Constitution. Participation is usually voluntary and is based on a representative, elective model.

Employees who serve on these governance bodies receive release time from duty to attend committee meetings during the normal workday, but do not receive compensation or time off for attendance at meetings which are held at times other than during the workday.

Employees are encouraged to seek elective office to council and committee governance bodies of the College.

In addition to the governance system which deals with issues of College-wide concern and policy, this manual is designed to deal with issues and policies pertaining to an individual's employment relationship with the College.

Many of the conditions of employment are defined by federal or state law. Other issues relevant to one's employment status are covered by internal mechanisms. Many compensation and benefit policies are, upon recommendation of the President, acted upon by the Board of Trustees. Systems are also established to evaluate staff work performance and to resolve grievances or complaints. The Human Resources Director has the responsibility for overseeing the functioning of these systems.

Code of Conduct

Introduction

Hampshire College's primary mission to graduate men and women with the skills and perspectives needed for understanding and participating responsibly and creatively in a complex world requires the community to share a commitment to excellence and to the long term sustainability of the institution. The success and reputation of the College in fulfilling its core mission depends on the ethical behavior, honesty, integrity, and good judgment of each member of the community.

This Code of Conduct describes standards to guide community members in their daily activities; standards we believe should generally be followed. The College has already established and published policies and procedures for conducting the academic enterprise and managing its business operations. Some of our policies are required by law, others set out specific procedures governing faculty conduct including academic freedom, while yet others are designed to ensure effective business operations. Community members are expected to inform themselves about and comply with these policies and regulations as found in the *Hampshire College Policy Manual* in the *Faculty Handbook*. Throughout this document reference will be made to more detailed policies where applicable.

Applicability

This code applies to the following members of the College community: (1) faculty, (2) staff, (3) consultants, (4) vendors, (5) contractors doing business with the College, and (6) individuals who perform services for the College as volunteers.

Ethical Conduct

Community members should conduct themselves ethically, honestly, and with integrity. They should act with due recognition of their position of trust and loyalty to the College, its students, research sponsors, and donors (including parents, alumni, friends, corporations, and foundations). When in doubt about the propriety of a proposed course of action, they should seek counsel from those colleagues, supervisors, or administrators who can assist in determining the correct and appropriate course of action.

Individual Responsibility And Accountability

Community members are expected to act responsibly, appropriately, and with common sense judgment in their positions or roles. Members are accountable to the College, to each other, and to themselves for their actions as well as inactions.

Respect For Others

The Hampshire College community is diverse in its racial background, age, religion, and in many other aspects. The actions of each member of the community should establish and maintain a culture of tolerance and respect. While principles of free speech are of

vital importance, faculty and staff should respect the rights and dignity of others regardless of their differences. (*See Principles of Discourse at Hampshire College, President's Convocation, 1990*). Harassment along sexual, racial, religious, age, disability, sexual orientation, national origin, or political lines has no place in our community. (*See the Anti Harassment Policy and the Sexual Harassment Policy in the Policy Manual*).

Compliance With Laws And Regulations

Each community member must transact College business in compliance with all federal, state, and local laws and regulations related to their positions and areas of responsibility. Faculty and staff should recognize that non-compliance may have adverse financial and other consequences for the College. Although it is the individual's responsibility to inform him/herself about relevant legal obligations and keep current with changes in applicable laws, managers and supervisors are responsible for monitoring compliance in their areas.

Environmental And Workplace Health And Safety

The College must comply with government rules and regulations that protect the environment and promote a healthy and safe workplace. The College must conduct its activities with all of the necessary permits, approvals, and controls, especially in regards to the handling and disposal of hazardous and regulated materials and waste. Faculty and staff members who work with or around these materials must be familiar with all rules, regulations and policies that apply to them. Each member should conduct his/her work in a safe manner following all safety rules and procedures. Any hazardous conditions or job-related illness or injury should be reported to his/her supervisor.

Drug Free Schools

Hampshire College is committed to providing a drug-free environment for all members of the community. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, and the unauthorized possession or use of alcoholic beverages on the campus or as part of any College activity off the premises is prohibited. (*See Federal Drug Free School and Communities Act in the Policy Manual*).

Conflict Of Interest

The College and its community members should strive to avoid improper conflicts of interest that might compromise the integrity and objectivity of the College. Conflicts of a financial, personal, or professional nature, must be disclosed, reviewed, and managed. Members should be open to eliminating or managing such conflicts in an appropriate manner. (*See Conflict of Interest Policy*)

Compliance With Contractual, Grant, And Other Obligations

The College frequently enters into contractual and other formal obligations with outside entities. These obligations may include (but are not limited to) the following: commercial contracts for goods or services, software licenses, gift indentures, and memoranda of understanding. Community members are expected to act in good faith and adhere to all obligations assumed by the College.

Stewardship Of Property And Funds

Faculty and staff should treat College property with care and as if it were his/her own. Members of the College community are stewards of College property and funds, including those received from the government and donors. College property should not be used for personal benefit or the benefit of outside individuals organizations. Employee actions in the course of their work should reflect and be consistent with the College's tax-exempt status granted by the Internal Revenue Service for its educational mission.

Confidentiality

Members of the College community may be privy to confidential information in the course of their daily work. Information may relate to students, job applicants, employees, finances, intellectual property, research sponsors, and future planning. All student records must be kept confidential as a matter of federal law. However, all confidential information should be protected by safeguarding it when in use, storing it properly when not in use, and discussing it only with those who have a legitimate business need to know. Members of the community who are uncertain about the use of such information should contact their supervisors.

Acceptable Use

In an effort to attain a balance between the desire to promote and enhance the exchange of ideas and information and the need for security of critical information systems, the College has developed an *Acceptable Use Policy* related to its computers, servers, and web resources. Members of the community are expected to follow the policy guidelines.

Recording, Allocating, And Charging Costs And Effort

The accuracy and reliability of financial reports is of vital importance to the business operations of the College. Therefore, faculty and staff must record, allocate, and charge costs accurately and maintain supporting documentation as required by existing policies and procedures. (*See the Expense and Reimbursement Policy*).

Internal Controls

Internal controls (for example: segregation of duties, asset protection measures, and appropriate lines of authority and reporting) are critical for ensuring efficient operations,

strong fiscal management, accurate financial reporting, asset protection, and compliance with laws and regulations. Faculty and staff are expected to maintain and support the College's internal control structures.

Gifts, Gratuities, And "Kickbacks"

Faculty and staff should not personally accept any material gift, gratuity, or other payment, in cash or in kind, from any vendor currently doing business with the College or seeking to do so. Gifts should not exceed a nominal value of \$25.00. If there is a question about the materiality of a proposed gift or gratuity, the proposed recipient should seek the counsel of the Vice-President for Finance and Administration.

Antitrust

Faculty and staff may not improperly collude with other entities in matters affecting the financial or administrative decisions of the College.

Obligation To Report Suspected Violations

Faculty and staff are encouraged to report suspected material violations of this Code to the Vice-President and Dean of the Faculty, the Vice-President for Finance and Administration, Associate Director of Human Resources, or his/her immediate supervisor. Individuals who supervise others should ensure that their subordinates have received adequate instruction with respect to their obligations under this Code.

Consequences Of Violation

Material violations of this Code, of federal, state or local laws and regulations, or of related College policies and procedures may carry disciplinary consequences, up to an including dismissal.

Conflict of Interest Policy

This policy is in addition to other College regulations, policies and guidelines relating directly or indirectly to the duty of loyalty that is owed by members of the College community. This policy applies to all members of the College community, including academic, administrative and support staff members of the Board of Trustees and, where appropriate, students (hereinafter referred to as “members”). Every member of the College community becomes involved in situations where their loyalties may be divided or where their personal interest may conflict with their duty. In general, conflicts of interest occur when members are in a position to influence decision on policy, purchases, or research data where they may directly or indirectly receive financial benefit or give improper advantage to an associate, spouse, child, sibling, parent, dependent, or member of his/her household. Conflicts of commitment arise when members are involved in outside activities (directly or financially in other businesses) that substantially interfere with their primary responsibility to the College.

Hampshire College expects all members to exercise good judgment, professional commitment, and the highest ethical standards in all activities that can in any way affect the College. Every member has an obligation to avoid any activity, agreement, business investment (corporation, partnership, proprietorship, firm, franchise, association, holding company, joint stock company, receivership, trust or any other legal entity organized for profit), or other situation that could be construed to be in conflict with the College’s interest or to interfere with the member’s duty to serve the College.

Policy

- No member shall have a direct or indirect interest in any business enterprise that is a competitor of the College or conducts business with the College as a supplier. A member in a position to influence a College business decision for which he/she may materially benefit should disclose the nature of the conflict to his/her immediate supervisor, and, where possible remove himself/herself from the situation. In the event that a conflict or potential conflict exists, the supervisor may refer the situation promptly to the Vice-President for Finance and Administration. The member and Vice-President for Finance and Administration will agree in writing to a course of action to eliminate, avoid, or monitor the conflict. Resolution should be achieved in a time period not to exceed three months. All information and disclosures made in accordance with this policy will remain confidential unless agreed to by the parties involved.
- No member shall seek or receive, for personal or any other person’s gain, any payment whether for services or otherwise, loan (except from a bank), gift or discount of more than nominal value, or entertainment that goes beyond common courtesies usually associated with accepted business practice from any business enterprise that is a competitor of the College or has current or prospective dealings with the College as a supplier or could benefit from the member’s submission of research data.

- No member shall, for personal or any other person's gain, make use of or disclose confidential information learned as a result of employment or Board membership at the College. Any information that has been acquired in connection with sponsored research by College employees cannot be withheld from the sponsoring organization(s) for personal benefit.
- No member shall participate in the appointment, employment, promotion supervision or evaluation of members of his/her family or a person to whom they owe a personal or legal obligation.
- A member considering outside employment or consulting activities should discuss potential conflicts of commitment or interest with his/her supervisor. An employee regularly involved in consulting activities from which they profit financially, are not in conflict if:
 - College resources are not used more than incidentally without reimbursing the College
 - The activities do not interfere with the member's ability to perform his/her primary responsibilities at the College.
- No member shall act or be involved in any situation that potentially conflicts with the principle that this policy is intended to implement.

Disclosure and Review

Full disclosure of relevant information relating to conflicts of interest and the establishment of a public record are in the best interest of both the College and the member. Disclosure will not necessarily restrict or preclude a member's activities. In fact, activities that may at first appear questionable may be deemed acceptable and permissible when all facts regarding the activity are examined.

Members are responsible for disclosing potential conflicts of interest, and/or commitment. Each member shall complete the Conflict of Interest Disclosure Form at the time of hire and annually thereafter.

Section 2–Employment

Equal Employment Opportunity

Hampshire College is committed to a policy of equal employment opportunity in all its employment practices and thus affirms that there shall be no unlawful discrimination against any employee or applicant for employment on the basis of race, color, religion, sex, national origin, age, veteran status, handicap or sexual preference. This policy extends to recruiting, hiring, college-sponsored training, compensation, benefits, work assignments, working conditions, promotions, transfers, termination, re-employment, education, tuition assistance, social and recreational programs, and all other terms, conditions and privileges of employment. All employment decisions are to be made on a non-discriminatory basis so as to further the principle of equal employment opportunity. All College personnel are expected to comply with the letter and spirit of this policy. Anyone who feels that he/she is the victim of employment discrimination should contact the Director of Human Resources immediately.

The College's commitment in this area stems from the recognition that diversity is essential for the continued growth and development of the College as an educational institution of the highest quality. To this end, Hampshire College has also developed policies, programs and strategies to alleviate under-utilization of certain groups such as minorities and disabled persons. The Affirmative Action Officer will be responsible for administering and/or monitoring the College's affirmative action strategies.

Recruitment and Hiring Procedure

The following steps outline the procedure to be followed in the recruitment and hiring process for regular staff whether funded institutionally or through grants:

1. Staffing needs identified–This most often occurs when a person leaves a position. This can also happen when a position is created (e.g., written into a grant).
2. Job evaluation–If the position is a new one, then a job evaluation needs is conducted by the Human Resources (HR) Office to determine the appropriate grade. For a grant-funded position, ideally this should occur before the grant is submitted so that the appropriate salary amount can be included in the proposal. (See the Classification section for more detail on this process.)
3. Request to fill vacancy–The hiring manager completes a “Request to Fill Vacancy” form, which is then signed by the budget manager/supervisor and forwarded to the HR Office.
4. Approval to fill vacancy–The HR Director and President need to sign each “Request to Fill Vacancy” form.
5. Search parameters–After the position is approved to be filled, various parameters of the search are established through discussions that include the hiring manager and/or search committee chairperson, the HR staff members who coordinates searches, the HR Director, and the Affirmative Action Officer (AAO). The parameters include internal vs. external hiring, application deadlines, AA goals, and sources of advertising.
6. Search–The search is conducted: internal job posting, advertising, resume review, interviews, reference checking, etc.
7. Finalist identified–At the conclusion of the search process, a finalist (and possibly several alternates) is identified.
8. AAO and the Human Resource Director review–The hiring manager reviews the search process and discusses the candidate chosen with the AAO and with the Director of Human Resources.
9. Job offer–The hiring manager and the HR Director discuss the job offer. Upon approval from the HR Director, the hiring manager calls the candidate, makes the offer and, assuming the candidate accepts, negotiates a starting date.
10. Alternative offer–If the candidate rejects the offer and the hiring manager feels that there is some reasonable chance of getting the individual to accept another offer, the manager calls the HR Director. A new offer may be formulated. If it is, the hiring manager makes this new offer.

11. New finalist–If steps 1–10 above fail to result in a job acceptance, then the process repeats itself with an alternative candidate, or some part of the search process is re-opened.
12. “Personnel Change Notice”–After a candidate accepts an offer, the hiring manager completes a “Personnel Change Notice” form and sends it to the HR Office.
13. Confirmation letter–After the HR Office has received the “Personnel Change Notice” form a confirmation of offer letter is sent to the candidate/new staff from Human Resources. This letter includes all pertinent salary, benefits, and tax information.
14. I-9–Upon acceptance of an offer of employment, the successful candidate must be “qualified” under federal immigration law through the completion of the I-9 form.
15. Beginning employment–New employees (other than casuals) report to the Human Resources Office on the first day of employment to complete required paperwork and receive a mini-orientation. (A lengthier orientation program is scheduled later, generally within the first six months of employment.)

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Nepotism Policy

The purpose of this policy is to avoid conflicting employment relationships. This policy covers individuals who may be related by birth, marriage, adoption, or have a domestic partnership. It includes parents, grandparents, children, aunts/uncles, cousins, nephews/nieces, in-laws, fiancées, husbands/wives, and domestic partners.

An individual who has a relationship with another as described above may not be involved in the hiring (including serving on the search committee), supervision, evaluation, re-appointment or promotion of the other or in decisions about compensation and benefits or other employment matters.

Related employees may work in different departments at the College. Related individuals may work in the same office, department, house, or school as long as one is not in the same supervisory chain of command as the other.

One exception to the last requirement is for a faculty member whose relative may be serving as a dean of the same school. In this instance, the faculty handbook will determine appropriate procedures.

Hampshire College is pleased to offer summer employment opportunities for children of employees. Therefore, with the exception of the children of budget managers, children may work in the same department as their parents and may, in fact, be assigned to work for their parents. (Parents should not, however, be involved in the actual hiring decision.) Budget managers may not hire their children to work in their office or department, although their children may work elsewhere at the College during the summer.

In the case of a relationship that develops between a supervisor and subordinate that leads to either marriage or the establishment of a domestic partnership, then a conflict in the employment relationship is viewed to exist. This conflict must be resolved through a rearrangement of the supervisory reporting relationship, through the transfer of one or the other individual to another office at the College, if possible, or through one individual leaving the employment of the College. The College, however, is under no obligation to reorganize a department or office to change the supervisory relationship or to create a new job at the College for either individual.

Employment-At-Will

Under Massachusetts law, the term “employment-at-will” refers to the freedom of both employer and employee to end the employment relationship. It is in contrast to a situation where a written contract exists defining a specific length of employment. Most employees in Massachusetts and other states work in an “employment-at-will” environment. Staff at Hampshire College are in an “employment-at-will” environment. Employment may be terminated at any time at the discretion of Hampshire College or the staff member.

Normally, either party terminating the employment relationship will provide the other party with a minimum of two-weeks’ notice. Hampshire College reserves the right to pay terminated staff two weeks’ wages in lieu of notice (except in the case of egregious behavior).

Individuals involved in the hiring process should refrain from making any statement or providing any assurance of job security or continued employment to prospective or newly hired staff, which might be construed as a contract. Similarly, in their dealings with staff, supervisors should not make any promises or assurances of continued employment.

No manager or supervisor at the college, other than the Human Resource Director or President, is authorized to enter into an employment contract (written or oral) with any employee.

In dealing with performance or misconduct problems, ordinarily the College’s disciplinary procedures will be followed. However, when confronted with cases of gross misconduct, the College may decide that immediate dismissal is the proper course of action under the circumstances.

Staff members who are terminated will be allowed to appeal the discharge under the College’s grievance procedure.

Promotion and Transfer Opportunities

In order to notify current staff members of promotional or transfer opportunities for which they may wish to apply, it is the policy of the HR Office to post announcements of current vacancies in all offices on campus and on the HR Web site.

1. Announcement of Vacancies—This procedure covers all continuing full-time and part-time vacancies (not casual positions), both institutional and grant-funded. Each announcement of a staff vacancy will include the following:

- position title and grade
- department
- minimum salary (entry level salaries may not apply to internal candidates selected based on current salary and length of service)
- deadline for filing application
- instructions for applying

After a vacancy receives approval to be filled, the vacancy will be posted on campus. The application period is five working days from the date of posting. For example, positions posted on Thursday will have an application deadline of the following Thursday at noon.

2. Application and Screening Procedure—Normally a staff member will not be considered for any other position at the College until he/she has completed one year of service in his/her present position. Exceptions may be made to this “one year policy” when it is in the best interests of both the College and staff member.

Permission to job post before one year in the current position must be obtained from the current supervisor, or from the Director of HR if the staff member wants to maintain the confidentiality of the application.

A staff member may apply for more than one position vacancy at a time should several positions for which he/she qualifies be posted simultaneously. All applications are to be made through the HR Office. Under no circumstances should a staff member contact the department posting the vacancy directly. Staff members must submit an application form (Staff Application) and/or cover letter and resume by the application deadline date to the HR Office. Although there is no obligation to do so, staff members may, if they wish, advise their present supervisor that they have applied for a posted vacancy at the time of initial contact with the HR Office.

On-campus applications will be forwarded to the posting department after the deadline date shown on the posting notice. All internal applicants who meet the minimum qualifications for the position and follow the terms of the posting procedure will be considered. However, it is not necessary that the posting department interview all internal

applicants for a position. Applicants who are interviewed will have an opportunity to discuss with the interviewing supervisor the duties and qualification requirements of the posted position. If a staff member is selected for an interview, the staff member should, at this point, inform his/her present supervisor that he/she is being interviewed. It will be the staff member's responsibility to arrange with his/her present supervisor for time off for the scheduled interview. At this time, the interviewing supervisor may contact the staff member's present supervisor to discuss the staff member's qualifications for the position. Under no circumstances will a staff member's current position and status be jeopardized by applying for another position at the College.

After completion of all interviews, the budget manager will confer with the HR Office and a final selection will be made. When a staff member from one office or department is selected for a vacancy in another office or department, adequate notice will be given, in writing, to the staff member's present department. Two weeks notice is usually considered reasonable unless some other acceptable arrangement has been agreed upon by the departments in consultation with the HR Office.

Employment Categories

In order to effectively and efficiently administer HR policies for hundreds of employees, a series of employment categories has been developed to identify the type of position held by each employee at the College. The HR Office uses these categories to determine those benefits for which each employee is eligible. (These categories are not mutually exclusive, for example, an employee may be “exempt staff,” a “grant appointment,” and have a “temporary appointment.”)

Any employee who is unclear as to his/her employment category, should contact the HR Office for clarification.

1. **Faculty**–The faculty includes those members of the instructional staff of the College holding ranks of Assistant Professor, Associate Professor or Professor, or Visiting or Adjunct Professor.
2. **Exempt Staff**–This category applies to those staff members primarily responsible for managing the academic, financial and business affairs of the College and for providing support services. These positions are “exempt” positions, which means that staff members in this category are not eligible for overtime pay.
3. **Non-Exempt Staff**–These staff provide secretarial, clerical, technical or service maintenance support services. These staff members are “non-exempt staff,” which means that they receive overtime pay for hours worked in excess of 40 per week. (See Overtime Pay section for more information.)
4. **Casual Staff**–Staff members in this category are hired on a short term basis and/or work less than half-time and are not entitled to receive benefits. These non-exempt staff members are paid hourly and are hired for a period, usually, not to exceed 6 months. In general, interns on Hampshire College’s payroll are considered casual staff members.
5. **Grant Appointments**–The salaries of staff members in this category are funded from grants from outside agencies/foundations rather than out of the normal operating budget of the College. Since the continuation of this type of position is contingent upon the renewal of the grant, positions funded by grants are generally considered to be “temporary” rather than “continuing” appointments.
6. **Continuing Appointment**–A staff member is considered to have a continuing appointment if (1) the individual holds a position which is part of the regular continuing staff of that department (sometimes referred to as holding a “regular budgeted position” within the department), and (2) at the time of hire there is no specific ending date to the staff member’s tenure in that position.

7. Temporary Appointment—A staff member is considered to have a temporary appointment if the individual has been hired only for a specific period of time. All temporary appointees must understand that their employment is expected to end on the date stated at the time of hire.

Orientation

On the first day of employment, a new employee will have a meeting with a representative of the Human Resources Office to complete all necessary personal data questionnaires, tax forms, discuss enrollment in the appropriate benefit plans, and receive a brief introduction to Hampshire College. In addition, the immediate supervisor or department manager will conduct a department orientation for the new staff member. At this session, a new staff member will be introduced to co-workers, given a brief tour of the office/department, and will be issued any keys and equipment necessary for the performance of his/her duties. The supervisor or budget manager will also brief the new staff member about the duties, responsibilities, facilities, work schedules and policies of his/her new position.

Periodically, the HR Office will coordinate a formal orientation program required of all new staff members where staff are told about the College's history, current status, and future directions. Diversity training occurs and additional information about benefits, employee assistance program, governance, etc., is provided. The frequency of these sessions is dependent upon the hiring levels at the College. Notice of date, time and location of these sessions is generated by the HR Office and is forwarded to all new staff members and their supervisors. A similar program is coordinated by the Dean of Faculty Office for new faculty at the beginning of the academic year.

Probationary Period

New non-exempt staff will be on probation for the first three months of employment or re-employment (if separation from College employment has been for more than six months). It is hoped that all probationary staff members will become regular staff members. After completion of three months of employment, the staff member's performance will be evaluated in writing by the supervisor. If the staff member's work performance does not meet the required standards of the College and/or the department, or if the position does not meet the staff member's expectations, employment may be terminated by either party. The probationary period may be extended for another month when it is in the best interests of the department and upon recommendation of the budget manager. The formal grievance procedure is not available to staff members until satisfactory completion of their probationary period.

Work Hours and Meal Periods

1. Hours of Work–The standard work week for most members of the staff consists of seven hours per day, five days per week, or 35 hours. The standard operating hours during the academic year are from 8:30 a.m. to 4:30 p.m., Monday through Friday. In some cases (e.g., Physical Plant) the work week may consist of eight hours per day, five days per week or 40 hours per week, and the shift may vary in accordance with departmental needs.
2. Some positions require weekend or evening work. The operational needs of the department, as determined by the supervisor and department head, dictate work schedule. If a department's needs change, such that some positions' hours need to change to include evening or weekend work, at least two weeks notice of this change will be provided to affected staff.
3. Beginning June 1st through August 31st of each year staff members may work a summer hour schedule by starting the workday earlier than 8:30 a.m., allowing completion of the seven hours earlier in the day. Summer hours are granted at the discretion of the department manager only when they do not interfere with the normal operation of the department. All offices must continue to remain open between 8:30 a.m. and 4:30 p.m.; so it is often best for departments to stagger summer hours for its staff members.
4. Lunch Hours–There is a daily one hour unpaid lunch period as scheduled by the department manager and determined by the needs of that office. Lunch periods will be staggered wherever possible to provide continuous coverage in offices which must be open all day. Lunch hours may not be shortened or accumulated for additional time off.

Attendance and Recording of Work Hours

For the College and its offices to operate efficiently, staff members must be ready to start work at the scheduled time and continue working until the scheduled hours are completed. It is recognized that occasionally lateness may occur due to emergencies or factors beyond a staff member's control. In the event a staff member expects to be late in arriving at work or cannot report for work that day, he/she should notify the supervisor as soon as possible. Frequent tardiness and unscheduled absences from work may be cause for disciplinary action.

College employment policies and state work laws require the accurate recording of all paid and non-paid hours. These records are maintained and carefully reviewed in the Payroll Office; they must also be made available to representatives of the various government agencies responsible for compliance with applicable laws and regulations.

Because of these laws, the importance of accuracy in time and attendance records cannot be overemphasized. Each report must reflect all paid and non-paid hours for the report period. The staff member's initials and the budget manager's signature on these reports attest to the accuracy and completeness of this information. No non-exempt staff member should be required to work overtime without adequate compensation. No staff member is entitled to compensation for non-work hours which are not covered by one of the College's benefit or paid leave plans (e.g. vacation, sick leave, etc.). Discrepancies in time and attendance reports discovered by Payroll or the HR Office or by federal regulatory agencies may result in serious legal consequences including criminal penalties for the College and the staff members involved. Falsification of time and attendance records will be considered cause for disciplinary action. Failure to document and attest to hours worked may cause delays in the issuance of pay.

At Hampshire College each budget manager has overall responsibility for the regular recording of work hours on forms which are submitted to the Payroll Office where a master record is maintained for each staff member. In larger offices or departments, the budget manager may delegate this responsibility to a senior member of the staff. To ensure accuracy in preparing these forms, it is recommended that the individual responsible for maintaining the time and attendance records record hours regularly, rather than waiting until the end of the payroll period.

Unsatisfactory Work Performance

Situations sometimes arise when a staff member's job performance does not meet the required standards for the position that have been established by the department and the College. Because unsatisfactory job performance can have serious consequences for the staff member, including termination of employment, it is important that the supervisor deal with these situations promptly, clearly and equitably.

The following procedure will be used by all supervisors and/or budget managers when dealing with unsatisfactory job performance. It represents a progressive sequence of notice designed to ensure that a staff member is kept informed of situations which may result in termination of employment.

1. Verbal Notice—The supervisor will inform the staff member of the nature of the unsatisfactory performance and will indicate the improvement necessary. The supervisor will make a note of the discussion for his/her own records, including the date the discussion occurred, to document that a verbal warning was given. A copy of this note must be forwarded to the HR Office. This will not be placed in the individual's personnel file if improvement occurs.
2. First Written Notice—If the unsatisfactory performance continues, the supervisor will again discuss the problem with the staff member, and the staff member will be given a written warning which will state the nature of the unsatisfactory performance and improvement expected. This warning will specify the time period in which this improvement is expected. The staff member is expected to sign and date a copy of the document confirming that it has been discussed and received, even if he/she may not agree with its content. After the staff member has signed the written warning notice, copies will be sent to the HR Office for filing in the individual's personnel file. Upon receipt of a written notice describing unsatisfactory job performance, the staff member must understand that his/her continued employment at the College is in jeopardy.
3. Discharge or Second Written Notice—If the expected improvement is not achieved within the time period specified, or if the problem recurs within one year of the first written warning, the supervisor may discharge the staff member after consultation with the HR Office. The supervisor will provide the staff member with a written statement outlining the reason(s) for discharge and indicating the effective date. A copy of the written statement will be sent immediately to the HR Office. If the supervisor believes that further improvement in the staff member's performance is still possible, the supervisor may issue a second written warning rather than terminating employment. The second written warning should be issued in the same manner as the first written warning. If the second written warning is issued and does not produce the required improvement in the staff member's performance in the time period specified, or if the problem recurs within one year, employment will be terminated as outlined above.

4. Immediate Suspension—In cases of serious misconduct (e.g., assault, indecent conduct, gross insubordination, etc.), the supervisor may, following consultation with the HR Director if possible, immediately suspend an employee pending completion of an investigation and final determination of employment status.

Grievance Procedure

Intent of the Policy

Hampshire College is committed to the fair, equitable, and respectful treatment of all employees. It is very important that work-related problems be resolved as soon as possible. Employees are encouraged to make efforts to resolve any grievances with their supervisor(s) before contemplating a formal grievance. If an employee feels uncomfortable discussing the problem with their immediate supervisor, we suggest contacting the budget manager (for clarification of contact person call Human Resources) or a member of the Human Resources Office. We will attempt to assist you in overcoming problems and work with you and your supervisor to resolve the issue in a professional manner.

The goal of this procedure is to address concerns in a constructive, problem-solving fashion. The policy is designed to address most work related problems. Please be aware that issues related to salary and pay, benefits and discrimination or harassment are addressed by other policies within our handbook, which are described briefly after this policy. Our goals are to:

- Foster communication between employees and supervisors by providing a mechanism for expressing concerns without fear of reprisal.
- Ensure that employees' concerns and problems are recognized and addressed appropriately.

Role of Human Resources - Human Resources is available throughout every stage of the informal and formal process, to employees and to management, to explain college policies and practices as they might apply to the problem and to help facilitate a resolution. Human Resources will also provide assistance in an attempt to resolve the matter within the required time frame.

Process – Generally, the following sequence of steps are taken to address and resolve work-related problems treating the matter with respect and with confidentiality to the extent possible and appropriate. For all time frames mentioned in this policy, reasonable extensions may be granted in cases of illness or vacation.

Informal Procedures

Step 1: Employee contacts Immediate Supervisor

Employee discusses the problem with his/her immediate supervisor in an attempt to resolve the complaint informally. The employee may choose to discuss the problem with a member of the Human Resources Office. Human Resources is available to employees and to management, to explain the college policies and practices as they might apply to the problem and to help facilitate a resolution.

Step 2: Employee provides written description of problem to Immediate Supervisor and the Human Resource Office

If the problem is not resolved in Step #1 within 5 working days of the last meeting with the supervisor, the employee should commit a description of his/her problem in writing and submit this written statement formally to the supervisor and the Human Resources Office. Presenting the problem in writing helps to define the issue and solicit communication. In a written grievance, the employee must present clearly and concisely his or her description of the incident(s); identify the respondent(s) to the grievance, and suggest a desired remedy. The supervisor must address the issue in writing within 5 working days of receipt of the written grievance. If this time frame is missed, the grievance is assumed to pass to the next step. Documents received by the Human Resources Office will be part of the employee's personnel file.

We hope that all situations could be resolved by utilizing this two step informal process. However, for those situations that cannot be resolved at this point, the individual may move into the Formal Resolution Process.

Formal Procedures

Step 1: Budget Manager or Budget Supervisor or Human Resources

If the employee is not satisfied with the resolution of the problem at Step #2 of the informal process, he/she may appeal directly to the next level of management, typically the office, department, or school head or the Human Resources Office. The same process and time frames apply as in Step #2. The role of the individual contacted for the appeal would be an attempt to try and resolve the matter through the use of fact-finding and information gathering, including interviewing the principal parties involved in the matter and any relevant witnesses. The individual resolving the matter shall issue a written decision within 10 days of receipt of the appeal, and will be documented as a part of the employee's personnel file.

Step 2: Employee contacts Senior Administrative Officer

If the employee is still not satisfied with the resolution at the prior steps, he/she may appeal to the appropriate Senior Administrative Officer (contact Human Resources for names of individuals). The appeal must be in writing and sent within 5 working days from previous step. The Senior Administrative Officer has 10 working days to consider the grievance and make a decision.

Mediation

Anytime during the formal procedure either party may request the next level of management to contract with an outside mediator. The Human Resources Office is available to assist with contracting the mediation service. If costs for these services are incurred, they will be borne by the department seeking mediation or shared if more than one department is involved.

Step 3: Employee contacts President or designee

If all of the above fail to resolve the grievance, the employee may, within 5 days of receiving the last response, appeal to the President or his/her designee for further review.

The President or his/her designee has 14 days to review the complaint and render a decision, which is final.

Retaliation of any form against anyone engaging in the grievance process described is strictly forbidden. An employee who feels that they are being retaliated against should contact the Human Resources Office immediately.

Other Employment Related Issues

For a number of reasons, most notably state and federal laws, separate mechanisms exist for addressing issues related to pay and salary, benefits and discrimination and harassment.

Pay and Salary

If questions arise about pay and deductions on a specific paycheck, they should be directed to the Payroll Supervisor in the Business Office. If a more general question arises about salary and/or benefit deductions, that question can be referred to the Human Resources Office.

If an employee feels that his/her salary, rate or title does not accurately reflect the work performed, he/she should first discuss this with their immediate supervisor. If the supervisor agrees that a review is warranted, the supervisor completes a job analysis form and a written request is then submitted to the Human Resources Office. This request is considered at the next quarterly meeting of the Compensation Committee, which consists of the President, Vice President/Dean of Faculty, Vice President/Finance and Administration, Dean of the College, Chief Advancement Officer and Senior Advisor to the President.

Benefits

State and federal law, particularly ERISA (Employee Retirement Income Security Act), govern most of Hampshire College's benefit and leave plans. These laws usually prescribe the method by which complaints and appeals of benefit problems are handled. Please refer to the Summary Plan Description (SPD) and/or Benefit Plan Document for further explanation of the applicable grievance/appeal process.

If an employee has a question about benefits, he/she should first direct the question to the Human Resources Office. If the issue is not answered to the employee's satisfaction, it can be directed to the Vice President/Finance and Administration, who is the plan administrator for Hampshire's employee benefit plans and will render a written decision about the individual's benefit issue. More general policy issues about Hampshire's benefit program that may arise are referred to the Compensation Committee.

Discrimination and Harassment

Instances of discrimination or harassment may represent violations of state law and must be reported to the Human Resources Office, which is charged with legal compliance for the college. The process for handling sexual harassment complaints is described more fully in a separate policy.

Policy Date: 3/04

Anti-Harassment Policy

Harassment or intimidation of another person, limiting another person's right to equal opportunity or otherwise denying another person equal treatment because of his or her race, sex, sexual preference, religion, age, handicap, national origin, veteran status, or ancestry is prohibited. The term "harassment" is taken to include verbal and/or written violation of any individual's rights through graffiti, telephone calls, or other means. Sanctions which may be imposed include suspension or termination from employment or such lesser sanctions as may be appropriate to the nature of the act.

Sexual Harassment Policy

Introduction

It is the goal of Hampshire College to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve the College's goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and the College has provided a procedure by which inappropriate conduct will be dealt with if encountered by employees.

Because Hampshire College takes allegations of sexual harassment seriously, the College will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, the College will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

The sexual harassment of students by College employees (faculty or staff) is also a violation of law and College policy and will be cause for disciplinary action. (Sexual harassment by students is covered in the student policy and campus resource guide, Non Satis Non Scire)

Please note that while this policy sets forth Hampshire College's goal of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit the College's authority to discipline or take remedial action for workplace conduct that the College deems unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitute sexual harassment.

The legal definition of sexual harassment is broad, and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances -- whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
 - Displaying sexually suggestive objects, pictures, cartoons;
 - Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
 - Inquiries into one's sexual experiences; and,
 - Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by Hampshire College.

Complaints of Sexual Harassment

If any of Hampshire College's employees believe that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with the College. This may be done in writing or orally.

If an employee would like to file a complaint he or she may do so by contacting the Associate Vice President of Human Resources (559-5605, Robert Stiles House), or the Vice President of Finance and Administration (559-5528, Business Office). These persons are also available to discuss any concerns the employee may have and to provide information about the College's policy on sexual harassment and the complaint process.

Sexual Harassment Investigation

The sexual harassment grievance officer receiving the complaint will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The College's investigation will include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed sexual harassment will also be interviewed. When the College has completed its investigation, it will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, the College will act promptly to eliminate the offending conduct, and where it is appropriate the College will also impose disciplinary action.

Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of the College's employees, the College will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as the College deems appropriate under the circumstances.

State and Federal Remedies

In addition to the above, if an employee believes that he or she has been subjected to sexual harassment, the employee may file a formal complaint with either or both of the government agencies set forth below. Using the College's complaint process does not prohibit the employee from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

1. The United States Equal Employment Opportunity Commission ("EEOC") John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, (800) 669-4000.
2. The Massachusetts Commission Against Discrimination ("MCAD") Boston Office: One Ashburton Place, Sixth Floor, Rm. 601, Boston, MA 02108, (617) 994-6000. Springfield Office: 436 Dwight Street, Second Floor, Rm. 220, Springfield, MA 01103, (413) 739-2145.

Revised October 2010

Unacceptable Conduct

Standards of acceptable conduct for employees are necessary for the orderly and efficient operation of the College and for the benefit and protection of the rights and safety of all members of the College community. At Hampshire College every effort has been made to assure that the general rules of conduct which have been established are reasonable and that the restrictions placed on individual behavior are limited to those governing ordinary ethical behavior within a professional and organizational setting.

This section contains only those general rules of conduct which are not covered elsewhere in this manual. Unacceptable behavior or specific actions specified in other sections of this handbook (e.g., sexual harassment, falsifying of time and attendance records, excessive absenteeism or tardiness, etc.) are not addressed here.

Infraction of any of the College's rules of conduct contained in this or any other section of this manual will be sufficient grounds for disciplinary action, ranging from verbal warning to immediate discharge, depending upon the employee's overall record and the seriousness of the offense.

Although the following is by no means a complete list of all offenses warranting discipline, these regulations, prohibitions, and descriptions are published as examples of actions which the College considers to be serious breaches of acceptable conduct warranting disciplinary action by supervisors or budget managers.

Unacceptable Conduct Regarding Safety

- Reporting to work or working under the influence of alcohol, narcotics, etc.
- Intentional violation of College safety rules or procedures.
- Speeding or reckless driving on College roads or property.
- The transporting or possession of weapons, firearms, fireworks or explosives on College property.

Note: No firearms are permitted on the Hampshire College campus. This prohibition applies to the possession of all firearms, whether or not a lawful permit might have been issued under law for ownership, possession, or use. This policy is consistent with Massachusetts General Laws Chapter 269, Section 10 (j).

Unethical or Illegal Conduct

- Intentionally supplying false or misleading information on the employment application or on personal data, benefit, or other forms required by the College.
- Alteration or falsification of College records (e.g., financial reports, student's grades, department inventories, etc.).

- Destruction or defacing of College property or the private property of co-workers, students, etc.
- Theft of College property or the private property of co-workers, students, etc.
- Assaulting, threatening, intimidating or coercing co-workers, students, or others at any time for any reason.
- Immoral or indecent conduct on College property or on College business.
- Accepting significant gifts, gratuities or favors from firms, organizations (their staff members or agents) or other individuals who provide goods and services to the College.
- Taking advantage of the office or department in which one works to request or receive favored treatment or special privileges and services which are not available to other employees at the College.
- Involvement in gambling, lotteries, or other games of chance on College property, not including College sponsored events.

Misuse of Authorized Leaves

- Using an authorized leave granted for specific purposes (e.g., sick leave, personal leave) for any purpose other than for which it was granted.
- Using an authorized leave granted for specific purposes (e.g., sick leave) to engage in other employment without the consent of the College.

The foregoing examples of unacceptable conduct are presented here by way of illustration and shall not be deemed to exclude the College's right to discipline, suspend or discharge employees for other just causes. Employees should also be aware that the College may discipline, suspend or discharge an employee for criminal or felonious acts which occur off College property. The College has and reserves the right to discipline, suspend or discharge an individual or to take any other appropriate action which it believes necessary to protect the rights and safety of members of the College community.

Outside Employment

Some employees may have employment outside the College. The following guidelines should be followed when considering outside employment:

- Work for outside employment is not conducted during hours in which you are scheduled to perform work for the College.
- Other employment will not adversely affect your job performance, such as making you too tired to perform your job responsibilities or unable to work additional hours when necessary.
- Supplies and equipment of the College are not used to perform work for the outside employment.

Solicitation

Solicitation includes any communication made by an employee to another employee or group of employees which encourages, advocates, demands, or requests contributions of money, time, effort, or personal involvement or membership in any fund (charitable or otherwise) or organization of any kind, or the purchase of any merchandise, raffle or lottery ticket, or the like.

Other than the collection of money for a gift for an employee who is resigning, retiring, getting married, etc., solicitation is not permitted during scheduled work times. It is permitted, however, during scheduled breaks (e.g., lunch) and before and after work. Employees should, however, be sensitive to the fact that many employees find frequent solicitations objectionable even during non-working times. In addition, Hampshire College participates in United Way, and through United Way, employees have a mechanism to contribute to most charitable organizations.

Although not strictly forbidden, supervisors should be particularly sensitive to their positions of authority before soliciting employees whom they supervise.

Although solicitation is permitted during non-work hours, at no time should College resources be used in solicitation: stationary, photocopying, internal mail system, phones, e-mail, etc.

On-campus solicitation by outside individuals, vendors, or groups is not permitted unless a specific exception is granted by the Director of Human Resources (or Dean of Student Affairs in the case of solicitation of students).

Termination of Employment

The termination of the employment relationship between a staff member and the College may be initiated by either party.

Voluntary Resignation

When a staff member has decided to resign from his/her position, the College expects reasonable advance notice in order to minimize the disruption of operations within the department and to allow sufficient time for the hiring and training of his/her successor. Reasonable notice is defined as a minimum of two weeks, longer for more senior-level positions. Resignations must be in writing and should be addressed and submitted to the supervisor or budget manager; the last day of work should be clearly stated in the letter. A copy of this letter, together with a completed Termination Notice form, should be sent to the HR Office by the budget manager as soon as possible.

The last day of work is considered to be the official termination date of employment. Accumulated unused vacation time will be paid to the staff member. Vacation and personal days may not be used to extend the official termination date.

Involuntary Termination

If the termination is involuntary (i.e., initiated by the College), the staff member will be provided with adequate notice (at least two weeks, or two weeks severance pay in lieu of notice unless for egregious behavior) and an explanation of the reasons for this action. Immediate discharge or suspension will occur only where there has been a serious violation of College rules.

Terminating staff members should contact the HR Office regarding benefits to which they may be entitled.

(Note: This section does not refer to terminations due to layoffs — See Staff Reduction Policy.)

Staff Reduction Policy

This policy applies to full- and part-time benefits-eligible staff. Staff employed under grants or contracts are not eligible for severance pay but are covered by the remainder of this policy. This policy does not apply to staff dismissed “for cause.” Examples of “for cause” termination are discussed in the “Unacceptable Conduct” section of the Policy Manual. This policy would not apply to those terminated for reasons discussed in the “Unsatisfactory Work Performance” section of the Policy Manual.

If the College determines that staff reductions are necessary, whether through workforce reductions, reorganization, restructuring, position elimination, collaborations or outsourcing, reasonable efforts will first be made to achieve such reductions through attrition and reassignment; otherwise, the following will apply to those whose positions are eliminated. Reassignment may include the provision of a position available with the outside entity involved in a collaboration or outsourcing initiative.

Notice of termination may or may not be administratively feasible or advisable. When it is administratively feasible and advisable to do so, the College will provide individuals with a minimum of four work weeks’ notice of the termination of their employment as determined by the College.

When it is not feasible or advisable to provide a full four weeks’ notice, employees will receive either pay in lieu of notice or a combination of notice and pay in lieu of notice which will equal four weeks. This notice supersedes all other notice periods that may be offered by the College.

At the end of the notice period, employees will receive one week of severance pay for each completed year of service up to a maximum of ten weeks. Severance pay will be reduced by payroll taxes and income tax withholding. In order to receive severance pay, the employee must sign a waiver of claims against the College.

If an employee selected for reduction transitions to a comparable job either within the College or with a collaboration or outsourcing partner during the notice period, he or she will not receive severance pay or other benefits under this policy. A comparable job is defined as one at or near the same salary and level of responsibility and whose salary source or employer may or may not be the College and for which the staff member may or may not be in the employment of another organization. If there is an opportunity to transition to another comparable position with or outside the College, the College maintains the right to extend the notice period during this transition. Should the employee accept the comparable position, the employee would not be eligible for severance. If the employee did not accept the comparable position he or she would not be considered for that position after accepting severance.

Upon termination, group health insurance coverage may be continued through COBRA, for the period as defined by law. Employees who have elected voluntary vision and/or dental plans may also continue coverage of those benefits under COBRA. The employee will be responsible for paying the cost of premiums in accordance with COBRA. Upon

termination of employment the employee will have the right to convert college-provided life insurance to an individual policy.

Individuals will be paid for any unused accrued vacation time at the time of termination.

Human Resources will be available to discuss job-seeking strategies with individuals affected by this policy. Employees will be advised that they may apply for unemployment benefits.

All other benefits will terminate upon the termination of employment.

Revised September 4, 2009

Smoking

Smoking is prohibited in all college vehicles, all campus buildings, and within 25 feet of all buildings.

Revised April 2011

Federal Drug Free Schools and Communities Act

Hampshire College, in accordance with both federal legislation and existing College policy, is committed to providing a drug-free, healthful and safe environment for all employees and students.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, and the unauthorized possession or use of alcoholic beverages on the Hampshire College campus or as part of any College activity or business off the College premises is prohibited. If it is determined that an employee violates this policy, disciplinary action up to and including termination of employment and referral for prosecution may result as deemed appropriate. If a student violates this policy, disciplinary action up to and including expulsion and referral for prosecution may result as deemed appropriate.

Individuals employed directly under federal grant or contract must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off College premises within five (5) days after the conviction. These requirements are mandated by the Drug-Free Workplace Act of 1988.

Summary of Legal Sanctions Covering Alcohol and Drug Abuse

(language taken from AICUM publication of legal sanctions)

Local, state and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines and assigned community service. Courts do not lift prison sentences in order for convicted persons to attend college or continue their jobs. A felony conviction for such an offense can prevent you from entering many fields of employment or professions.

Massachusetts laws prohibit sale or delivery of alcoholic beverages to persons under 21 years of age with a fine of up to \$2,000 and six (6) months imprisonment, or both. Misrepresenting one's age or falsifying an identification to obtain alcoholic beverages is punishable by a fine of \$300. First conviction of driving under the influence of alcohol has a penalty of \$1,000 fine, one-year revocation of driver's license, up to two years in prison, and mandatory alcoholic rehabilitation.

Massachusetts has criminal penalties for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, narcotic, addictive and drugs with a high potential for abuse have heavier penalties.

Possession of drugs is illegal without valid authorization. While penalties for possession are generally not as great for manufacture and distribution of drugs, possession of a relatively large quantity may be considered

distribution. Under both state and federal laws, penalties for possession, manufacture and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served.

Massachusetts makes it illegal to be in a place where heroin is kept and to be in the company of a person known to possess heroin. Anyone in the presence of heroin at a private party or dormitory suite risks a serious drug conviction. Sale and possession of “drug paraphernalia” is illegal in Massachusetts.

Persons convicted of drug possession under state or federal laws are ineligible for federal student grants and loans for up to one year after the first conviction, five years after the second; the penalty for distributing drugs is a loss of benefits for five years after the first, ten years after the second, permanently after the third conviction.

Under federal law distribution of drugs to a person under age 21 is punishable by twice the normal penalty with a mandatory one year in prison; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture or distribution of drugs, if death or serious injury results from the use of the substance.

Hampshire College recognizes alcohol and drug dependency as an illness and a major health problem in this country and on campus. Drinking alcohol has acute effects on the body. It impairs judgment, vision, coordination and speech and often leads to dangerous risk taking behavior. Nearly half of all accidental deaths, suicides and homicides are alcohol-related. The misuse of alcohol is often responsible for violent behavior, acquaintance rape and unwanted pregnancies.

Use of drugs and alcohol can cause physical and psychological dependence. They can interfere with memory, sensation and perception. Drugs impair the brain’s ability to synthesize information. Regular users of drugs develop tolerance and physical dependence often experienced by withdrawal symptoms. The psychological dependence occurs when the drug taken becomes central to the user’s life and decision making.

Employees who need help with substance abuse problems or co-workers/family members of substance abusers are encouraged to use the Employee Assistance Program. Services include assessment and referral to professional treatment. Contacts of this nature are confidential and will not jeopardize the employee’s job.

Job Safety and Health Protection

The Occupational Safety and Health Act of 1970 provides job safety and health protection for workers by promoting safe and healthful working conditions throughout the country. Provisions of the Act include the following:

Employers

All employers must provide employees with a work environment free from recognized hazards that are causing or are likely to cause death or serious harm. Employers must comply with occupational safety and health standards issued under the Act.

Employees

Employees must comply with all occupational safety and health standards, rules, regulations, and orders issued under the Act that apply to their own actions and conduct on the job. The Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor has the primary responsibility for administering the Act. OSHA issues occupational safety and health standards, and its Compliance Safety and Health Officers conduct job site inspections to help ensure compliance with the Act.

Inspection

The Act requires that a representative of the employer and a representative authorized by the employee be given an opportunity to accompany the OSHA inspector for the purpose of aiding the inspection. Where there is no authorized employee, the OSHA Compliance Officer must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Complaint

Employees or their representative have the right to file a complaint with the nearest OSHA Office requesting an inspection if they believe unsafe or unhealthy conditions exist in their workplace. OSHA will withhold, on request, names of employees complaining. The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or for otherwise exercising their rights under the Act. Employees who believe they have been discriminated against may file a complaint with their nearest OSHA Office within 30 days of the alleged discriminatory action.

Citation

If upon inspection, OSHA believes an employer has violated the Act, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected. The OSHA citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

Proposed Penalty

The Act provides for mandatory penalties against employers of up to \$1,000 for each serious violation and for optional penalties of up to \$1,000 for each non-serious violation. Penalties of up to \$1,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$10,000 for each such violation. There are also provisions for criminal penalties. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine up to \$250,000 (or \$500,000 if the employer is a corporation), or by imprisonment of up to six months or both. A second conviction of an employer doubles the possible term of imprisonment.

Voluntary Activity

While providing penalties for violations, the Act also encourages efforts by management, before an OSHA inspection, to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries. OSHA's Voluntary Protection Programs recognize outstanding efforts of this nature. OSHA has published Safety and Health Program Management Guidelines to assist employers in establishing or perfecting programs to prevent or control employees exposure to workplace hazards. There are many public and private organizations that can provide information assistance in this effort, if requested. Also, a local OSHA Office can provide considerable help and advice on solving safety and health problems or can refer you to their sources for help such as training.

Consultation

Free assistance in identifying and correcting hazards and in improving safety and health management is available to employers, without citation or penalty, through OSHA-supported programs in each State. These programs are usually administered by the State Labor or Health Department or a state university.

Section 3—Compensation and Pay Practices

Classification and Compensation Plan

A formal plan exists for the classification and compensation of all non-faculty positions, whether institutionally—or grant-funded.

Plan Objectives

The Classification and Compensation Plan was designed and is administered to achieve the following objectives:

- **Internal Equity**—To analyze all non-faculty positions throughout the College by common standards and to classify them within an integrated structure of job classifications and salary ranges. The Plan relates compensation to position content in a consistent and equitable manner.
- **External Alignment of Salaries**—To provide a means of establishing and maintaining salary levels which are competitive and appropriate in relation to salaries paid by other educational institutions and organizations for similar duties and responsibilities.
- **Upward Mobility**—To define the duties, responsibilities, and qualifications for positions so that staff members may assess specific vacancies and career moves in light of their own interests and qualifications.
- **Effective Utilization of Human Resources**—To develop and communicate specific information about the duties, responsibilities, and requirements of positions to facilitate matching the qualifications of individuals with position requirements when vacancies occur.

The Overall Classification of Positions

Based on the compensation objectives and the organizational structure of the College, the plan organizes positions into job grades in which the skills, duties, and responsibilities of positions are comparable regardless of departmental structure. These grades establish a relationship between and among jobs at all levels and then establish an internal structure for those positions. Non-exempt salary grades range from 1–14 and exempt salary grades range from A10–A18.

The Assignment of a Position to a Grade

There is a detailed job description for each position; it outlines the education and experience, specific duties and responsibilities, supervision given and received, and other related information which accurately describe the job. On the basis of this description, a point factor evaluation is made using such common criteria as education and training, experience, initiative required, independent action, accountability, supervision, responsibility for decisions, etc.

As a result of this evaluation, a position is assigned to one of the grades. A new staff member is informed of the grade classification of his/her position at the time of hire.

Each grade in the plan thus contains a number of positions which, although often different in job content, are judged through evaluation to be comparable in terms of the criteria described above. The point value method ensures a consistent evaluation of internal relationships among positions at the College. The entire process is designed to ensure that it is the position which is evaluated, not the individual holding the position.

The Salary Structure of the Grades

Each of the grades has its own salary range with a minimum and a maximum. Periodically, the salary scale is reviewed and adjusted to reflect conditions in the external job market. Salary offers to new staff members with few years of experience are normally in the lower levels of the appropriate salary range.

Salary Increases

Each year, assuming the financial resources of the College permit, the Board of Trustees approves a pool of dollars for distribution as increases to individuals' annual salaries, effective at the beginning of the fiscal year.

Each year the College specifies the method by which this pool is to be distributed to employees.

As part of this process, the College also publishes promotional increase guidelines that are used to determine a salary increase when a staff member moves to a higher grade based on a promotion, reclassification, etc. (These guidelines are also used when someone moves into a position at a lower grade.)

Job Evaluation and Grade Classification Procedures

Job descriptions should be reviewed periodically (and before a search begins as a result of a vacancy) to ensure that they accurately represent the job responsibilities as well as the minimum requirements for the position. When a budget manager or staff member believes that changes in a job description are significant enough to warrant a review of the position's grade classification, a formal review procedure is available.

A request for a review should be submitted to the HR Director in memo form along with a copy of both the current and revised job descriptions. The HR Director is responsible for conducting the classification review. The review may consist of an interview with the budget manager and/or staff member to clarify specific points of the job description and changes to the same. It will also involve a formal review using a point factor system.

The HR Director presents information about the reclassification request at the next quarterly meeting of the College's Compensation Committee. This Committee consists of

the President, Executive Assistant to the President, Treasurer, Dean of Faculty, and HR Director. The Committee makes a decision about the reclassification or salary adjustment.

The HR Director informs the budget manager of the decision of the Compensation Committee; the budget manager, in turn, informs the staff member.

Performance Evaluation

Performance evaluation is the review and rating of all factors relevant to a staff member's effectiveness on the job. It involves observation, guidance, training and open communication between a staff member and supervisor. For it to be of significant benefit to both the individual staff member and the department, it should be a continuous process.

Performance evaluation should be seen primarily as a developmental tool. Its purpose is to assess a staff member's job related strengths and weaknesses and develop his/her competence to the fullest. In a correctly executed evaluation, the supervisor and the staff member work together to find the means by which the staff member's ability can be strengthened and directed.

Formal performance evaluations for the staff are done annually, with the exception of probationary non-exempt staff members who receive evaluations at the completion of their three month probationary period.

Specific procedures for performance evaluations are found in the instruction accompanying the evaluation forms.

The immediate supervisor provides copies of the completed form for the staff member and keeps one for his/her own file and forwards the original to the HR Office to be included in the staff member's personnel file.

Payment of Salary

The College payroll week runs from Sunday through Saturday. Paychecks for non-exempt staff are issued biweekly on Friday for work performed through the previous Saturday. If Friday, or both Thursday and Friday, are College holidays, paychecks will be issued on the last regular work day of that week.

Exempt employees are paid a fixed salary monthly. An exempt employee member with a twelve month appointment receives twelve salary checks equal to one-twelfth of their salary. Exempt staff with an appointment of less than twelve months receive equal monthly payments pro-rated based on a percentage of time worked in that fiscal year.

All payroll checks and/or stubs are picked up in the Payroll Office, usually by a representative of the department who signs a release and then distributes the checks to employees in that department. Payroll checks for exempt employees are issued the day before the last banking day of the month.

Direct deposit of payroll checks is available. Forms can be obtained from the HR Office or in the Payroll Office.

Overtime Pay

Hampshire College conforms to all of the terms of the Fair Labor Standards Act (also known as the Federal Wage & Hour Law) including the payment of minimum wages and overtime pay. These laws and their regulations establish criteria for determining which positions are “non-exempt” (and therefore require pay for overtime hours worked), and which positions are “exempt” (do not require additional pay for overtime). The laws specify that neither the staff member nor the employer may waive the staff member’s right to be compensated for overtime if the position is classified as non-exempt. The HR Office has the responsibility for ensuring compliance with these laws and regulations including the determination of exempt or non-exempt status.

It is the policy of the College to accomplish its support work within normal work schedules without unreasonable overtime; however, occasionally the demands of the academic year or unusually busy periods, will, at times, require overtime work. All overtime work must be performed with the knowledge and approval of the budget manager.

Federal law requires that all actual work hours in excess of 40 hours per week (Sunday through Saturday) be paid to non-exempt staff at one and one-half times the staff member’s normal hourly wage. For example, if a staff member working a regular schedule of thirty-five hours per week works forty-five hours in a given week, the five hours of overtime in excess of forty would be paid to the individual at the rate of time and one-half. The five hours between thirty-five and forty would be paid at the staff member’s normal hourly wage.

Hours worked include regular hours, educational seminars or conferences, and hours physically worked in excess of a normal work schedule. The following leave times are not considered hours worked: vacation, sick, holiday, personal, bereavement, maternity/paternity leave, jury duty, delayed or early closings due to inclement weather or emergencies, workers’ compensation, military service leave, unpaid time. On call time is only considered hours worked where there are substantial restrictions imposed on the employee. Therefore, beeper time is not considered hours worked. When traveling on College business, only those hours which cut across normal working hours may be counted as hours worked.

Revised December 2004

Pay Practices

Shift Differential

Shift differential applies only to regular non-exempt, non-casual staff members of the college who render a service within a department that operates on two or more regularly scheduled shifts daily. Typically, shift differential pay is approved for jobs in departments that require around-the-clock coverage or operations that consistently require late evening or night coverage. Eligibility for shift differential is tied to the job and time period worked, and is not an entitlement of individual staff members and only applies to second and third shift schedules.

If a non-exempt staff member who typically works the evening or night shift is temporarily assigned to the day shift, he or she will not receive any shift differential for the hours worked during the day shift. A non-exempt staff member regularly assigned to a rotating shift, a split shift, or who regularly rotates shifts, shall be paid the shift differential only when working the specific job and hours for which a differential has been approved.

The standard rate at which Hampshire College compensates for all shift work is sixty-five cents (\$.65) an hour in addition to the non-exempt staff member regular base rate of pay. The shift differential for overtime hours will be calculated at one and one-half times the shift differential rate. When a staff member is paid two shift rates during one week, for example, the day-shift rate and the night shift rate – overtime pay under the FLSA (Fair Labor Standard Act) generally is based on the average rate. Shift differential is not included in the pay of employees who are on vacation, sick leave or holidays and shall be paid only for hours that are actually worked.

Shift differential pay is subject to the same payroll deductions and payroll changes as regular salary or wages. The eligible non-exempt staff member's supervisor is responsible for ensuring that the employee's timesheet correctly reflects the appropriate time worked and notes the hours where shift differential applies.

Special Circumstances: Non-exempt staff members who are asked to come in during the evening or night by a manager to work in a job that is normally eligible for a shift differential will receive the appropriate differential.

Call Back Pay

Non-exempt staff members who are called back to work after leaving work to provide emergency services are entitled to call back pay.

Call back, which occurs anytime after regular working hours, will be paid a minimum of three hours of pay at a rate of one and one-half times the staff member's normal hourly wage.

Holiday Pay

When a non-exempt staff member works a Hampshire College observed holiday he/she will receive compensation at a rate of double their normal rate of payment for all hours worked on the holiday.

Casual staff receive compensation at their normal hourly rate for hours worked on the holiday.

Exempt staff members who work a holiday receive no additional compensation or equivalent time off.

Holidays observed by Hampshire College are outlined in the policy manual.

Additional Time/Day(s) Off

The College may on occasion provide additional time and/or day(s) off with pay.

We recognize that there are services that are critical and essential to the operation of the college. When a non-exempt employee is required to work during the designated additional time and/or day(s) off, that individual will be compensated at a rate of one and one-half times their normal hourly wage for the hours worked during that time

Casual staff receive compensation at their normal hourly rate for hours worked during this time. Exempt staff receive no additional compensation or equivalent time off.

Required Work During Delayed Openings, Early Closings Due to Weather or Campus-Wide Emergencies During the College's Standard Operating Scheduled (Monday to Friday)

A supervisor designates when a staff member is "essential" for the purposes of delayed openings, early closings due to weather, or campus-wide emergencies.

Essential personnel who are required to work during the College's designated closing will be compensated at a rate equal to **two times** their normal rate of pay for hours worked during the College's designated closing.

The Director of Campus Planning and Support Services, in close coordination with the Director of the Physical Plant will decide about the length of time the closing remains in effect. This decision will then determine the compensation practice for shifts affected by the closing and re-opening of the College.

Information on the delayed opening, closing and/or reopening of the campus will be announced on the Hampshire College hotline (559-5508) by 6:30 a.m. for regularly scheduled daytime staff and by 2:00 p.m. for the second and third shift staff.

Revised April 2005

Payment of Salary

Non-Exempt Employee

The College work week runs from Sunday through Saturday. Paychecks for non-exempt employees are issued on a biweekly basis on Friday for hours worked through the previous Saturday. If Friday, or both Thursday and Friday, are College holidays, paychecks will be issued on the last regular work day of that week.

Non-exempt employees with a twelve month employment cycle are paid over 26 pay periods. Non-exempt staff that work less than twelve months are paid over their employment cycle.

Exempt Employee

Exempt employees are paid on a monthly basis. An exempt employee with a twelve month employment cycle receives twelve salary checks equal to one-twelfth of their annualized salary. Exempt employees working less than twelve months receive pro-rated monthly payments over their employment cycle.

Payroll checks for exempt employees are issued on the next to the last business day of each month.

All payroll checks and/or stubs are picked up in the Payroll Office, usually by a representative of the department who signs a release and then distributes the checks to employees in that department.

Direct deposit of payroll checks is available. Forms can be obtained from the Payroll or Human Resources offices.

Salary Advances

Salary advances are made only in the event of extraordinary circumstances, such as when an employee is planning a vacation and will be absent from duty on the next regular payday. (Employees are encouraged to use direct deposit to deal with this situation.) The only other instance when a salary advance would be granted would be in the event of an emergency. Such instances are handled on a case by case basis, and are subject to the approval by the Business Office. The procedures for obtaining a salary advance are as follows:

- All requests for salary advances must be submitted in writing to the Payroll Supervisor.
- In order to insure that appropriate taxes and deductions are withheld, salary advances cannot exceed 90% of base pay for the next pay period.

- Reimbursement to the College will be deducted from the next paycheck.
- The Payroll Office requires five working days to prepare the check.

Personal Accounts

Charges for bookstore purchases, computer purchases, Sodexo/Marriott lunches, telephone charges, etc., are recorded in the Business Office and are paid through payroll deductions. All personal accounts must be paid at the time of termination from the College. College credit cards issued to individuals for the purpose of making purchases on behalf of the College may not be used for personal purchases under any circumstance.

Garnishment or Attachment of Salary

A court-ordered legal claim against the salary or wages of a College employee by a creditor for non-payment of debt or child or spousal support, and served by the constituted legal authority is called a garnishment. Under the federal law requiring garnishment of salary (Title III of the Consumer Credit Protection Act), the College is obligated to recognize and execute the garnishment by withholding a portion of the employee's salary for payment of the debt.

Revised January 2002

Section 4–Benefits

Introduction

This section of the handbook contains descriptions of the various benefit and leave plans provided by the College. Although these descriptions are as complete and accurate as is reasonable for purposes of this document, employees should be aware that in most cases these descriptions are overviews of the technical language in formal group insurance contracts or master policies. Where such benefits are governed by formal contracts or master policies, the exact terms of the contracts shall govern.

As changes are made in existing benefit or leave plans or as new plans or policies are established, new or revised pages for this document or summary plan description will be distributed by the HR Office as soon as possible—usually before the new policy goes into effect. However, the effective date of each new or revised policy or procedure will be the date determined by the HR Director, President and/or Board of Trustees—whether or not new pages describing the changes have actually been issued.

Employees should be aware that enrollment in College benefit plans is never automatic. Although the benefits coordinator in the HR Office will make every effort to notify or remind employees when they become eligible to enroll in a particular benefit plan, employees must understand that they also have a responsibility for ensuring that they are enrolled on a timely basis. If employees have questions as to their date of eligibility for or the status of their enrollment in a particular benefit plan, they are urged to contact the benefits coordinator.

While it is the intent of the College to continue the benefit and leave plans described in this section, it reserves the right to modify, amend, or terminate any benefit or leave plan in effect at any time.

Retirement Plan

The College's retirement plan for all faculty and staff is sponsored in cooperation with Teacher's Insurance Annuity Association and the College Retirement Equities Fund of New York (TIAA-CREF). Each individual is encouraged to enroll in this plan as soon as he/she becomes eligible to do so.

Eligibility

Employees working half-time or more are eligible, assuming an appointment of six months or longer (excluding casuals and interns). Participation in this retirement plan begins on a voluntary basis on the first of the month following one year of service at the College.

Under certain circumstances this waiting period is waived for employees whose previous employer immediately before Hampshire College was any institution of higher education.

Employees hired after January 1, 1991 will be required, as a condition of employment, to participate in the plan after one year of service and attainment of age 30.

Employees hired prior to January 1, 1991 will continue to be governed by the previous policy of mandatory participation after five years of service and attainment of age 35.

An employee who does not yet meet the eligibility requirements for the College's regular retirement plan, but who wishes to begin to set aside a portion of his/her salary for retirement on a pre-tax basis, may do so through the College's supplemental tax-deferred annuity plan. Refer to the section on Supplemental Retirement Option later in this section.

Enrollment

The benefits coordinator in the HR Office will contact each employee when he/she becomes eligible to participate. The employee will be notified of his/her eligibility date, and will be sent descriptive information about the plan.

The College will not make retroactive payments under this plan; therefore, there is a substantial loss to the employee who does not enroll as soon as he/she becomes eligible. The College will not begin contributions until the full enrollment process has been completed.

Participants with less than three years of service are required to contribute a minimum of 3% of salary; those with three or more years of service are required to contribute a minimum of 5%. The College contributes 7%. (10% on earnings above the Social Security taxable wage base.)

Individuals may contribute more than the required amounts up to a maximum determined by a number of factors, such as age, years of service, and prior contributions. Employees should contact TIAA-CREF about obtaining a maximum contribution calculation.

Supplemental Retirement Option

The College also offers a Supplemental Retirement Option that provides employees with the opportunity to make additional tax-deferred contributions to a TIAA/CREF retirement account. (This account involves employee contributions only; not college contributions.)

Participation in the College's Supplemental TIAA/CREF Tax-Deferred Annuity Plan is available to any benefits-eligible employee. There is no waiting period. Participation in the College's regular retirement plan is not a pre-condition of participation in the tax deferred annuity plan (i.e., an employee may establish a tax-deferred annuity plan before he/she become eligible to join the College's regular retirement plan). Nor does participation in the regular retirement plan preclude participation in the Supplemental Plan. In fact, there may be advantages to making additional deferrals, beyond those required by the regular plan, to the supplemental plan. (See the benefits coordinator in the HR Office about these advantages.)

Medical Insurance Plans

Due to the high cost of medical care, a serious illness, disease, or injury requiring hospitalization or other medical treatment can result in a severe strain on personal or family finances. In order to protect employees and their families from the financial burden of increasing health care costs, the College offers eligible employees the choice of participating in one of several medical plans.

Although the terms of these plans vary, they all provide broad-based coverage for many medical expenses. The benefits provided vary from plan to plan. For each plan, a brochure describing detailed benefits is available from the HR Office. The College urges employees without current medical coverage to enroll in one of these plans.

Eligibility

Participation in the College's medical insurance plans is available to any employee who holds an appointment of six months or longer and works a regular schedule of half time or more. Staff members working regular schedules of less than half-time, those working less than six months, or those holding casual appointments are not eligible for medical insurance through the College. (Interns, in some cases, are eligible.)

Individuals are eligible for medical insurance on the first day of the month following their date of hire.

Enrollment

Enrollment in the College's medical insurance plans is never automatic. Initial enrollment as well as any change in type of coverage must be processed through the HR Office.

There is only one time in the year in which an employee may change health insurance plans, unless there is a "qualifying event" (see HR Office for details), and that is during the College's open enrollment period. The open enrollment period usually takes place in December. During this open enrollment period, employees have the opportunity to change health plans or enroll dependents, effective January 1st.

The specific premium rates and the various payroll deductions for the health plans are available from the HR Office.

Special Situations

When both a husband and wife (or same-sex domestic partners) are employed full-time at the college and a family membership is necessary, the College will contribute an amount equal to two times the College's contribution for an individual premium towards the cost of the family membership. A pro-rated amount is contributed for part-time employees who work regular schedules of half-time or more, but less than three-quarters time. In cases where there are no dependents and family coverage is not necessary, married

couples working at the College may be covered by two individual plans with the College contributing a percentage of the total cost for these plans.

Same sex domestic partners are eligible for family coverage. Employees who wish to enroll same sex domestic partners are required to complete a certification form which attests to this commitment. Because the tax code does not recognize domestic partnerships, the College's cost of providing coverage to the same sex domestic partner is taxable income to the employee.

COBRA

On April 7, 1986, a Federal law (known as the "COBRA" law) was enacted requiring that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end.

Health coverage may be continued for up to 36 months for:

- Surviving spouse and the children of deceased employees.
- Separated or divorced spouse of current employees.
- Children of current employees who are no longer eligible for plan coverage because they are no longer minors or legal dependents.
- Spouses and children of current employees who would lose coverage because of Medicare benefits granted to an employee.

Health coverage may be continued for up to 18 months for:

- A reduction in work hours.
- A voluntary termination of employment.
- A layoff for economic reasons.
- Discharge other than for gross misconduct.

Continued coverage may be ended before the applicable 18 or 36 month period expires if:

- The employee gets coverage under another group health plan.
- The employee becomes divorced from a covered employee and subsequently remarries and is covered under your new spouse's health plan.
- The employee becomes eligible for Medicare.

- Hampshire College no longer provides group health coverage to all employees.

Under the “COBRA” law, the employee or family member has the responsibility to inform the HR Office of a divorce, legal separation, or child losing dependent status within 30 days after the occurrence of such an event.

When the HR Office is notified that one of these events has happened, the HR Office will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days from receipt of this notification to inform the Human Resources Office that you want to continue coverage. If you do not choose continuation coverage, your group health insurance will end.

If you choose continuation coverage, Hampshire College is required to give you coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. You do not have to show that you are insurable to choose continuation coverage. However, under the “COBRA” law, you will have to pay all of the premium for your continuation coverage. The “COBRA” law also provides that at the end of the 18 or 36 month period you must be allowed to enroll in an individual conversion health plan.

Life Insurance Plan

Eligibility

Participation in the College's group life insurance plan is available to any employee who holds a continuing appointment or a temporary appointment expected to last six months or more, and who works a regular schedule of half-time or more. Employees working more than half-time but less than full-time will be eligible to participate on a pro-rated basis.

Employees working regular schedules of less than half-time, casual employees, or those holding temporary appointments of less than six months are not eligible for group life insurance through the College.

Enrollment

Each employee who meets the eligibility requirements will be enrolled for the basic insurance benefit on the first of the month following the date of employment.

Schedule of Insurance

The amount of life insurance at any date is a multiple of the employee's annual salary determined by attained age as follows:

Attained Age	Amount of Life Insurance as a multiple of annual salary
Less than age 45	3.00
Age 45 but less than age 50	2.50
Age 50 but less than age 55	2.00
Age 55 but less than age 60	1.50
Age 60 but less than age 65	1.00
Age 65 or over	.67

If the amount of life insurance is not a multiple of \$1,000, such amount will be raised to the next higher multiple of \$1,000. In no event will the amount of life insurance exceed \$150,000. "Annual salary," for the purposes of life insurance computation, will mean basic annual salary rate exclusive of overtime, bonuses and other forms of additional compensation.

AD & D

In conjunctions with life insurance, the Accidental Death and Dismemberment (AD & D) plan provides benefits in the event of the loss of life or dismemberment in an accident.

Long-Term Disability Insurance

The College makes available a long-term disability insurance plan to provide employees with continuing income to meet financial obligations should illness or accident prevent them from working for an extended period of time. The cost of the insurance is paid entirely by the College.

Eligibility

Participation is available to any employee who meets all of the following requirements:

- Works a minimum of half time.
- Holds an appointment expected to last six months or more.
- Has been employed by the College for 12 consecutive months (not including any unpaid leaves).

Employees working regular schedules less than half time or “casual employees” are not eligible.

Benefits

Benefits are payable after six months of continuous and total disability (as certified by the insurance company) due to accident or sickness and will continue for the duration of the total disability according to the maximum benefit period.

The amount of the monthly benefit is calculated at 60% of basic monthly earnings not to exceed the maximum monthly benefit, less other income benefits. The maximum monthly benefit is \$6,000. The minimum monthly benefit is \$100 or 10% of the gross monthly benefit before deductions for other income benefits.

In addition to the benefits available through the long-term disability insurance plan, the College will continue its contribution for group medical insurance for 12 months, assuming the employee is enrolled in one of the medical plans at the onset of the disability. After 12 months, the employee may continue in the medical plan, on the same basis as active staff members, paying the entire cost as long as he/she is still receiving long-term disability insurance benefits. The College will also continue to provide life insurance and educational assistance benefits while the individual continues to be certified as disabled under the long-term disability insurance plan.ⁱ

ⁱ Revised 5/1/03

Flexible Benefits Plan

The College provides a flexible benefits plan which enables employees to pay for their contribution for group medical insurance on a pre-tax basis. The plan also allows employees to set aside salary dollars on a pre-tax basis in separate health care and dependent care reimbursement accounts. These accounts are drawn on throughout the year to pay for certain unreimbursed health care and dependent care expenses.

Eligibility

Employees working half-time or more in positions expected to last six months or more are eligible after three months of employment. Employees working less than half time or for less than six months and casuals are not eligible.

Enrollment

The HR Office will contact eligible employees when they first become eligible. Human Resources conducts an annual flexible benefits plan enrollment during which employees may change their elections for the next calendar year.

Family and Medical Leave Act (FMLA) Policy

It is the policy of Hampshire College to provide Family and Medical Leave in accordance with applicable law, including the Family and Medical Leave Act of 1993 (“FMLA”).

Eligibility

Employees become eligible for FMLA leave after they have been employed by Hampshire College for at least 12 months and have worked at least 1,250 hours during the 12 months preceding the leave. The 12 months need not be consecutive, but separate periods of employment with a gap of more than seven years will not be counted.

If an employee meets FMLA’s eligibility requirements after an approved leave commences, the leave will be treated as FMLA-protected from the date at which the employee becomes eligible for FMLA leave.

Hampshire College must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If the College determines that the leave is not FMLA-protected, the College will notify the employee.

Basic Leave Entitlement

In order to qualify as FMLA leave under the basic leave entitlement, the employee must be taking the leave for one of the reasons listed below:

- For incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse or domestic partner, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

Hampshire College will provide up to 12 weeks of unpaid, job-protected leave under this policy during any 12 month period. The College will measure the 12 month period as a “rolling” 12 month period measured backward from the date an employee uses any leave under this policy.

Note: When an employee’s spouse or domestic partner is also employed by Hampshire College, the two employees are limited to the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of up to 12 weeks (or 26 weeks if leave to care for a covered service member with a serious injury or illness is also used). FMLA leave for the birth or placement of a child must conclude

within 12 months of birth/placement. (*See policies on New Parent Leave and Maternity Leave for more information.*)

Military Family Leave Entitlement

1. Qualifying Exigency Leave

Eligible employees with a spouse, son, daughter, or parent on active duty or called to covered active duty status in the National Guard, Reserves, or regular Armed Forces in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include short notice deployment; military events and related activities; childcare and school activities; financial and legal arrangements; certain counseling sessions; rest and recuperation; post-deployment activities; and additional activities where the employer and employee agree to the leave.

2. Military Caregiver Leave

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty, or a preexisting serious illness or injury that is aggravated by active duty in the military that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list; or is a veteran suffering a service-related serious illness or injury, as long as the veteran was a member of the Armed Forces, National Guard or Reserves within five years of requiring care. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

Request and Notice

Except in emergencies, requests for FMLA leave must be made in writing using the Leave of Absence Request Form available from the Human Resources Office or on the Human Resources website. The employee must also provide the appropriate certification for the leave that is being taken (see descriptions below). An employee requesting FMLA leave must provide the College with at least 30 days' notice before the date the leave is to begin if the leave is foreseeable. If at least 30 days' notice is not possible, the employee must provide notice as soon as practicable (which ordinarily means at least verbal notice within one or two business days of when the employee becomes aware of the need for leave).

If you have any questions about the qualifications for or procedures related to the Family Medical Leave Act, please contact a member of the Human Resources staff.

Medical Certification

If an employee is requesting FMLA leave for his/her own serious health condition or to care for a child, spouse or parent with a serious health condition, the Certification of Health Care Provider must be completed to verify a serious health condition. If an employee fails to provide the College with the requested medical certification, FMLA leave may be delayed or denied. If medical certification is unclear, the employee will be given seven days to get clarification from the health provider. If the required information is not provided, FMLA leave may be delayed or denied. Hampshire College reserves the right to require a second medical opinion at the College's expense if Hampshire College has reason to doubt the validity of the medical certification. If the medical opinions conflict, a third medical opinion, paid for by the College, will be binding.

Military Exigency Leave Certification

If an employee is requesting FMLA leave with respect to the Military Exigency Leave, the College will require a copy of the military member's active duty orders. This document will certify that the employee is a member of the National Guard, Reserve, or regular Armed Forces who is on active duty or called to active duty in support of a contingency operation. The College will also require the employee to complete an Exigency Certification form (including available written supporting documentation) regarding the nature and details of the exigency, the amount of leave needed, and the employee's relationship to the employee.

Military Caregiver Leave Certification

If an employee is requesting FMLA leave with respect to the Military Caregiver Leave, the College will require the completion of a Health Care Provider Certification for Military Caregiver Leave form. This form has two parts; part one must be completed by the employee and part two must be filled out by a Department of Defense or Veteran's Administration health provider.

In the case of a serious illness or injury, the Department of Defense may issue an "invitational travel order" (ITO) or "invitational travel authorization" (ITA) which will constitute automatic certification of the injury or illness.

Intermittent and Reduced Leave

The employee may take FMLA leave in 12 consecutive weeks, may use leave intermittently (take a day periodically when needed over the year), or under certain circumstances may use the leave to reduce the work week or work day, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 weeks over a 12 month period. An employee who takes an intermittent leave may be required to transfer temporarily to another position with equivalent pay and benefits if that position better accommodates the recurring periods of leave.

Use of Paid Time Off/Sick Bank Disability Benefits

FMLA leaves are generally unpaid. An employee taking FMLA leave (other than for maternity leave) will be required to use any earned, unused paid vacation or sick/personal time as part of the leave. Employees taking FMLA leave for maternity leave purposes will be permitted (but not required) to use any earned, unused paid vacation or personal time as part of the leave.

In addition, if you are eligible for the sick bank or workers' compensation insurance benefits, you may be eligible to receive such benefits during FMLA leave.

Health Insurance Benefits During FMLA Leave

During FMLA leave, Hampshire College will continue to provide health care coverage on the same basis as is normally provided. If an employee contributes to his/her health care coverage, the employee is required to continue to make payments during the leave period. If an employee does not return to work after FMLA leave, the employee is responsible for repaying the cost of health benefits provided during the leave, unless the reason for not returning is due to a serious health condition or other circumstance beyond the employee's control.

Status Reports

An employee must contact the College periodically during his/her FMLA leave to report on his/her status and intention to return to work. An employee may be required to provide a periodic re-certification supporting the need for the leave.

Job Restoration

Any employee who takes approved FMLA leave will be reinstated to the position held when the leave began or to an equivalent position with equivalent benefits, pay, status and other terms and conditions of employment, unless a job elimination or other change in circumstance has occurred during the leave period. Certain "key employees" (as defined under the FMLA) may be denied job restoration.

An employee can not engage in any outside employment while on an approved FMLA leave. If it is discovered that an employee has fraudulently obtained an FMLA leave, the employee's position is not protected by the FMLA's job restoration or maintenance of health benefit provisions.

"Fitness for Duty" Reports

An employee returning from regular or intermittent FMLA leave which is taken for the employee's own serious health condition may be asked to provide the College with certification from the employee's health care provider, indicating that the employee is able to perform the essential functions of his or her job.

For more information regarding family medical leave and FMLA, please contact the Human Resources Office.

Revised December 2009

Sick Leave Policy

The sick leave policy is intended to provide benefits during the period from the onset of an illness to eligibility for Long-Term Disability (LTD) benefits (i.e., the LTD elimination period).

All Hampshire College full-time staff members earn one day per month of paid sick leave, totaling twelve work days per year. Unused sick leave may be accrued from year to year to a maximum of 130 days. Staff members may earn sick leave from their first day on the job and may use any sick leave they earn as needed, but may not borrow against sick leave not yet accrued.

Sick leave may also be used for medical, dental and other health-related appointments if these appointments cannot be scheduled during off-hours. Appointments occurring during the work day should be scheduled in consultation with the employee's supervisor. Part-time staff members expected to work half-time or more for six months or more, earn sick leave on a pro-rated basis. Part-time staff working less than half-time and casuals do not earn sick leave.

Any available sick leave may be used to provide care for family members, assuming they cannot provide this care for themselves and assuming this care is not usually provided by others (e.g., visiting nurse, nursing home, another family member). Under these circumstances, the employee may qualify for leave under the terms of the Family Medical Leave Act (FMLA). See that section for more information. For the purposes of sick leave policy, family shall be defined as spouse or same-sex domestic partner, children, or parents.

Short-term sick leave (defined as absences related to illness, accident or surgery of 5 work days or less) can usually be arranged between the staff member and the unit budget manager without submitting a statement from a personal physician; however, the college reserves the right to require the employee to submit a doctor's statement or other medical evidence for any medical absence.

Extended sick leaves are defined as serious illness, accident, or surgery related to absences of more than 5 days. In this case, the employee may qualify for leave under the terms of the Family Medical Leave Act (FMLA). See that section for more information. To support the request for an extended sick leave, a staff member must submit written certification of illness from his/her physician within 5 business days. Updated medical information from the treating physician may be required as an extended sick leave continues.

Sick Leave Bank

Voluntary participation in a Sick Leave Bank is an available option for benefits-eligible staff. By donating a number of days specified by the Sick Leave Bank Committee, an eligible staff member may join. Sick Bank members who use up their accrued sick leave may apply to the bank for a grant of additional sick leave (up to the six month eligibility point for LTD). Staff members will be given an opportunity to join the Sick Leave Bank after completing three months of employment and subsequently as part of the annual college-wide enrollment.

Revised December 2000

The Sick Leave Bank Committee will define and oversee Sick Leave Bank policies and practices. Members will elect four representatives from the membership. In order to stagger the terms, the first election of board members will be for two two-year terms and two one-year terms. Thereafter, all members will be elected to two-year terms. The benefits coordinator in the HR Office will provide information and offer recommendations to the Committee and will be a voting member.

The Committee makes decisions about individual awards from the bank and about the number of days required to join the bank or remain a member. It has no authority to change the design of the sick leave benefit or policy.

Effect of Sick Leave on Other Benefits

Staff members on paid sick leave continue to receive full benefits from the College, including vacation time, personal leave, holiday pay, earned sick leave and bereavement leave. The College will also continue contributions to the staff member's health insurance, life insurance, retirement plan, etc.

Medical Approval to Return to Work

Upon returning from any extended sick leave the staff member must present his/her budget manager with a Medical Approval to Return to Work form from the treating physician. Current medical condition and any work restrictions should be discussed at this time. Should the budget manager have concerns about the returning staff member's ability to perform the essential duties of his/her position, the HR Office should be consulted. The College reserves the right to have the staff member examined by a physician of its choice.

Unpaid Sick Leave and Extended Absences

If a staff member exhausts all paid sick leave, including any additional award of days from the sick leave bank, he/she may be entitled to additional leave under FMLA (see separate policy).

After the 12 weeks provided in FMLA, assuming no paid sick leave is available under this policy, the employee may request an unpaid medical leave under the terms of the personal leave policy.

In general, total leave related to an illness, whether covered by sick days, sick bank award, FMLA, or personal leave shall not exceed 6 months. This is the waiting period for benefits under the Long-Term Disability Insurance policy. Even if a staff member has exhausted all paid leave and FMLA time, the College will make every attempt to keep the person's position open until 6 months after the onset of the illness, unless operational needs dictate otherwise.

Pregnancy Disability (Maternity) Leave

Consistent with current state and federal laws, the College recognizes childbirth and the complications of pregnancy as temporary disabilities for which leave will be granted. In addition to whatever unpaid leave may be available through FMLA (see separate policy), the College will provide paid maternity leave as described below.

Since the normal post-delivery disability is considered to be 8 weeks, the College will grant 8 weeks of paid leave beginning with the actual birth of the child. This leave integrates with that leave available under FMLA in the following fashion.

If the employee works up to the date of delivery, then 8 weeks of paid leave begin at that point. Up to 4 weeks of additional leave may be taken after that under FMLA, for a total of 12 weeks. Some or all of the additional 4 weeks may be paid through, for example, vacation time or personal days.

If an employee stops working before delivery for other than medical reasons, then this time needs to be requested as (and charged to) vacation time or personal days. At the point of childbirth, the 8 weeks of paid maternity leave, as described in the previous paragraph begins.

If an employee stops working before delivery for medical reasons, then FMLA leave begins and sick leave is charged. At the point of delivery, the 8 weeks of paid maternity leave begins.

College holidays that occur during paid maternity leave will not be awarded as additional time off.

Employees who anticipate taking leave under this policy should let their budget manager and the HR Office know, in writing, as soon as possible.

New Parent Leave

Paid parenting leave is available, as follows, to benefits-eligible employees after three months of employment. (Casual staff members are not eligible.)

In the case of the birth or adoption of a child into the family, two weeks of paid leave will be granted to employees (except for female staff members who give birth and are eligible for 8 weeks under the pregnancy disability (maternity) leave policy).

This parenting leave is also available to employees whose same-sex domestic partner adopts or gives birth to a child.

Besides the two weeks paid leave provided under this policy, additional leave may be available under FMLA (see separate policy), some or all of which may be paid through, for example, vacation time or personal days. (The two weeks provided under New Parent Leave counts toward any entitlement under FMLA.)

Employees anticipating taking leave under this policy should inform their budget manager and the HR Office, in writing, as soon as possible.

Personal Leave

Extraordinary circumstances may arise in a staff member's personal life which are so compelling as to require his/her full attention for a period of several weeks or months. In recognition of such situations, the College has a policy for authorizing, upon request of the staff member and with the approval of the budget manager and the HR Office, a personal leave of absence, without pay, which permits the staff member to be temporarily relieved of his/her duties at the College while attending to personal matters. A staff member is first expected to use all other available paid time (personal days, vacation, etc.) to cover the period of his/her necessary absence.

Eligibility

Any staff member is eligible to apply for a brief unpaid personal leave to cover short periods of necessary absence if he/she is ineligible for coverage or has exhausted his/her coverage under one of the College's other leave plans (e.g., sick leave)

An extended personal leave, however, will normally be granted only to a staff member who has been employed at the College for a minimum of twelve consecutive months. Staff members working less than half-time, casual employees, and those who have been employed for less than twelve months may apply for an extended personal leave, but only in unusual circumstances would such long term leave be granted.

Staff Member Benefits During Leave

Holidays—The staff member is entitled to holiday pay for any recognized College holiday that occurs during an authorized personal leave of five days or less. No holiday pay will be earned nor will the staff member be allowed to save holidays which occur during an authorized personal leave which exceeds five work days.

Personal Days—During an authorized personal leave, no personal days are earned.

Vacation Days—During an authorized personal leave, no vacation credit is earned.

Funeral Leave—Should a family death occur during an authorized personal leave, no funeral leave benefits are available.

Jury Duty—No jury duty benefits will be granted to a staff member on unpaid personal leave.

Medical, Life, and Long-term Disability Insurance Plans—The College will not continue its usual contributions to a staff member's benefits during an unpaid personal leave. However, the staff member may retain membership in the College's group medical, life, and long-term disability insurance plans for the duration of the authorized unpaid leave. The staff member will assume the full cost of premium payments for any plans which he/she wishes to continue. (The College continues its contribution for medical insurance during any part of a personal leave which is covered under FMLA leave.)

Authorization and Procedures

To apply for unpaid personal leave, a staff member should submit to his/her budget manager a written request setting out in detail the special circumstances necessitating the leave and estimating the probable duration of his/her absence. Upon receipt of the staff member's written request, the budget manager, taking into account the operational needs of the budget unit, will decide whether the staff member can be released for the time requested.

If the budget manager in consultation with the HR Office believes the circumstances of the staff member's situation are serious or compelling enough to warrant the granting of an unpaid personal leave at that time, the budget manager will arrange with the staff member the length, terms and conditions of the leave. The budget manager will then forward the staff member's request, with a cover memorandum supporting the request, to the HR Office.

The HR Office will confirm in writing to the staff member (with a copy to the budget manager) the terms of the leave and the date of the staff member's expected return to work. The staff member will be responsible for keeping the budget manager and the HR Office informed of any changes in his/her situation which might necessitate revisions in the terms, arrangements or duration of his/her unpaid personal leave.

If the budget manager decides that the circumstances of the staff member's situation are not serious or compelling enough to warrant the granting of a personal leave, or if the staff member cannot be excused for the time requested, he/she must explain in writing to the staff member his/her reasons for refusing to support the request. After discussing the matter with the staff member, the budget manager is obligated to forward the staff member's request to the HR Office with a cover letter explaining his/her refusal to recommend the leave.

The HR Office will review both the staff member's request and the budget manager's reasons for refusal to determine if any other acceptable options are available. If the HR Office accepts the budget manager's recommendations that no unpaid personal leave is to be granted, the staff member has the option of remaining in his/her position or resigning for personal reasons.

Military Service Leave

Eligibility

Military service leave will be granted to any employee who holds a continuing appointment and works a regular schedule of half-time or more. Employees working half-time or more but less than full-time will be eligible for military service leave benefits on a pro-rated basis.

Employees working regular schedules of less than half-time, or casual employees will not be eligible for paid military service leave. Employees with these types of appointments who are called to military service will be granted unpaid personal leave for the period of required active duty up to a maximum of 15 calendar days.

National Guard and Military Reserve Summer Training

Employees who, as members of the National Guard or other Military Reserve units, are called to active duty for summer training will be paid the difference, if any, between their military training duty pay and their regular compensation at the College for a period not to exceed 15 calendar days per year. Upon returning to work from training duty, the employee must provide the HR Office with a statement from the military unit's commanding or finance officer indicating the amount of military pay received so that any adjustment in earnings can be arranged. All pay and allowances, with the exception of subsistence and travel allowances, will be included in determining military training duty pay. Time off for training or active duty will not be charged against the staff member's vacation time.

In the event that an eligible employee who is a member of a National Guard or Military Reserve unit is called to active duty by reason of any national, state or local emergency, the College will pay the difference, if any, between his/her regular compensation and his/her military pay for the period of required active duty up to maximum of 15 calendar days. If the active duty period is for more than 15 calendar days, the staff member may be granted a leave of absence without pay under the provisions of the College's personal leave plan. Re-employment at Hampshire College will be in accordance with provisions of the Military Selective Service Act of 1967, as amended, and all other applicable federal and state statutes.

Staff Member Benefits During Leave

An employee on military service leave of 15 calendar days earns benefits according to the following:

Holiday Pay—If an official College holiday falls within the period that a staff member is serving on active duty, the staff member may arrange to take another day off in place of that holiday.

Vacation—A staff member will continue to earn vacation time at his/her normal rate. If a staff member is called to military service during all or a portion of a previously scheduled vacation, such vacation will be rescheduled with the approval of the budget manager.

Personal Days/Sick Days—A staff member will continue to earn personal and sick days at his/her normal rate.

Funeral Leave—If a family death occurs during a period of military service, the employee will be entitled to funeral leave benefits under the College's funeral leave policy if he/she is excused from active duty by the military.

Other Benefits—All of an employee's other benefits (medical insurance, life insurance, retirement plan, etc.) continue during the 15 day military service leave described above.

Funeral (Bereavement) Leave

Funeral leave is available to any benefits-eligible employee who works a regular schedule of half-time or more (i.e., casual staff members are not eligible). Employees working half-time or more but less than full-time will be granted funeral leave on a pro-rated basis.

In the event of a death in an eligible employee's immediate family or household, he/she will be allowed up to three days leave at full salary within a reasonable period following the date of death. The term "immediate family" includes parents, children, spouses (including same-sex domestic partners), mother-in-law, father-in-law, brothers, sisters, grandparents and members of the immediate household (i.e., relatives living with the employee).

In the event of the death of any other close relative, one day of paid funeral leave will be granted so that the employee may attend the funeral.

If an employee requires additional time off for family reasons or to settle an estate, personal days or vacation days may be used to extend the period of absence. An employee requiring additional time off during the last quarter of the fiscal year may have exhausted all available personal and/or vacation days. Under extenuating, compelling circumstances this employee may request to borrow time from the next fiscal year award. This would be handled on an individual basis through the Human Resource Office. If additional time is needed beyond the paid time available, the budget manager will consider requests for personal leave without pay.

Revised January 2001

Jury Duty and Court Witness Leave

Hampshire College recognizes the civic responsibility of employees to serve on juries. Any eligible staff member called for jury duty or subpoenaed as a witness in a legal proceeding to which he/she is not a part will be excused from work without loss of salary or benefits. If an employee's attendance in court is required for only part of the normal workday, the employee is expected to return to the office if it is reasonable to do so.

Eligibility

Jury duty leave will be granted to any employee, this includes part-time and casual staff members who work a regular schedule. Employees working less than full-time will be reimbursed on a pro-rated basis for regular work hours missed during jury service.

General Procedures

An employee called to serve on jury duty or subpoenaed to testify as a witness should immediately notify his/her supervisor and send a copy of the subpoena or notice to the HR Office.

As the College will continue to pay an employee's regular salary for the entire period that he/she is serving on jury duty or testifying as a witness, the employee must endorse over to the HR Office the weekly checks received from the court. This does not include checks paid by the court for travel expenses. Of course, employees who serve on jury duty outside their regularly scheduled hours retain any jury duty pay received from the court.

Benefit Coverage During Leave

An employee serving on Jury Duty or Court Witness Leave continues to earn personal days, vacation and sick leave at his/her normal rate. In addition, all of an employee's insurance benefits (medical insurance, life insurance, retirement plan, etc.) will continue during this leave.

Workers' Compensation Insurance

All employees of Hampshire College are covered by the Massachusetts Workers' Compensation Insurance Law which provides for partial income replacement and the payment of medical expenses incurred due to injury or illness arising out of and/or in the course of the performance of their duties. Coverage is automatic upon employment, and the College assumes the total insurance cost of this coverage. Employees should note that any expenses resulting from a work-related injury should not be submitted to medical insurance carriers.

Immediate reporting to the supervisor of all accidents or job-related injuries, no matter how minor, is essential to protect your rights to appropriate benefits, to protect the College, and to assure the proper handling of claims.

For those entitled to Workers' Compensation benefits, the weekly compensation from the insurance company will be approximately 60% of the employee's average weekly earnings (for the one year period prior to the date of injury), up to a set maximum which changes every year. However, for all employees, the College will pay the additional amount necessary to continue the individual's salary at its normal level for a reasonable period of time, generally up to six months.

Unemployment Compensation Insurance

All employees of Hampshire College are covered by the provisions of the Unemployment Security Law (commonly referred to as “Unemployment Compensation”) and, therefore, are entitled to all applicable benefits under that law. This law provides weekly income benefits to all eligible individuals during periods of full or partial unemployment. Unlike Social Security taxes, the employee has no payroll deduction nor in any other way contributes toward the payment of unemployment compensation benefits—the full cost of the benefits paid to former employees is paid by the College.

Holidays

Paid holidays will be granted to any staff member who works a full-time schedule. Staff members working less than full-time will receive pro-rated holidays. Staff members with casual appointments are not eligible for holiday pay.

Eligible members of the staff will be entitled to 12 regular College holidays in each fiscal year. These holidays will be:

- New Year's Day
- Martin Luther King Day
- Spring Break Week Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus or Veteran's Day or another day selected by employee (subject to prior approval of your supervisor)*
- Thanksgiving—2 1/2 days
- Christmas—2 or 2 1/2 days

**May be used to celebrate a federal, state or religious holiday which is not included in Hampshire College's official College holiday schedule, or another day of your choosing within the calendar year, subject to the approval of your supervisor*

If Christmas Day falls on a Saturday or Sunday, only two days will be given. Any holiday occurring on a Saturday is celebrated on the preceding Friday. Any holiday occurring on a Sunday is celebrated on the following Monday. The HR Office will notify the campus of specific holiday dates prior to their occurrences.

During Spring Break week, which varies from year to year depending upon the academic calendar, staff members are entitled to one holiday. Since offices must remain open, staff members should get approval from the budget manager regarding the use of this holiday in order to ensure necessary coverage in departments. It is recommended that staff members within a department stagger this day off. Spring Break Week Day cannot be carried forward for use at a later date.

Holidays may not be accumulated or carried forward from one fiscal year to the next. No salary payment will be made for unused holidays, either at the end of the fiscal year or upon termination of employment.

Staff members who are on leave without pay on the work day immediately preceding or immediately following the holiday are not entitled to holiday pay.

For all holidays—whether or not they occur while the College is in session—the budget manager is responsible for deciding whether the office must remain open. If the office

must remain open, the budget manger will determine the specific staff coverage necessary as well as an equitable model for deciding which staff members will work. Staff members who must work on the holiday will be compensated in accordance with holiday salary payment policies (see Pay Practices section).

Revised December 2008

Paid Personal Days

Three paid personal days will be granted to full-time benefits-eligible, non-exempt staff each fiscal year; one paid personal day will be granted to full-time, benefits-eligible, exempt staff. Part-time, benefits-eligible staff will receive prorated paid personal days. (Casual staff and those working less than half time are not eligible.)

On July 1, following the completion of 15 years of service, both exempt and non-exempt staff receive an additional paid personal day each year.

Personal days are credited at the beginning of the fiscal year (July 1) and must be used by the end of the fiscal year (June 30). These days may not be carried over to the next fiscal year. No salary payment will be made for personal days unused at either the end of the fiscal year or the termination of employment.

Staff who begin employment during the fiscal year will receive a prorated share of paid personal days.

Personal days allow staff to meet family obligations or emergencies, handle personal business, or celebrate a holiday not recognized by the college. Requests for use of personal days must be approved in advance by the supervisor unless an “emergency situation” arises. The intent of this policy is to accommodate these “same day” emergency requests whenever possible.

Massachusetts Small Necessities Leave

Massachusetts law (Small Necessities Leave Act) allows eligible employees to take 24 hours of leave during a 12 month period, for the purpose of:

- participation in school activities directly related to the educational advancement of a son or daughter.
- accompanying the son or daughter to routine medical or dental appointments.
- accompanying an elderly relative to routine medical or dental appointments or appointments for professional services relating to the elder’s care.

The 24 hours is in addition to any time that may be available under the Family and Medical Leave Act (FMLA). Eligibility for Small Necessities Leave and the measurement of the 12 month period are the same as under the College’s FMLA policy.

Paid time (e.g., personal days, vacation days, family sick leave) must be used before any unpaid time is taken for Small Necessities Leave purposes.

Vacation Pay

Eligibility and Benefit Level

Full-time, benefits-eligible staff who work 12 months per year earn paid vacation at the following rate annually:

	Exempt Staff	Non-exempt Staff
Up to 3 years of service	20 working days	10 working days
3 years up to 8 years of service	20 working days	15 working days
8 years or more years of service	20 working days	20 working days

Part-time, benefits-eligible staff and benefits-eligible staff who work less than 12 months a year earn a prorated share of the days shown above. Casual staff and those working less than half-time are not eligible for vacation pay. (Exception: Staff who are regularly scheduled to work eight hours on every Saturday and Sunday will be eligible for vacation pay on a prorated basis after one year of employment.)

Newly hired staff members will be credited with a prorated vacation award that corresponds to the point in the fiscal year when they begin work. For non-exempt staff who become eligible during the fiscal year for a higher vacation amount by virtue of attaining 3 or 8 years of service, they will receive a prorated share of the additional vacation amount during that fiscal year, and will be credited with the full amount associated with the higher level of years of service at the beginning of the next fiscal year.

Terms and Conditions

The days shown in the chart above are credited and are available for use on July 1, the beginning of the fiscal year; however, they are viewed as earned on a “per pay period basis” throughout the fiscal year. If a staff member terminates employment during the fiscal year, a reconciliation of the individual’s vacation account is done. If the staff member has used more vacation days than earned at that point in the fiscal year, the difference will be deducted from final pay. If, however, the individual has used fewer days than earned, the difference will be added to final pay.

Vacation pay may not be carried over to the next fiscal year or borrowed from the next fiscal year.

All vacation is paid at staff’s regular rate of pay.

Use of Vacation Days

The use of vacation days must be approved in advance by supervisors taking into consideration the operating needs of offices and departments.

Except for very unusual circumstances, vacation should be taken in a minimum of half-day units.

Vacation and Other Leaves

Vacation continues to be earned during other paid leave periods (e.g., holidays, maternity leave). Vacation ceases to be earned during unpaid leaves lasting longer than five working days.

Holidays that occur during vacations are paid as holiday pay; they are not charged to vacation time. Similarly, if a staff member becomes eligible for jury duty or funeral leave while on vacation, those days are not charged to vacation leave.

If a staff member becomes seriously ill, as certified by a physician, during a vacation, then the days associated with the illness may be charged to sick leave, to the extent that paid sick days are available, rather than vacation time.

If the College closes because of bad weather or another emergency while an individual is on vacation, the corresponding time will still be charged to vacation time.

Educational Opportunities for Employees and Spouses

As evidence of its commitment to academic achievement and personal and professional development, it is the policy of the College to assist employees and their spouses wishing to further their education, to increase their competence in their present positions, or to prepare for advancement in the future by allowing them to enroll in one Hampshire College course tuition-free per semester.

Eligibility

Under this plan, employees with benefits-eligibility can enroll in Hampshire College courses for academic credit. Enrollment will be on a “space available” basis. An employee must complete one full year of consecutive service at the College prior to participation in this plan (first day of classes) if enrollment in a course requires release time. This one year waiting period will be waived if a course taken falls totally outside the employee’s scheduled work hours and involves no disruption in the work of his/her office or department.

Fees/Costs

Eligible employees may enroll in one course per semester tuition-free. For employees enrolled in tuition-free courses under this plan, there will be no charge for the usual application and registration fees. However, the employee will pay all other fees (e.g., laboratory fees, music performance fees, etc.) and for his/her books and other course materials.

A spouse (or eligible same-sex domestic partner) of an employee may enroll in one Hampshire course per term if such enrollment has the approval of the course instructor. The same fees/costs apply as with employees.

Course Attendance During Work Hours

Full-time staff members are not required to make up the time spent in the classroom; part-time staff members, however, are required to make up the time. Approval must be obtained in advance from the budget manger to ensure adequate coverage is maintained.

Time off or rearrangement of schedule to attend a course during work hours will be granted at the discretion of the department head based on the work load and schedule in the office or department and will not exceed four hours per week. Interruption or rearrangement of work hours will be granted for only one course per semester.

Degree Program for College Employees

Full-time employees who have been employed for two years, and who qualify academically, may enroll in the College's Bachelor of Arts degree program tuition free. The employee must:

- Qualify academically and be officially admitted by the Admissions Office.
- Pay a fee to be determined by the Admissions Office for the initial evaluation of their application and their previous work experience.
- Proceed through the educational process as regular students do.

The fee for completed examinations (i.e., Division I, II, and III exams) is waived for employees under this policy. With the exception of the one course per semester permitted under the Education Opportunities for Employees and Spouses policy, it is understood that all additional study required be on the individual's own time.

Tuition Remission for Dependent Children

Dependent children of Hampshire College employees who are enrolled in a Hampshire College degree program are eligible for tuition remission as follows:

After one year of continuous service from date of their benefits eligibility, all benefits-eligible employees may apply for the tuition remission benefit for one or more dependent children.

As of January 1, 2011, eligibility for tuition remission for dependent children will change. Dependent children of employees with a full time equivalent (FTE) of .75- 1.0 will be eligible for the full tuition benefit for their dependent children. Benefits-eligible employees with an FTE of .5 - .74 will be eligible for a pro-rated benefit based on their FTE.

The tuition remission benefit provides full tuition remission, excluding all fees and room and board. The tuition remission benefit will not exceed the tuition charged for the enrollment status for the semester and may vary depending on the enrollment status (example: full enrollment vs. field study). Dependent children must make a reasonable effort to secure federal and state grants to help offset the tuition remission. The total of all scholarship funds received by each dependent may not exceed tuition for the year.

This benefit is limited to four academic years (need not be consecutive), or until the child earns a bachelor's degree, whichever occurs first.

Tuition remission is available to the dependent children of a deceased benefited employee who dies while employed by Hampshire College for up to five years after the death of the employee.

The tuition remission application is available on the Human Resources website or in the Human Resources Office. An application must be completed each semester and submitted to the Human Resources Office for processing. It is recommended that the form be completed before the beginning of each semester.

An employee who separates from employment for any reason while his or her child is enrolled at the College will be expected to reimburse the College for the full tuition of any semester that was not at least 50% complete at the time of his or her separation.

Revised November 2010

Tuition Grants for Dependent Children

Tuition assistance for post-secondary undergraduate education in a degree or certificate-granting program is available to the dependent children of full time benefited College employees. This benefit is available after one year of employment at the College.

Dependent children of employees who are participating in Hampshire's Council of Independent Colleges Tuition Exchange Program (CIC-TEP) are not eligible for a tuition grant.

Tuition assistance in the amount of \$2,000 per dependent child each academic year is subject to the following conditions:

- Limited to four academic years (eight semesters), until the child earns a bachelor's degree, or reaches the age of 25, whichever occurs first.
- Limited to payments of \$4,000 for each Hampshire family in any academic year.
- Reimbursement calculations are based on tuition (tuition includes all mandatory fees except room and board) with payment in any year limited so that the total of all tuition scholarship and grant funds received by the child does not exceed tuition for that year.
- The institution must be any post-secondary institution (including junior/community, trade, technical, or secretarial college) that is an accredited institution, recognized candidate for accreditation, correspondent of an appropriate accrediting agency, or otherwise approved by Hampshire College.
- Tuition assistance is available to the child of a deceased employee who dies while employed by Hampshire College for up to five years after the death of the employee.

The employee wishing to apply for a tuition grant may obtain an application from the Human Resources Office. The employee will be required to complete a separate application for each dependent. Along with the completed application, the employee will be required to supply a copy of the current bill, proof of the dependent's age (i.e., driver's license, birth certificate, etc.), and official verification that the child is a dependent (copy of the most recent tax return).

At the end of each semester, the employee must submit documentation indicating that the dependent completed the semester. A check will be sent to the employee after the application is received in the Human Resources Office. If the dependent withdraws from school and is eligible for a refund, the employee should inform the Human Resources Office in order for the College to determine what portion, if any, of the refund should be returned to the College.

Revised January 2009

Employee Assistance Program

In most situations, employees are able to manage most of their problems by themselves, or with the help of family and friends. However, occasionally a problem may occur which affects an employee's relationships or work, and which may persist despite his/her best efforts to solve it.

If this happens, the Wellness Corporation provides Hampshire College employees with the Employee Assistance Program (EAP) as a resource. This program provides consultation, evaluation, referral and follow-up services for a wide variety of personal and health-related problems which may affect an employee's life at work.

Some of the problems which employees bring to the EAP include:

- marital and family problems
- alcohol and drug use/abuse concerns
- emotional and psychological difficulties
- occupational or personal stress
- work performance problems
- financial difficulties
- career decisions
- chronic medical problems

When an employee makes an appointment with the EAP, the employee will discuss his/her concern with them, help clarify the issues, and assist in deciding how to resolve the problem. If continued counseling or treatment is needed, a referral will be made to the appropriate agency or professional, depending upon the employee's insurance coverage and preference. Follow-up is provided to assure that the referrals received were appropriate and effective in assisting the employee in resolving his/her problem.

- Eligibility—All Hampshire College faculty and staff members may use the EAP services.
- Cost—All EAP consultation and referral services are free. Services and programs to which an employee may be referred for further treatment may be covered all or in part by health insurance coverage. Other referrals may involve some fees.
- Voluntary—An employee may decide to come to the EAP on his/her own initiative, a friend or colleague may suggest the EAP as a resource, or a supervisor may be concerned about an employee's work performance and suggest that he/she seek assistance from the EAP. However, use of the EAP is a benefit for the employee, and participation is voluntary.

- Confidentially—All contacts with the EAP are strictly confidential, and information will not be disclosed without your written permission. EAP records are kept confidential and do not go into any personnel files or medical records.
- Appointments—An employee may call 24 hours a day, 7 days a week, 1-800-828-6025 to set up an appointment. Work release time can be provided for any staff member who uses the EAP during work hours.

Revised December 2000

Child Care Benefit

This benefit is intended to reduce the financial burden of child care. Full or part-time, benefits-eligible employees (not casuals) who meet the following criteria are eligible to receive payments:

- Maximum family income does not exceed \$19,000 with one child in day care, or \$21,000 with two or more children in day care.
- Responsible for the support of a child(ren) ten years of age or less, living in the household, to be verified by a tax return.

Upon proof-of-purchase of daycare services, full-time employees who meet the above eligibility requirements are eligible to receive, in addition to their regular salary, a child care subsidy of \$63 per month for one child and \$75 per month for two or more children in day care.

This payment will be pro-rated for all part-time, benefits-eligible employees who meet the eligibility requirements.

Credit Union

The UMass/Five College Federal Credit Union was founded in 1967, has offices in Amherst and Worcester, Massachusetts, and currently has 15,000 members. The Credit Union offers many services to its members, including federally insured savings accounts, checking accounts, and money market and individual retirement accounts; certificates of deposit; holiday and all-purpose club accounts; mortgage, home equity, home improvement, automobile, and personal loans; traveler's checks; VISA credit cards; and personal money orders. The local Credit Union address is as follows:

UMASS/Five College Federal Credit Union
6 University Drive
Amherst, MA 01004
(413) 549-7400

Eligibility

If you hold a regular, grant-funded, or temporary appointment of half-time or more you are eligible to become a member of the UMass/Five College Federal Credit Union. Members of your family may also join the Credit Union if you are a member. Once you join the Credit Union, you are eligible to continue your membership for life, even if you leave the College. If you work less than half-time or hold a casual appointment, you are not eligible to join the Credit Union.

Enrollment

Membership application forms and payroll deductions authorization cards are available from the Credit Union offices or from the HR Office. There is no membership application fee, but you must open a savings account with a minimum \$5.00 deposit.

Payroll Deductions

Deposits to savings and checking accounts as well as payments on one or more loans can be made through payroll deductions. Changes in the amount of your payroll deductions can be made at any time by completing a new deduction authorization card. However, it takes about two weeks for your request to be processed. You may also choose to have your payroll check direct-deposited to the Credit Union.

Miscellaneous Fringe Benefits

Computer Club

Benefits-eligible employees, after six months of employment, are able to purchase a personal computer, and/or computer related equipment, through an interest-free loan provided by the College, and repay the loan through payroll deductions. Loan balance is due in full upon termination of employment.

The details of the Computer Club (e.g., size of loan) are available from the accounting assistant in the Business Office.

ID Cards

Benefits-eligible employees are entitled to a picture Identification (ID) Card, which allows employees use of fitness and recreation facilities on campus (e.g., Crown Center, Multisport Center) and to charge bookstore and dining hall purchases. Spouses, same-sex domestic partners, and dependent children of eligible employees may receive a family card, which entitles them to use some of the College's fitness and recreation services.

Casuals and interns are not eligible for a picture ID. Interns are eligible for a facility card, which provides access to the College's fitness and recreation services.

Individuals not eligible for ID cards who need to use the library as part of their job should contact the Library Office about receiving a library card.

Fitness Facilities

The Crown Center, Multisport Center, and outdoor tennis courts are available to employees (and dependents) with ID or facility cards. For more information about facilities, hours of operation, restrictions, etc., employees should contact the Crown or Multisport Center.

Retirement Gift

All benefited employees who are age 55 and above and have 15 or more consecutive years of service who are retiring from the college are eligible for a retirement gift benefit. The retirement gift benefit is calculated based on the employee's years of service and a monetary amount, which equals \$100.00. When calculating the benefit the maximum years of service to be used is 25.

To maintain the value of the benefit the Human Resource office will periodically review the benefit. This benefit will be included in the employee's last check and will be a fully taxable benefit.

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