Welcome to the Menlo College community. It is a privilege to have you join us in something very special as we pursue the educational goals of the College.

Menlo College's primary mission is to provide strong, liberal arts-based business programs that inspire, prepare, and empower students for a lifetime of learning and responsible leadership.

We believe that responsible leadership in an ever-changing world requires not only a core of business subject matter excellence, but also critical thinking and communication skills, an appreciation for other cultures, analytical and problem-solving skills, ethics, and emotional intelligence – attributes that are best achieved through rigorous study in the arts and sciences.

The College's mission arises out of the following core values:

- Understanding different ideas and individuals
- Treating all people with fairness and equity
- Developing the full potential in each person
- Supporting a range of teaching and learning styles
- Considering one's responsibilities to others
- Protecting the local and global environment
- Continually improving the educational process

This edition of the Menlo College Employee Handbook has been updated to address the policies, responsibilities, and benefits that affect the faculty and staff of the College. It is intended to be a guide to College procedures and practices, and it supersedes any previous handbooks.

Please become familiar with and refer to this Handbook, which provides information you are likely to require during your employment at Menlo College. For further details on specific policies, procedures, or benefits, contact the Human Resources Office.

Thank you for your commitment to the success of our students and our institution.

Acknowledgment of Reading the Employee Handbook

This handbook is designed to provide faculty, staff, and student employees with clear, concise, and accessible information about employment at Menlo College (hereinafter the "College").

This document is intended solely to provide guidance on the mutual expectations shared by the College and its employees. All faculty, staff, and student employees are employed at will, as defined by California law. Neither this handbook nor any other personnel document or oral statement, including benefit plan descriptions, constitutes an employment contract or creates any type of contractual obligation or promise or representation of continued employment for any faculty, staff, or student employee. Neither the employee nor the College is bound to continue the employment relationship if either, at any time, chooses to end it.

The College reserves the right to change, revise, or eliminate any of the policies described herein, except for the policy of at-will employment for its employees. The only recognized deviations from stated policies are those that are in writing, authorized and signed by the Chief Administrative Officer of the College. While this handbook provides much detail, it does not cover every permutation of every situation. Questions should be directed to the Human Resources Office at (650) 543-3996.

This Handbook replaces and supersedes all earlier Employee Handbooks, and any and all memoranda and oral descriptions of the College's personnel policies, practices, and procedures. Please read the following statements and sign below to indicate your receipt and acknowledgment of the Menlo College Employee Handbook *as maintained on the College website and updated from time to time.* The College website version supersedes any version received and acknowledged at a prior date.

- I have read a copy of the Menlo College Employee Handbook. I understand that the policies, rules, and benefits described in it are subject to change at the sole discretion of Menlo College at any time.
- I further understand that my employment is terminable at will, either by the College or by myself, regardless of the length of my employment or the granting of benefits of any kind, except as explicitly specified by contract.
- I understand that no contract of employment other than "at will" has been expressed or implied, and that no circumstances arising out of my employment will alter my "at will" employment relationship unless expressed in writing and signed by the Chief Administrative Officer of Menlo College.
- I am aware that, during the course of my employment, confidential information may be made available to me (e.g., information about students and alumni, pricing policies, and other private information). I understand that this information is critical to the success of the College and must not be disseminated or used outside the College. In the event of termination of employment, whether voluntary or involuntary, I hereby agree not to utilize or exploit this information with any other individual or institution.
- I understand that my signature below indicates that I have read and understand the above statements. I also understand that this agreement will be filed in my personnel file.

By signing below, I indicate that I have read the Menlo College Employee Handbook *as maintained on the College website and revised from time to time*, and that I understand and agree to abide by the policies and procedures herein.

_____

Employee's printed name Employee's signature Date

Menlo College
Employee Handbook

FOR ALL FACULTY AND STAFF

Faculty members are also guided by
the Menlo College Faculty Handbook

Revised January 14, 2019

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Section 1
Introduction

History

Menlo College is a private, four year coeducational college founded in 1927. The combination of academic strength and a small, close-knit campus community forges an intimate educational experience. Our commitment to holistic growth, coupled with Menlo's ideal location near the Silicon Valley and San Francisco, draws students from many states and countries.

Menlo College began as an all-male junior college, expanding in 1949 to include a four-year business program. Menlo became coeducational in 1971. Business remained the College's sole baccalaureate program until the 1980s, when the curriculum was expanded to include a much broader array of degree programs in the arts and sciences.

Today, the College has refocused on its historic strength in business and built a curriculum that reflects this strategic focus. The following majors are offered: Accounting; Finance; Management (with options in Entrepreneurship, Human Resources Management, International Management, Management Information Systems, Marketing Communications, Real Estate, and Sports Management); Marketing; Psychology; and an individually-designed major. All baccalaureate degrees include a general education curriculum designed to develop fundamental skills in critical thinking, written communication, and quantitative analysis, and to introduce students to a variety of subjects and disciplines. The business degrees incorporate a 13-course core sequence and a required internship.

Mission Statement

Menlo College's primary mission is to provide strong, liberal arts-based business programs that inspire, prepare, and empower students for a lifetime of learning and responsible leadership.

We believe that responsible leadership in an ever-changing world requires not only a core of business subject matter excellence, but also critical thinking and communication skills, an appreciation for other cultures, analytical and problem-solving skills, ethics, and emotional intelligence – attributes that are best achieved through rigorous study in the arts and sciences.

Operational Vision

Menlo College has made extensive progress in its goal of becoming a premier school. The College seeks to prepare students for meaningful, productive careers that will benefit them, their families, and society as a whole. This means that our students must learn to think and act as leaders and innovators. Because the way we act as employees of the College directly impacts our interaction with and influence upon students, we must strive to serve as role models in our students' development by using best business practices and ethical behavior.

Our work is informed by the principle of *Students as Customers* and by the College's work culture.

Students as "customers"

- Menlo College will be our students' competitive edge
- We will ensure that students receive the highest quality of customer service possible
- We will continue to gain greater knowledge about our students
- We will offer student services that make a meaningful difference in the lives of our students

Work culture

- Menlo College will develop and maintain an organizational culture that fosters excellence among all employees and requires accountability for quality work
- We will be an organization that maximizes all opportunities
- We value diversity in all its forms

Equal Opportunity

It is the policy of Menlo College to provide equal employment opportunities for all applicants and employees. The College strives to base all aspects of employment at the College upon merit, qualifications and competence. The College makes employment decisions according to each individual's abilities and accomplishments. The College does not unlawfully discriminate against qualified employees or applicants in its hiring, personnel practices, compensation, promotion, or educational opportunities on the basis of race, color, marital status, age, creed, national origin, sex (including pregnancy, childbirth, or related medical conditions), religion, family care status, physical or mental disability, medical condition, ancestry, military or veteran status, sexual orientation, gender identity, gender expression, citizenship, medical condition, genetic characteristic or information, or any other bases protected by state or federal laws.

Menlo College is an Equal Employment Opportunity employer, and makes every effort to comply with all applicable state and federal laws and local ordinances prohibiting employment discrimination. These include Section 504 of the Rehabilitation Act of 1973, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Vietnam-Era Veterans Readjustment Act of 1974, Title IX of the Education Amendments of 1972, the California Fair Employment and Housing Act (FEHA), the Americans with Disabilities Act (ADA) of 1990, the Family and Medical Leave Act (FMLA), the Genetic Information Nondiscrimination Act (GINA), the Immigration and Nationality Act, the Uniformed Service Employment and Reemployment Rights Act of 1994, and California Labor Code Section 1102.2 (sexual orientation).

Menlo College prohibits the harassment of any individual on any of the bases listed above. Please see the section on harassment in this Handbook for more information about what constitutes harassment and the College's procedures for addressing complaints of harassment.

These policies apply to all areas of employment including recruitment, hiring, discipline, layoff, recall, termination, training, promotion, compensation benefits, transfer, and social and recreational programs. It is the responsibility of every manager and employee to conscientiously follow these policies.

Disabilities and Accommodation

The College recognizes and supports the standards set forth in Section 504 of the Rehabilitation Act of 1973, the Fair Employment and Housing Act (FEHA), the Americans with Disabilities Act (ADA) and other applicable California and federal laws that are designed to eliminate discrimination against individuals with actual, perceived, or a history of physical and mental disabilities, and/or medical conditions. The College does not discriminate against individuals with such disabilities in any aspect of the employment relationship, and provides reasonable accommodations as required by law to otherwise qualified employees and applicants with disabilities except for undue hardship situations. Employment opportunities or privileges will not be denied to an otherwise qualified employee or applicant because of the need for reasonable accommodation of the individual's disability. Discrimination based on an employee's or applicant's association with a disabled individual is also forbidden. Employees with disability-related concerns should contact the Human Resources Office to initiate the process of requesting an accommodation or to present a complaint of violation of this policy.

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Employment Eligibility

Is it the policy of the College to employ only United States citizens and aliens who are authorized to work in the United States. In compliance with the Immigration Reform and Control Act of 1986, it is against the College's policy to discriminate because of an individual's national origin, citizenship, or intent to become a U.S. citizen. In accordance with federal law, each prospective employee shall be required to provide within 72 hours of the employee's first day of employment, documents verifying her/his identity and authorization to be legally employable in the United States. The College shall retain copies of the documents submitted by the employee. To the extent practical and appropriate, these documents will be kept confidential. However, the College is required to provide copies of the documents to the U.S. Department of Labor and the Customs and Immigration Service ("USCIS", formerly "INS") on request.

Providing false documentation or making false statements on the verification shall be grounds for withdrawal of the offer of employment or, if employment has already commenced, an immediate termination. During the course of employment, if the College requests further information relating to the employee's authorization to work in the United States, the employee shall furnish the information requested. Failure to cooperate in furnishing such information shall be grounds for discipline, up to and including termination.

Section 2
Beginning Your Work at Menlo College

Employment Application

The College has every right to believe that the information contained in an employee's employment application, resume, electronic communications, and conversations during the hiring process are accurate and truthful. Any misrepresentations, falsifications, or material omissions of information or data during the screening and hiring process may result in excluding the employee from further employment consideration, or immediate discharge, if the employee has already been hired.

Your employment application packet includes a Policy on the Use of the Internet and Electronic Mail. It is essential that each employee read and abide by the policy. Because of the ever-evolving nature of internet communications including social media, the policy will be amended from time to time, and it may be necessary for employees to read and sign these amendments.

Background Screenings

The College requires that all newly hired and rehired employee candidates undergo a background screening. Any offer of employment made prior to the completion of the background check is conditional, contingent upon receipt of information satisfactory to the College. All pre-employment background screenings are conducted in conformity with the Americans with Disabilities Act, and state and federal anti-discrimination and privacy laws. All screening reports are maintained separately from employee personnel files. Pre-employment screenings will only be performed with an employee candidate's permission and only if the College intends to offer employment to an employee candidate. If an employee candidate declines to give permission to conduct these screenings, she/he will not be eligible for employment at the College.

Pre-employment reference checks, employment verifications, and background checks are conducted by the Human Resources Office. Employees who are required to operate vehicles, personal or rental, for College business are further required to sign a document stating that they will advise the College if they incur any driving violations. Failure to report such violations will result in disciplinary action.

Reference Verification

The Human Resources Office ensures that reference checks, employment verifications, and background checks are conducted on all newly hired and rehired employees. Employees who are required to operate vehicles, personal or rental, for College business are required to sign a document stating that they will advise the College if they incur any driving violations. Failure to report such violations will result in disciplinary action.

If the College is asked to provide employment references for current and former employees, prospective employers should be directed to the Human Resources Office. The information that will be provided by Human Resources is limited to dates of employment, and current or last title held.

Job Openings

When a job becomes vacant or a new one is opened, a posting will be placed on the College's website.

Employment at Will

Employment at Menlo College is at-will employment, except as specified in contracts signed by the Chief Administrative Officer of the College. This means that an employee may terminate his or her employment at any time, without cause and without notice. Likewise, the College may terminate an individual's employment at any time, with or without cause and with or without notice. No manager, supervisor, or staff member of the College other than the Chief Administrative Officer of the College has the authority to enter into any employment agreement other than at-will employment. Nothing in this manual or in any document or statement, other than a written agreement signed by the Chief Administrative Officer, shall limit the College's right to terminate employment. The College's discretion in terminating at-will employment is limited only by state and federal law.

New Employee Orientation

The College provides an orientation for each new employee. The orientation provides an opportunity to ensure that the College has proper documentation for the payroll and personnel files, to discuss the range of benefits provided by the College, to provide information about any required training (e.g., sexual harassment and safety/injury prevention plan), and to answer any questions that the employee may have.

Introductory Period for New Employees

The first three months of employment are considered the introductory period for new employees. During this period, you will have an opportunity to learn your new position and to see whether you enjoy your employment here. The College will use the introductory period to determine whether you are able to meet job requirements and performance expectations. The introductory period may be extended at the discretion of the College. All such extensions will be documented in writing. However, either the College or the employee may end the at-will employment relationship, with or without cause, during the introductory period or thereafter. This introductory period does not change the at-will employment relationship, which continues throughout the employment relationship.

Standards of Dress and Personal Appearance

A neat, tasteful appearance contributes to the positive impression you make on our students and their families. All employees should be well-groomed, and are expected to wear clothing appropriate for the nature or the type of work performed and reflecting a high standard of professionalism. Employees should avoid clothing that can create a safety hazard or that restricts their ability to perform work. In consideration of professional image, as well as in consideration of colleagues, good habits of grooming and personal hygiene are expected. When representing the College off-site, please observe what others are wearing and dress appropriately.

Identification Cards

Regular full-time, part-time, and stipend employees are eligible to obtain a Menlo College ID card. ID cards must be shown when using certain College facilities. Employees are required to return their identification cards and any other College property when they end their employment at the College. Some College facilities, such as dormitories, are accessible only to individuals who have been granted ID-card access.

Parking

All vehicles parked on campus and at the College residences must be registered with Security and must display a current parking permit. Registration forms are available in the Security office and can be completed online. Temporary parking and visitor passes may also be obtained from Security. To register a vehicle, employees must be able to show a valid state vehicle registration and proof of insurance. Upon registration, employees will receive a pre-numbered decal for each vehicle registered. Each parking lot is clearly designated for staff, faculty, and/or students.

Failure to follow parking regulations may result in a parking fine. Vehicles parked in violation of these rules may also be booted and/or towed at the owner's expense.

Keys and College Property

Office keys, telephones, furniture, and other equipment are issued by the College's departments (Facilities, Information Technology, etc.) as appropriate. At certain times, equipment may be recalled prior to completion of a job-related task. Such requests must be honored promptly.

Upon termination of employment, all property of Menlo College must be returned in good, working condition (ordinary wear and tear excepted). It is the responsibility of the employee to return all College-owned property prior to the last day of work.

Personal Use of Vehicles

It is the general policy of the College to use rental vehicles for transportation to College-related events. Menlo College has a vehicle rental contract for work-related travel. Rental cars are covered by the College's auto insurance, which covers damage to the vehicle as well as medical coverage for everyone in the car. In the event of a car accident while using either a rental car or a personal vehicle while on Menlo College business, employees must immediately notify the Director of Human Resources or the Security office.

Employees who choose to use their personal vehicles for approved work is permitted provided it is done during the course of the employee's scheduled hours of work and is used in accordance with the general parameters outlined below. Prior to using their own personal vehicle, an employee must obtain approval from the College and provide satisfactory evidence of liability insurance coverage to the Director of Human Resources in order to use their personal vehicle for work-related travel. Motorcycles, scooters, and bicycles are not acceptable for business use. Employees who use their personal vehicle for work-related travel will be reimbursed at a per-mile-driven basis, at the rate determined by the IRS. Requests for reimbursement must be in writing, and must include details of the dates, points of departure and arrival, and miles driven.

When employees use their own car, their private insurance is the primary source of insurance coverage for the automobile, even when driving the vehicle on College-related business. As such, any liability for damage to vehicles or passengers will be covered by the employee's personal auto insurance.

Other Use of College Property and Facilities

Menlo College considers occasional personal use of copiers and other College equipment to be an employee benefit. If you are not sure what is appropriate, talk it over with your supervisor. Abuse of this privilege may lead to disciplinary action.

If an employee wishes to arrange for a private function such as a meeting, special occasion (e.g., wedding or anniversary party), or similar use, he or she must first obtain permission from the Office of the President, and may be subject to a fee. Failure to obtain approval may lead to cancellation of the event and/or disciplinary action.

Section 3
Employment

Employee Classifications

The College maintains the following employment status definitions. These definitions are used primarily to determine eligibility for benefits. The primary basis for determining employment status is committed hours, defined as regularly scheduled and budgeted hours assigned to a specific position.

- Faculty employees are instructional staff with faculty contracts and membership in the Faculty Senate. Faculty employees are "exempt" as defined below.
- Full-time regular staff employees are those who successfully complete the introductory period (including any extensions) and who are hired to work on a regular schedule for an unspecified duration. Full-time regular staff employees are normally scheduled to work a full-time workweek of at least 40 hours per week on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below.
- Part-time regular staff employees are those who successfully complete the introductory period (including any extensions) and who are hired to work fewer than 40 hours per week on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below.
- Student employees are those who are currently registered at Menlo College for a minimum of 12 units per semester and have a minimum cumulative grade point average (GPA) of 2.0 for the previous two semesters. Students may not work for more than two departments and their work hours are limited to a total of twenty (20) hours per week on campus while school is in session. During semester breaks and the summer session, student assistants are permitted to work up to forty (40) hours per week. During the fall and spring terms, students are not eligible to work for the College if they are on Academic Probation for the previous or current semester. Student employees are "non-exempt" as defined below.
- Exempt employees are those employees who are exempted under federal and state laws from wage and hour requirements. Being classified as "exempt" means an employee is not eligible for overtime pay and is not subject to other Industrial Welfare Commission (IWC) Wage Orders pertaining to minimum wage, record keeping, meal periods and rest periods. Similarly, federal minimum wage and overtime provisions do not apply. Employees in this category include employees who qualify as exempt executive, administrative and professional employees. Titles are irrelevant to the determination of whether an employee is exempt or non-exempt. In order to be classified as exempt, an employee must meet certain tests relating to the employee's actual duties and salary. Exempt staff employees may be either full-time or part-time employees.
- Non-exempt (hourly) employees are those employees who are eligible for overtime pay and that are subject to other IWC Wage Orders pertaining to minimum wage, record keeping, meal periods and rest periods. Employees in this category include employees classified as technicians, clerical, and service employees. Non-exempt staff employees may be either full-time or part-time employees.
- Temporary employees are those who are hired for a particular project or a job of limited or indefinite duration. An employee will not change from temporary to any other employee status or classification unless specifically informed of such a change, in writing, by the Human Resources Department. Such notification will indicate the effective date on which the employee became or will become a regular employee. Temporary employees may be exempt or non-exempt, full-time or part-time.

Under California law, each current or former employee is entitled to inspect certain documents contained in their personnel file in the presence of the Director of Human Resources at a mutually convenient time within 30 days after a request has been made. This request must be in writing and directed to the Director of Human Resources. Employees may obtain copies of any file documents which they have signed. Certain documents may be excluded or redacted from an employee's personnel file by law, and there are legal limitations on the number of requests that can be made.

To ensure continuity of benefits, employees should inform the Human Resources Office immediately of any change in address, telephone number, marital status, number of dependents, or emergency contact(s). The College is required by law to maintain current employee records, and for official purposes can rely only on existing records; the College is not responsible for accommodating any status change not communicated in writing (including via email) to the Human Resources Office.

The information in each employee's personnel file is confidential. However, disclosure of personnel files is restricted to authorized persons within the College. Any request regarding personnel files should be directed to the Director of Human Resources, who is the only person authorized to release information about current or former employees. The Human Resources Office will generally release personnel information only in response to a lawful court order or subpoena; in response to a lawful order from a local, state, or federal agency such as the IRS, the Franchise Tax Board, the Social Security Administration, the state unemployment and disability departments, the Department of Industrial Relations, or Homeland Security; in response to questions from Worker's Compensation carriers; or in response to a written release or consent from the employee for written verification of employment. If verification of employment is requested by the employee for purposes of obtaining a security clearance, mortgage, or bank loan, the College will verify only job title and employment dates.

Health Insurance Portability and Accountability Act (HIPAA)

Menlo College complies with all requirements of the Health Insurance Portability and Accountability Act (HIPAA). All Menlo College employees who have access to Protected Health information (PHI) must comply with this policy. The College will use and disclose PHI only as specifically permitted or required by HIPAA in accordance with the HIPAA Privacy Rule.

The College will train supervisors regarding HIPAA privacy policy and procedures to ensure that employees with access to PHI receive the necessary and appropriate information to allow them to carry out their daily responsibilities within the guidelines of HIPAA.

On behalf of the Plan (the College's healthcare plans and providers), the College will establish appropriate technical and physical safeguards to prevent PHI from being used or disclosed, intentionally or unintentionally, in violation of HIPAA's requirements. These safeguards, such as locked cabinets and computer firewalls, will ensure that only authorized employees have access to Protected Health Information, that they have access only to information that is strictly necessary for administrative purposes, and that they do not use or disclose PHI in violation of HIPAA.

The Human Resources Office will maintain a supply of HIPAA Privacy Notices and make them available upon request to any employee. The College will also distribute the Notice in several other ways:

- Each employee will receive the College's HIPAA Privacy Notice. Each will be asked to acknowledge the Notice by signing the College's Notice Acknowledgement form. A copy will be provided to the employee upon request.
- The Notice will be included in the hiring materials (Employment Application packet) given to all new employees.
- All new supervisors will be trained on HIPAA policies and procedures with respect to PHI within a reasonable period of time after they join the College or are promoted.
- When the Notice is revised, the revised version will be available as of the effective date.

The Director of Human Resources is the Privacy Official for the Plan. The Privacy Official is responsible for the development and implementation of policy and procedures relating to privacy, including but not limited to this privacy policy. The Privacy Official will also serve as the contact person for employees who have questions, concerns, or complaints about the privacy of their PHI.

The Chief Administrative Officer and the Director of Human Resources will be the Plan's contacts for receiving complaints. All complaints must be submitted in writing. No employee will be penalized for filing a complaint.

The Privacy Official is responsible for creating a process by which individuals can lodge complaints about the Plan's privacy procedure, and for creating a system for handling such complaints. A copy of the complaint procedure shall be provided to any employee upon request.

Sanctions for using or disclosing PHI in violation of HIPAA will be imposed in accordance with the College's Standards of Conduct.

The College shall mitigate, to the extent possible, any harmful effects resulting from the use or disclosure of an employee's PHI in violation of the policies and procedures set forth in this Handbook. If you become aware of a disclosure of protected health information that is not in compliance with this policy, either by an employee of the Plan or by an outside consultant, please contact the Privacy Official immediately so that appropriate steps can be taken to mitigate any harm to the employee.

No employee may intimidate, threaten, coerce, discriminate against, or take retaliatory action against individuals for exercising their rights, filing a complaint, participating in an investigation or opposing any improper practice under HIPAA.

The College may not use or disclose PHI except as permitted or required by HIPAA.

The Plan (the College's healthcare plans and providers) may disclose PHI information to an employee

- For treatment or payment of plan benefits
- To carry out operations of the health care plan
- To comply with legally required disclosures
- Pursuant to and in compliance with a valid authorization that complies with the requirements of HIPAA.

The Plan is also required to release PHI information as follows:

- In compliance with public health activities (to prevent the spread of communicable disease)
- In cases of abuse or neglect
- To law enforcement agencies, in compliance with legally issued directives
- In response to requests from funeral directors or medical examiners

PHI may be disclosed for any purpose *if the employee provides an authorization that satisfies all of HIPAA's requirements for a valid authorization*. All uses and disclosures made pursuant to a signed authorization must be consistent with the terms and conditions of the authorization.

HIPAA gives employees the right to access and obtain copies of their PHI that the Plan maintains in designated record sets. HIPAA also states that employees may request to have their PHI amended. The

Plan will provide access to PHI and will consider requests for amendments that are submitted in writing by the employee.

Each employee has the right to obtain an accounting of certain disclosures of his or her own PHI. This right to an accounting extends to all disclosures made in the last six years other than those that were made

- To carry out treatment, payment or operations of the health care plan
- To employees about their own PHI
- Incident to otherwise permitted uses or disclosures
- Pursuant to an authorization
- As part of a limited data set
- For other law enforcement purposes

For Protected Health Information that is maintained in electronic form, the accounting of disclosures *does* include disclosures made for treatment, payment or operations of the health care plan (depending on the date the electronic PHI was created or received).

The Plan shall respond to an accounting request within 60 days. If the Plan is unable to provide the accounting within 60 days, it may extend the period by 30 days, provided that it gives the employee notice within the original 60-day period. The accounting must include the date of disclosure, the name of receiving party, a brief description of the information being disclosed and a brief statement of the purpose of the disclosure.

For more information about the HIPAA Privacy Rule and the College's HIPAA Privacy Notice, please contact the Privacy Official.

Attendance and Punctuality

To maintain an efficient workplace, the College expects good attendance and punctuality from its employees. Poor attendance and tardiness disrupts productivity and makes it difficult to function effectively. An absence is any time an employee is scheduled to work, but is unable to report to work. This does not include approved time off for vacation, holiday, bereavement leave, jury duty, military duty, paid sick leave time, or a leave of absence. Tardiness is any time when an employee arrives late to work and/or is not dressed and ready to work.
On occasion, employees may have reason to be absent from or be late to work. On these occasions, employees are expected to contact their supervisor as far in advance as possible of their scheduled starting time on the first day and each subsequent day of an unscheduled absence. Employees must also provide the anticipated duration of their absence. If the employee's supervisor is not available, the employee must contact the Human Resources Office.

Except as otherwise required by applicable law, employees who are absent for three consecutive days without notifying their supervisor (or the Director of Human Resources if the supervisor is not available) of their absence will be considered to have voluntarily resigned without notice as of the close of the third day and will not be eligible for rehire.

Job Descriptions and Performance Evaluations

All employees must have a current job description. Copies are maintained in Human Resources.

Communication between supervisor and employee is central to performance management. Performance management is an ongoing, continuous, interactive process that provides an opportunity for employees and supervisors to discuss job-related responsibilities, activities, skills, behavior, accomplishments, and goals.

Annual performance evaluations are conducted for each employee, along with the establishment of plans and goals for the coming year. This process serves as a planning tool and can be used to identify areas where additional training or improved job performance is necessary. The objective is to build a strong, supportive relationship between employee and supervisor that focuses on individual and team effectiveness.

Good performance does not guarantee salary increases, promotions, or continued employment, which depend upon many factors in addition to individual performance.

Harassment

Menlo College is committed to providing a work environment that is free of discrimination. In keeping with this commitment, the College maintains a strict policy prohibiting all unlawful forms of harassment, including sexual harassment and harassment based on race, color, religion, national origin, age, sexual orientation, gender identity or any other characteristic protected by state or federal law. This policy applies to all employees of the College, including supervisors and non-supervisory employees, and prohibits harassment of employees in the workplace by any person, including non-employees. This policy also extends to harassment of or by vendors, independent contractors, and others doing business with the College. Furthermore, this policy prohibits unlawful harassment in any form, including verbal, physical and visual harassment. It also prohibits retaliation of any kind against individuals who file complaints in good faith or who assist in an investigation by the College.

Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where either (1) submission to such conduct is made an explicit or implicit term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Individuals who violate this policy are subject to discipline up to and including the possibility of immediate termination.

Unlawful harassment may take many forms, including:

- Verbal conduct, such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations or comments. Examples include, but are not limited to, the following: name-calling, belittling, sexually explicit or degrading words used to describe an individual; sexually explicit jokes; comments about an employee's anatomy and/or dress; sexual practices; use of patronizing terms or remarks; verbal abuse; and graphic verbal commentaries about the body.
- Visual conduct, such as derogatory posters, cartoons, drawings or gestures. Examples include, but are not limited to, the following: displaying sexual pictures, writing or objects; obscene letters or invitations; staring at an employee's anatomy; leering; sexually oriented gestures; mooning; and unwanted love letters or notes.
- Physical conduct, such as assault, blocking normal movement, or interference with work directed at an employee because of the employee's sex or other protected characteristic.

Examples include, but are not limited to, the following: touching, pinching, patting, or grabbing; brushing against or poking another employee's body; hazing or initiation that involves a sexual component; and requiring an employee to wear sexually suggestive clothing.

- Threats and demands to submit to sexual requests in order to keep one's job or avoid some other loss, and offers of job benefits in return for sexual favors. Examples include, but are not limited to, the following: continued requests for dates; any threat of demotion, termination, etc., if requested sexual favors are not given; making or threatening reprisals after a negative response to sexual advances; and propositioning an individual.
- Use of computers, including the internet and the College's email system, to transmit, communicate or receive sexually-suggestive, pornographic or sexually explicit pictures, messages or material.

This policy applies to all phases of the employment relationship, including recruitment, testing, hiring, upgrading, promotion, demotion, transfer, layoff, termination, rates of pay, benefits and selection for training.

Any employee or other person who believes he or she has been harassed or retaliated against for having reported unlawful harassment by a co-worker, supervisor, agent of the College or non-employee should promptly report the facts of the incident or incidents and the names of the individuals involved to his or her supervisor, or, in the alternative, to the Human Resources Department. It is the responsibility of each employee to immediately report any violation or suspected violation of this policy to one or more of the individuals identified above. Employees should feel free to report valid claims without fear of retaliation of any kind. Employees will not be subject to retaliation for registering any complaint of unlawful harassment in good faith. Supervisors should immediately report any incidents of harassment to the Human Resources Department.

The Director of Human Resources has full responsibility to receive, investigate and resolve complaints involving violations of the policies stated herein, and to recommend the imposition of appropriate sanctions against violators.

At a minimum, when an employee complains about harassment, the College will:

- Fully inform the employee of his or her rights to complain and redress the harassment; the employee must be informed of his or her own obligations to secure his or her rights and of any assistance available to him or her under the College's procedures;
- Immediately conduct a thorough, objective and complete investigation of the alleged harassment. The College must make a determination about whether unlawful harassment occurred, and communicate this alleged finding to the harasser and any other concerned party; and
- Take prompt and effective remedial action if the College determines harassment has occurred.

If any employee has any questions concerning this policy, please feel free to contact the Director of Human Resources.

Standards of Conduct

Staff and faculty are expected to conduct themselves as responsible citizens in a manner compatible with the College's mission as an educational institution. It is the College's policy that all employees will be

treated fairly and respectfully. Our success requires the full commitment of each individual, and we will maintain a work environment that supports this requirement.

In order to provide employees with some guidance concerning unacceptable behavior and to encourage consistent action by the College in the event of violations, examples of impermissible conduct that may lead to disciplinary action are identified below. However, it is impossible to provide an exhaustive list of every type of conduct that may result in disciplinary action. The following list therefore contains some examples of conduct that may lead to the imposition of discipline, including the possibility of immediate termination.

Unacceptable activities: Major infractions

Although employment at the College can be terminated with or without cause, certain violations are particularly likely to result in immediate dismissal. These include:

- Willful violation of any of the College's policies, including policies described in this manual, as revised from time to time;
- Non-compliance or disregard of any established security, safety, or health rules or practices or engaging in conduct that creates a security, safety, or health hazard.
- Negligent or careless conduct that endangers the life or safety of another person;
- Possession, distribution, sale, use or being under the influence of alcoholic beverages or illegal drugs while on College property, while on duty, or while operating a vehicle or potentially dangerous equipment leased or owned by the College.
- Unauthorized possession of dangerous or illegal firearms, weapons, explosives, or similar items on College property or while on duty;
- Actual or threatened violence toward anyone on College property or when representing the College; threatening, intimidating, or coercing fellow employees, whether on or off College property;
- Misusing, abusing, destroying or damaging property of the College, a fellow employee, student, supplier, or a visitor;
- Fighting or provoking a fight on College property;
- Engaging in criminal conduct;
- Insubordination, including improper conduct toward a supervisor or refusal to perform tasks assigned by a supervisor in the appropriate manner;
- Theft or unauthorized removal or possession of College property, records, or other material; or the property of fellow employees or students;
- Obtaining employment based on false or misleading information, or falsifying information or making material omissions in any documents or records;
- Providing false information about sick or personal leave; falsifying reasons for a leave of absence or other information requested by the College;
- Unauthorized alteration or destruction of College records or documents;
- Disclosure of trade secrets or confidential information about the College, including confidential employee and/or student information;
- Misconduct, including but not limited to, behavior that is offensive to students or other employees, and engaging in rude or discourteous conduct toward a student or fellow employee;
- Immoral conduct or indecency on College property;
- Conducting a lottery or gambling on College property or while on duty.

Unacceptable activities: Minor infractions

- Unacceptable or unsatisfactory job performance.
- Any unlawful harassment, including sexual harassment, whether verbal, physical or visual.
- Leaving your department or College premises without approval prior to the end of a scheduled work shift.
- Sleeping on the job; loitering or loafing during working hours.
- Excessive use of the College's telephone system for personal call.
- Smoking in restricted areas or at non-designated times, as specified by department rules.
- Posting, removing or altering notices on any College bulletin board without prior review and approval by the College's Human Resources Department.
- Frequent or excessive tardiness or absence from work, or an employee's work area
- Speeding or careless driving of Menlo College-owned vehicles.
- Failure to immediately report damage to, or an accident involving, College-owned property or equipment caused by the employee.
- Soliciting of other employees during work times, except in connection with a College-approved or sponsored event; distribution of literature of any kind during work times, or in any work area at any time, except in connection with a College-sponsored event. Work time excludes unpaid lunch breaks, rest periods, or any other specified periods during the workday when employees are not required to engage in performing their work tasks.
- Failure to maintain a neat and clean appearance in accordance with standards established by your supervisor; wearing improper or unsafe clothing.

Open Door Policy and Problem Resolution

Menlo College recognizes your right to voice your complaints, suggestions, or questions, and to seek a solution of disagreements arising from working relationships, working conditions, and the College's employment policies and practices. Many work-related problems or disagreements can be magnified by poor communication or misunderstanding of intent. The resolution of job-related problems is the joint responsibility of all parties concerned. Timely clarification and resolution is desirable for all those involved, and for the College.

As such, the College welcomes any complaints, suggestions, or questions from employees regarding their working relationships, working conditions, and the College's employment policies and practices. Such complaints, suggestions, and questions should first be brought to the attention of the employee's immediate supervisor or department head. Should this procedure cause the employee undue stress or embarrassment, the employee may bring the matter to the attention of the Human Resources Department.

Counseling and Progressive Discipline

An employee with a job-related performance problem bears responsibility for improving his or her job performance to a satisfactory level.

The College may choose in appropriate situations to utilize a progressive disciplinary measures to serve as a fair and consistent means to enforce the College's rules and regulations and to address conduct or performance deficiencies. The purpose of progressive discipline is to retain employees through identification and correction of certain types of problems. Failure to correct such problems may lead to suspension or termination, and serious infractions may result in immediate termination. The College reserves the right to terminate the at-will employment of any employee at any time, with or without

cause or notice; thus, progressive discipline is applicable or not, at the discretion of the College, for those situations deemed appropriate by the College.

If a situation, at the discretion of the College, warrants progressive discipline, the disciplinary actions applied may include, but are not limited to, a verbal warning, written warning, and/or termination from employment. Every action need not be taken in each case, and depending upon the relevant circumstances, the College may decide to take any disciplinary action, including immediate termination, at any time. Relevant circumstances that affect the course of disciplinary action may include the College's judgment as to the seriousness or severity of the individual employee's deficiencies in performance and/or conduct, prior performance and conduct, and management's assessment of appropriate factors identified during the investigation.

In accordance with the principle of **progressive discipline**, the College may choose to issue verbal and written warnings to employees whose performance is unsatisfactory. Although one or more of these types of discipline may be imposed, no formal order or system of discipline is required. An employee may quit at any time and the employer may, of course, terminate an employee at will, without following any rigid system, whenever it determines that such action is warranted.

A **verbal warning** is generally issued if the work performance or conduct of an employee is unsatisfactory and if informal counseling has been ineffective in achieving improvement. As part of a formal discussion, the supervisor should make it clear that improvement is **required** and that the conversation should be considered a warning.

A **written warning** may be necessary if the employee's performance does not improve as required. Written warnings should include a description of the performance problem or misconduct, the expected acceptable performance or appropriate conduct, a stated period of time in which the employee must attain and maintain the appropriate performance level or conduct, and a statement of the consequences of failing to meet standards or correct the problem.

Termination of employment may result from a failure to comply with verbal or written warnings. It may also result from other circumstances, such as violations of the College's standards of conduct, even if no verbal or written warning has been issued. Before the final action is taken, it will be reviewed by the appropriate College officer and by the HR Office. To allow sufficient time for this review or for investigation of the problem, the employee may be suspended without pay pending final determination.

Whistleblower Policy

Application of Policy. This policy applies to all members of the Menlo College community, including, without limitation, students, employees, and trustees.

Statement of Policy. Menlo College is committed to access and excellence in education, including the highest standards of integrity in performance of its mission. To help identify and address concerns about possible legal or policy violations in College activities and operations including, but not limited to, finance, research, human resources, athletics, risk & safety, and information technology, the College has developed a process for all members of the Menlo College community to report any good faith belief that a violation has occurred.

In this context, "good faith" means that the individual who reports alleged misconduct has an honest belief that the misconduct may have occurred and is aware of a fact which would support that belief, though it does not have to be a certainty. If an individual makes an allegation and either disregards or is purposefully ignorant to facts that would disprove the allegation, this is not good faith.

Allegations may include requests by any member of the Menlo College community to violate a law or College policy. In general, allegations may also include bribery, theft, financial or accounting fraud, other types of corruption or acts which endanger the College public health or safety. No member of the Menlo College may directly or indirectly use or attempt to use the official authority or influence of their positions or offices to interfere with the right of an individual to report any alleged inappropriate conduct.

These allegations may be made on an anonymous basis and, even if not on an anonymous basis, without fear of adverse action taken because of any good faith allegations. Reporting individuals who believe they have been subject to retaliation will have the ability to make a report to the College. Raising allegations under this policy will not interfere with legitimate employment decisions; similarly, allegations raised under this policy will not affect a student's status at Menlo College. Any report that proves to have been both unsubstantiated and made with malice or with knowledge of its falsity, however, is not protected by this policy.

Reporting Options. Any person who has a good faith belief that there has been any violations of law, breaches of policy or allegations of improper conduct pertaining to the College may file a report through https://www.menlo.edu/tipster. If a report is submitted, the allegations made in the report will be given careful consideration by appropriate College executive personnel. The report may be filed on an anonymous basis, but because investigators are unable to interview anonymous whistleblowers, it may be more difficult to evaluate the credibility of the allegations and therefore, less likely to permit an investigation to be initiated, continued or successfully completed.

Members of the Menlo College community should not feel limited to making a report through the website referenced above. A report of suspected improper conduct described above may also be made to a College administrator who can properly address these concerns. In most cases a Menlo College supervisor is in the best position to respond to a report. If an individual who raises a concern is not satisfied with the supervisor's response, the individual should take his or her concerns to a College officer whom the individual believes has the authority to review the alleged improper conduct on behalf of the College.

If an individual wishes to make a report against a College officer, the individual may contact the Chair of the Audit Committee of the Menlo College Board of Trustees by writing to:

Audit Committee Chair
c/o the Office of the President of Menlo College
1000 El Camino Real, Atherton, CA 94027-4301
or via email @ BOT@menlo.edu

Written complaints made to the Audit Committee Chair will be delivered unopened to the Audit Committee Chair. Although every effort will be made to maintain confidentiality, there can be no absolute guarantee of confidentiality.

Reports, even to supervisors, are encouraged to be made in writing so as to assure a clear understanding of the issues raised, but the report may be made orally. Whether a report is made through the website or in person to a College supervisor, officer, or the Audit Committee Chair, the report should be factual rather than speculative or conclusive; it should also contain as much specific information as possible to allow for proper assessment of the nature, extent, and urgency of the investigation. Requests for confidentiality will be honored to the extent reasonable within the legitimate needs of law and the investigation.

Investigation Process. Any individual who receives a report alleging suspected improper conduct must report the matter to the Audit Committee Chair. The individual should not engage in any investigation of the allegations. Rather, the Audit Committee Chair (or where appropriate, outside counsel) will make an initial inquiry to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved without the need for investigation. An investigation will begin if and only if the preliminary information establishes that the allegation, if true, demonstrates improper conduct and is either accompanied by information specific enough to be investigated, or has (or directly points to) corroborating evidence that can be pursued.

If continued, the investigation may consist of interviews, review of documents or a combination of the two, among other things. Those conducting the investigation will notify the reporting individual of the findings, and prepare other reports as needed under the circumstances.

This section of the Handbook is based on the Whistleblower Policy developed by the National Council of Nonprofit Associations, http://www.councilofnonprofits.org/. The Policy may be viewed at http://www.councilofnonprofits.org/sites/default/files/Sample%20WhistleblowerPolicy%202.2010.pdf

Conflict of Interest

Menlo College does not maintain a strict policy that prohibits employment in all circumstances of relatives or of those who have an intimate relationship with each other. However, there are significant restrictions on the employment of such individuals under circumstances that create actual and potential conflicts of interest. For purposes of this policy, relatives include an employee's parent, child, spouse, domestic partner, brother, or sister, or a stepparent, stepchild, stepbrother, or stepsister. Relatives also include any parent, child, brother, or sister of an employee's spouse or domestic partner. As noted above, the policy is not limited to relatives and applies to other covered situations involving actual and potential conflicts of interest.

Definition

A conflict of interest is considered to exist in an instance where an individual's actions or activities involve both an advantage to the employee and an adverse effect on the College's interests. It can also result when an individual's association or involvement with a third party interferes or may interfere with the employee exercising care, skill and prudent judgment on behalf of the College in the performance of assigned duties.

A conflict of interest further exists if an employee has an existing or potential interest, financial or non-financial, that may impair (or appear to impair) the individual's independent judgment when performing College responsibilities, or if the employee receives or may receive a material, financial, or other benefit from knowledge of confidential or proprietary College-owned information. In addition, a conflict exists if any of the above circumstances exist involving a member of the immediate family of an employee.

A conflict of interest also exists when an employee influences or attempts to influence any College business transaction or other decision in ways which could lead to any manner or form of personal gain for the employee, other than from salary from the College, regardless of source. The conflict extends also to personal gain for the employee's family members. The College will not knowingly do business with any enterprise owned in whole or in part by any employees or members of their families.

Gifts and Entertainment

No employee may solicit or accept, directly or indirectly, any gift or gratuity that might reasonably be interpreted by others as being of such a nature that it could affect her or his impartiality.

Personal Relationships

Employment within the same department is prohibited for individuals of the same family or for those who have a romantic relationship. If employees become romantically involved, marry, or become related by marriage after they are hired and they work in a direct relationship with one another, the College will attempt to reassign or transfer one of the employees to another position for which he or she is qualified, if such a position is available. If no such position is available, then one of the employees will be required to leave the College.

In addition, to avoid an actual or potential conflict of interest, no College employee may initiate or participate in, directly or indirectly, decisions regarding a direct benefit (e.g., employment, promotion, salary, performance appraisals, work assignment, or other work-related issues) to those related by blood, marriage, domestic partners, or persons with whom employees otherwise have an intimate relationship (e.g., a consensual romantic or sexual relationship).

In considering whether a relationship falls within this policy, all employees are expected to immediately disclose to their supervisor a relationship that currently exists or existed in the past. Failure to do so may result in disciplinary action. While both employees involved in a consensual relationship are individually responsible for disclosure, a supervisor's failure to report such a relationship will be regarded as a serious lapse in management demeanor and provide grounds for disciplinary action, including termination of employment (particularly in cases where bias or harassment has occurred). Supervisors should also understand that even in a consenting relationship, there are substantial risks of charges of sexual harassment or favoritism when supervision is involved.

The College also reserves the right to determine that other relationships that are not specifically covered by this policy represent actual or potential conflicts of interest. In any case where the College determines, in its sole discretion, that a relationship between two employees, or between an employee and a non-employee, presents an actual or potential conflict of interest, the College may take whatever action it determines to be appropriate to avoid the actual or potential conflict of interest. Such action may include, but is not necessarily limited to, transfers, assignments, changing shifts, or, where it deems such action appropriate, disciplinary action up to and including possible termination.

Consensual Relations between Employees and Students

The College prohibits any consensual dating, romantic, or sexual relationship between an employee and a student over whom that employee has any instructional, supervisory, advising, or evaluative responsibility.

Such a relationship is fraught with problems, including the potential for exploitation, favoritism, and conflict of interest. The appearance of impropriety or unfairness may also adversely affect the learning and work environment for other students and employees.

This policy applies to faculty, adjunct faculty, staff, and student employees. Employees who violate this policy are subject to disciplinary action, up to and including, termination.

Outside Employment

Employees may not take outside jobs, either for pay or as volunteers, with competitors of Menlo College; nor may they undertake work on their own that competes in any way with the services the College provides to its students or potential students. If your financial situation requires you to hold a second job, part-time or full-time, or if you intend to engage in a business enterprise of your own, it should not interfere with your primary responsibility to Menlo College. Before accepting any outside employment, it is strongly recommended that you discuss the matter with your supervisor and with the HR Office in order to verify that your outside employment does not conflict with your responsibilities to the College or your work scheduling requirements. Menlo College will not change its work schedule to accommodate an employee's outside employment.

In addition, if outside employment opportunities are approved initially but it is later determined that the employment opportunity impairs or interferes, in any way, with your ability to perform all of your duties for the College, or your ability to perform those duties in a safe, efficient, and productive manner, you may be required to discontinue your outside employment as a condition of continued employment with the College.

Employees are not permitted to engage in outside employment or supplemental employment while on an approved leave of absence without the advance written permission of the College. Doing so may result in the loss of both FMLA job restoration rights and maintenance of insurance benefit provisions, and could be cause for termination.

Campus Communication

E-mail messages, bulletins, and bulletin boards are routinely used to keep everyone informed about new policies, changes in procedures, special information, and events. Unless specifically exempted by their supervisors, all employees are expected to read their College e-mail on a regular basis.

The College reserves the right to monitor incoming and outgoing telephone calls and e-mails connected through the College's e-mail system, at any time and without notice, consistent with applicable law. Additionally, voicemail messages stored within the telephone system are considered business communications and are subject to monitoring, review, and retrieval by authorized College personnel, consistent with applicable law.

Employee Separation Policy

The College's policy is to handle voluntary and involuntary terminations of employment consistently and equitably. The Director of Human Resources is responsible for overseeing the return of all College-owned property or information from separated employees, and will conduct exit interviews with all separated employees.

Voluntary Termination of Employment/Resignation

Resignation is defined as employment termination initiated by an employee who chooses to leave the College. An employee who is considering leaving the College for any reason is encouraged to discuss her/his situation with her/his immediate supervisor before making a final decision.

If the employee chooses to leave the College, it is expected that as much notice as possible will be given in order to give the College the opportunity to plan for a smooth transition. At least two working weeks' notice is customary for non-exempt employees while administrative and professional staff are asked to provide at least one month's notice. A letter of resignation addressed to the department head, stating the final date(s) of employment, will be forwarded to the Human Resources Department. Before leaving, the employee must visit the Human Resources Department to make benefit transition arrangements, to return all College property, and to have an exit interview with Human Resources.

As required by law, an employee must be paid on their last day of work if they provide at least 72 hours advance notice of their intent to resign. An employee who resigns without notice must be paid within 72 hours.

Except as otherwise required by applicable law, employees who are absent for three consecutive days without notifying their supervisor (or the Director of Human Resources if the supervisor is not available) of their absence will be considered to have voluntarily resigned without notice as of the close of the third day and will not be eligible for rehire.

Vacation time may not be taken in lieu of working the last two weeks of employment. The termination date is the actual last day of work. All unused accrued vacation hours will be paid on the employee's last day of work.

All College-owned property (vehicles, keys, identification cards, parking permit, credit cards, laptop computers, uniforms, etc.) must be returned immediately upon termination of employment in order to receive final payments.

Reductions in Force (Layoffs)

Under some circumstances (e.g., lack of appropriate work, departmental reorganization or job elimination, economic downturn, or budget difficulties), the College may restructure or reduce its workforce. If so, the College will make a reasonable effort to inform affected employees in advance. If advance notice is not provided, the College will pay severance in lieu of advance notice to regular employees affected by the layoff. The advance notice and/or severance pay will be provided according to the following schedule for employees whose employment is involuntarily terminated:

- 5 to 10 years' service: 3 weeks' notice or pay
- 10 to 15 years' service: 6 weeks' notice or pay
- 15 to 20 years' service: 8 weeks' notice or pay; or
- 20 or more years' service: 10 weeks' notice or pay.

Employees to be laid off will be informed the expected duration of the layoff if known.

In determining which employees will be laid off, the College will identify the positions to be reduced and in selecting for retention among staff members performing in the same position to be reduced, will

consider its operating requirements and other factors, including employees' skills, productivity, ability, past performance, and, where other factors are equal in its judgment, their length of service.

Exit Interview

Employees ending employment at the College, whether voluntarily or involuntarily, are strongly encouraged to meet with the Director of Human Resources for an exit interview. This interview will normally occur on or before the employee's final workday. During the interview, the Director of HR or a designee may ask for information about working conditions and the employee's relationship with her/his supervisor and fellow staff members and will discuss employment benefits conversion. The Director of Human Resources or designee should also review the separating employee's current duties, tasks/projects, and timelines; and notify the separating employee of any accrued pay or paid time off.

The employee also will have the opportunity to suggest ways to improve College operations. It is the employee's responsibility to return all College-owned property (vehicles, keys, identification cards, parking permit, credit cards, laptop computers, uniforms, etc.) by her/his final day of employment.

The Director of the Human Resources or designee will escort the employee to clean out her or his work area, retrieve all College-owned property, and complete the exit interview checklist prior to leaving the building. The Director of Human Resources or the Chief Administrative Officer of the College will prepare a statement that will be made available to other employees concerning the discharge.

Changes in Personnel Policies

The College encourages staff to suggest ways and means of improving the efficiency and effectiveness of its operations. Suggested changes in personnel policies may be directed to the Human Resources Office and will be forwarded to the Chief Administrative Officer for consideration.

Section 4
Compensation

Salary Administration

Menlo College maintains structured compensation plans for exempt and non-exempt staff. The basic purpose of these plans is to ensure internal and external equity. Each job at the College is reviewed and assigned a salary range based solely on the duties and responsibilities of the position and the knowledge, skills, and experience required for successful job performance. Jobs with similar levels of responsibility, knowledge, and skill are paid in parity across the campus, allowing for individual differences based on experience and job performance. The College strives to pay salaries comparable to those paid by similar employers in the area.

All regular employees who receive an acceptable performance appraisal will be eligible for annual salary review at the beginning of the fiscal year or at a time determined by the Chief Administrative Officer of the College. Salary increases are normally set as part of the annual budget process.

Where an employee is promoted or assumes additional job responsibilities, his or her job description will be reviewed and additional compensation may be awarded.

Pay Periods & Pay Dates

All employees are paid on a semi-monthly basis on the 15th and the last day of the month. If a payday falls on a holiday, employees will receive paychecks on the last working day of the week. For exempt employees, each paycheck covers work performed up to and including the pay date. Hourly employees are paid on the 15th of each month for the work performed between the 25th of the previous month, up to and including the 8th of the (then) current month; the paychecks issued on the last day of each month to hourly employees are for the work performed between the 9th day of the month and the 24th day of the month.

For exempt employees, each paycheck covers work performed up to and including the pay date. Hourly employees are paid on the 15th of each month for the work performed between the 25th of the previous month, up to and including the 8th of the (then) current month; the paychecks issued on the last day of each month to hourly employees are for the work performed between the 9th day of the month and the 24th day of the month.

or exempt employees each paycheck covers work performed through the pay date. Hourly employees are paid on the 15th of each month for the work performed on the previous month's 25th through the current month's 8th and the last day of the month for the current month's 9th-24th.Each paycheck covers work performed through the completion of the previous workweek. The pay period begins on Monday and ends on the following second Sunday

If you believe your paycheck may be inaccurate, first verify that your time was submitted accurately and on time. Issues regarding rate of pay, positions or titles and time off should be immediately directed to

Human Resources. Other paycheck issues, such as those involving taxes, should be immediately directed to the Payroll department.

Paycheck stubs provide an itemization of all deductions and a record of year-to-date earnings. Menlo College is required to make deductions from each paycheck for Social Security (FICA), Medicare, federal (FIT) and state (SIT) tax withholding, state disability insurance (SDI), and any wage garnishments imposed by a court of law.

Employees who are discharged will immediately receive all wages earned and unpaid at the time of discharge. Employees who quit without a written contract for a definite period and without providing at least 72 hours' notice are to receive their wages within 72 hours. If 72 hours' notice is given by the employee, payment must be made on the day they quit. Employees who quit without giving at least 72 hours' notice are due their final wages by mail, if so requested. The mailing date will be considered the date of payment.

Direct Deposit

The College provides for direct deposit of employee paychecks, if requested by the employee. For information about this optional service, please contact the Payroll Office. The College will pay any automatic deposit fees. The authorization must be voluntary.

Overtime

Employees occasionally may be required to work extra hours. Exempt staff employees are not eligible for overtime payments and are may be expected to work beyond their normal schedules, as their job responsibilities require, and do so without additional pay beyond their regular salary. In accordance with California and federal law, if a non-exempt staff employee works more than 8 hours per workday or more than 40 hours in one workweek he or she will receive overtime pay according to the following:

- Overtime at 1.5 times the employee's regular rate of pay for all hours worked in excess of 8 hours, up to and including 12 hours in any workday
- Overtime at 1.5 times the employee's regular rate of pay for the first 8 hours worked on the 7th consecutive day of work in a workweek
- Overtime at double the employee's regular rate of pay for all hours worked in excess of 12 in any workday; and
- Overtime at double the employee's regular rate of pay for all hours worked in excess of 8 on the 7th consecutive day of work in a workweek.

Overtime for non-exempt staff employees must be approved in advance by the immediate supervisor. Because unauthorized overtime is against the College's policy, an employee who works unauthorized overtime is subject to discipline, including termination.

Only those hours that are actually worked are added together to determine an employee's overtime pay. Hours paid for that are not worked (e.g., holidays, sick days, and vacations) do not count as hours worked for overtime purposes.

An employee may not waive her or his right to overtime pay. An employee must immediately notify her or his immediate supervisor or the Human Resources Office if she or he believes that they were not properly paid for all overtime worked.

Meal and Rest Breaks

Meal Periods
All non-exempt employees are entitled to meal periods, as required by law. Meal periods must be taken and can only be waived under limited circumstances. All non-exempt employees must clock in and out or otherwise record (using a time sheet or other electronic recording method) the actual time taken for meal periods every shift.

When meal periods are required, they must be for an uninterrupted period of at least 30 minutes. In no instance can an employee's meal period be less than 30 minutes. Employees must be relieved of all duty for the duration of the meal period, and employees are free to leave the premises during meal periods. If a meal period is interrupted for any work-related reason, it must be restarted so that a full 30 minutes can be taken in one block.

Timing of Meal Periods

- For shifts of five (5) hours or less, there is no meal period required.
- Meal periods for employees working shifts of more than five (5) hours:
  - Must begin before the fifth (5th) hour mark of the shift. For example, an employee who starts work at 8:00 AM must start her or his meal period no later than 1:00 PM.
  - May be waived at the request of the employee if, and only if, the total hours worked in the day does not exceed six (6) hours. An employee waives the meal period by advising the employee's supervisor, in writing, EACH time she or he wants to waive a meal period. The supervisor has the discretion to permit or deny each such request and shall note her or his decision in writing on the request itself.
- Second meal period for any employee working more than ten (10) hours:
  - Must begin before the ten (10) hour mark of the shift.
  - May be waived at the request of the employee if, and only if, the total hours worked in the day does not exceed 12 hours and the first meal period was taken in accordance with the policy. An employee waives the second meal period by advising the employee's supervisor, in writing, EACH time she or he wants to waive a meal period. The supervisor has discretion to permit or deny each such request, and shall note her or his decision in writing on the request itself.
- Employees must accurately record the start and stop times of their meal periods.
- Employees must immediately report to their supervisor or Human Resources if they are unable to take a required meal period for any reason, or if a meal period is interrupted for any work-related reason.
- Meal periods may not be combined with rest breaks, nor may they be used at the end of a workday to allow an employee to leave early.

Rest Breaks
All employees are entitled to one 10-minute paid rest break per four (4) hours worked, or major fraction thereof – the only exception being that an employee who works a total of three-and-a-half (3 1/2) hours or less during the day is not entitled to any rest break. Therefore, an employee who works more than three-and-a-half (3 ½) hours and up to six (6) hours is entitled to one (1) rest break. An employee who works more than six hours and up to ten hours is entitled to two (2) rest breaks. An employee who works more than ten (10) hours and up to fourteen (14) hours is entitled to three (3) rest breaks.

- Rest breaks must be taken as close to middle of the four (4) hour period as possible.
- Rest breaks should not be taken within one (1) hour of a meal period.
- Employees do not need to clock out for breaks, or otherwise record break time. However, employees must immediately report to their supervisor if they are unable to take a rest break for any reason.
- Breaks should not be combined with the meal period, and should be taken separately.
- If a rest break is interrupted for any work-related reason, it must be restarted so that a full ten (10) minutes can be taken in one block. Any instance in which a rest break is interrupted and restarted must be reported to the supervisor.

The College expects that employees will continue to comply with the College's meal period and rest break policy. Employees not complying with the policy (e.g., employees who take a short or late meal period or rest break, skip a meal period or rest break, or fail to accurately record their work time and meal periods) will be subject to disciplinary action, up to and including termination of employment.
The College expects that each non-exempt employee will comply with the requirements of this policy at all times. If for any reason an employee is prohibited, dissuaded, or discouraged from taking any meal period or rest break, or if the employee is required by her or his supervisor or by working conditions to take any meal period or rest break late or for a shortened period of time, the employee must contact her or his supervisor or Human Resources immediately. In addition, the employee is encouraged to address questions or concerns she or he may have regarding this policy with her or his supervisor or with Human Resources.

Recordkeeping

State and federal laws require that the College keep an accurate record of hours worked. Time cards are used as a means of accurately recording all hours worked and calculating pay. They record regular hours worked, meal periods, overtime, absences, and vacations. Non-exempt employees complete hourly time sheets, which are due in the Payroll Office four days before each pay date. Global e-mail reminders are sent out by the Business Office. Failure to submit time by the prescribed deadline may result in disciplinary action.

Non-exempt employees are required to use Menlo's on-line Human Resources Office application to record hours worked and leave taken during each pay period. Each time sheet must indicate time in and time out for each workday, including the meal period as well as any departures or returns from/to the premises during the workday. Non-exempt employees are responsible to ensure that their time cards or time sheets are accurate and complete. Falsification of time cards or time sheets or completion of any information on another employee's time card or time sheet may result in immediate termination.

Overtime must be authorized by the employee's supervisor in writing before it is worked. Non-approved overtime will be paid, but the employee may be subject to disciplinary action. In addition, any modifications or alterations on an employee's time card must be initialed by the employee's supervisor.

Exempt employees must complete the Employee Absence Report, which indicates any time used for sick leave, vacation, or floating holidays. Employee Absence Reports are due in the Payroll Office once a month, on the fifth working day following the month for which the data were recorded.

Employee Travel Reimbursement Policy

The College reimburses employees for advance-authorized transportation (including parking and tolls), food, and lodging expenses incurred in the course of conducting College business. Costs are reimbursed at the actual cost of expenditure and must be approved in advance by the employee's supervisor. Employees travelling on behalf of the College are expected to seek the least expensive option that allows them to do their job effectively and safely when incurring any expense that will be charged to the College. Receipts are required for all travel reimbursement requests, and an appropriate form must be completed, detailing expenses. The College does not reimburse for alcoholic beverages or optional gratuities (housekeeping, etc.). For more information and advance authorization, contact the Business Office.

The College reimburses employees who use their own vehicles on trips for official College business on a per-mile-driven basis, at the rate authorized by the IRS. Requests for reimbursement, using the appropriate form, must include details of the dates, points of departure and arrival, and miles driven, and should be submitted to the Business Office.

Section 5
Benefits

For complete information about medical, dental, vision, disability, and life insurance benefits, see the Menlo College Employee Benefits Guide. The Guide is distributed during the annual open-enrollment period. Extra copies are available from the HR Office.

Eligibility for Benefits

The College has established a number of employee benefit programs for its eligible employees. Although this handbook does not restate all of the features of these benefit programs, it provides brief summaries to acquaint employees with some of the key features of the programs. It is important that employees remember that additional terms, conditions, and limitations regarding program eligibility and benefit entitlement often exist. Official plan documents should be consulted for further information regarding each benefit program. In the case of an actual or apparent conflict between the benefit summaries set forth in the handbook and the terms of the official plan documents, the provisions of the official plan documents, as interpreted in the sole and absolute discretion of the plan administrator, will control.

In addition, while it is the employer's present intention to continue these benefits, the employer reserves the right, whether in an individual case or more generally, to modify, curtail, reduce or eliminate any benefit, in whole or in part, either with or without notice. Finally, neither the benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment. As noted elsewhere in the handbook, employment relationships are for an indefinite term and are terminable at will, either at the option of the employee or the employer.

Full-time employees are entitled to the benefits described below – except for housing, which is on a limited, case-by-case basis decided by the Chief Administrative Officer of the College – as soon as they have met the eligibility requirements for each particular benefit.

Eligibility for insurance begins the first day of the month following employment. Part-time employees are entitled to only those benefits that are required by law, provided they meet the minimum requirements set forth by law and/or by the benefit plans.

Temporary employees are not eligible for benefits, with the exception of Workers' Compensation, State Disability Insurance, and California's Paid Sick Leave.

Medical, Dental, Vision, and COBRA Benefits

Health care coverage is available to eligible employees working at least 32 hours per week. Eligible employees select from a choice of plans. Dependent coverage is available but requires a contribution from the employee. Please contact HR for current rates for dependents.

Dental and Vision coverage is paid by Menlo College for eligible employees working at least 32 hours per week. Dependent coverage is available but requires a contribution from the employee. Please contact HR for current rates for dependents.

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, the College is required to offer continuing health insurance to employees who are covered for health insurance under the group health plan (and their covered dependents) when group health coverage would otherwise be lost due to events such as voluntary or involuntary job loss, reduction in hours worked, transition between jobs, or divorce.

COBRA requires that continuation coverage extend for 18 or 36 months from the date of the qualifying event. If your COBRA coverage lasts for 18 months, you may be able to keep your health insurance under Cal-COBRA for 18 additional months, for a total of 36 months. If your COBRA coverage lasts for 36 months, you cannot get additional coverage through Cal-COBRA.

Retirement Benefits

Full-time employees are eligible for the College's TIAA-CREF defined contribution retirement plan once they have completed one year of service at Menlo College or at another institution of higher education. **The College contributes 9% of the employee's annual contracted salary (exclusive of stipend and or bonus pay).** All contributions are vested immediately.

An optional tax-deferred 403(b) annuity plan is also available to full-time employees. It allows the employee to purchase supplemental annuity benefits on a before-tax basis through a salary reduction agreement. Those amounts, and any resulting earnings, are not subject to income tax until they are received as benefits. Menlo also offers a 457B plan. Please contact HR for additional information.

Social Security and Medicare contributions are paid by both the College and the employee. The Social Security/Medicare system provides retirement, disability, survivor, and medical benefits.

Workers' Compensation Insurance

In accordance with California law, the College provides workers' compensation coverage for all employees, effective on the first day of employment. In the event of a work-related injury, the plan covers the cost of medical treatment, temporary disability (time lost from work), and permanent disability and vocational rehabilitation, if appropriate. In the event of an employee's work-related death, benefits may be available to the dependent spouse and children.

If an employee is injured on the job, she or he must notify her or his supervisor and the HR Office immediately. If medical treatment is needed, the Human Resources Office will assist with arranging appropriate medical care. If an employee has sustained a serious injury, someone nearby should call 911 for emergency medical care and then inform the supervisor and the Human Resources Office.

If an employee wishes to be treated by her or his personal physician in the case of a work-related injury, the employee should notify the Human Resources Office of this ahead of time by making the request in writing. The request will be placed on file in the Human Resources Office.

After an employee has received medical care, she or he must provide the Human Resources Office and her or his supervisor certification from her or his health care provider regarding the need for workers' compensation disability leave (if any) and her or his ability to return to work from the leave.

The College or its insurer will not be liable for the payment of workers' compensation benefits for any injury that arises out of voluntary participation in any off-duty recreational, social, or athletic activity that is not part of work-related duties.

The law requires that the College notify the workers' compensation insurance company of any concerns of false or fraudulent claims. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

Unemployment Insurance

All employees are covered by unemployment insurance, effective on the first day of employment. Individuals may also be eligible for State Unemployment Insurance payments, depending on the reasons for unemployment. You are responsible for filing your claim with the State Employment Development Department. The cost of unemployment insurance is paid by the College.

Disability Insurance

Long-term disability insurance

Long-term disability insurance coverage is purchased by Menlo College for all eligible employees working at least 32 hours per week. It pays two-thirds of salary (up to a maximum of $10,000 per month) after 90 days' disability. Individuals who continue to qualify as medically disabled may receive payments until they reach the normal retirement age established by Social Security.

Short-term disability insurance

All College employees are covered by California's State Disability Insurance (SDI) for short-term disabilities. Except those who claim valid exemption, each employee contributes toward SDI through a payroll deduction. Coverage begins with the first day of employment and applies without regard to the number of hours worked per day or length of contract.

Disability insurance is payable when an employee cannot work because of illness or injury not caused by employment at the College or when an employee is entitled to temporary workers' compensation at a rate less than the daily disability benefit amount.

Unemployment insurance and disability insurance benefits cannot be paid for the same period. If a full-time employee has an accrued vacation and/or sick leave balance at the time of their disability, the College will supplement the difference between the state disability payments and the employee's regular pay. This supplemental pay will be treated as a deduction from the accrued vacation and/or sick leave balances that the employee has at the time disability leave is taken. Once the accrued vacation and sick leave balances have been exhausted, the employee will no longer receive supplemental pay from the College while on leave. Vacation and sick accruals cease coincident with the effective date of the disability leave; neither vacation nor sick leave is accrued when an employee is on leave for any reason, including leaves/absences due to disability and Workers' Compensation.

Life Insurance

All full-time active employees receive life insurance coverage equal to twice the employee's basic annual earnings up to a maximum of $300,000. Eligible employees working at least 32 hours per week receive accidental death and dismemberment coverage as well.

Payment to designee in event of death

The College will give an employee the opportunity to elect that all unpaid salaries and benefits, including vacation pay and approved reimbursable business expenses due at the time of death of the employee, be paid to the spouse or other designee of the employee. A form to exercise this option may be obtained from the Human Resources Office.

Tuition Remission

Full or partial tuition remission for courses taken at Menlo College is available to employees, their spouses, and their dependent children.

Full tuition remission for Menlo College courses is available to regular full-time employees immediately upon hire.

Spouses and domestic partners of regular full-time Menlo College employees with at least one year of service at Menlo College are eligible for a 50% reduction in tuition for Menlo College courses.

Books and program fees other than tuition are the responsibility of the individual. Employees, spouses, and domestic partners may enroll in Menlo College courses only if space is available, and only if they meet the usual requirements for admission.

Other Menlo College degree programs

Full-time employees may take up to 24 credits per year (including summer session courses) at no charge. This benefit is subject to the following restrictions:

- A faculty member may not take courses for credit in his or her own academic discipline.
- No more than nine credits may be taken in any semester.
- Employees may take up to four units per semester during working hours with the prior written approval of their immediate supervisors. The time missed from regular work duties is to be made up as straight time.

Spouses and domestic partners of full-time employees with at least one year of service at Menlo College may take up to 16 credits per year (including summer session courses) at no charge. This benefit is subject to the following restrictions:

- No more than nine credits may be taken in any semester.
- In courses with limited enrollment, spouses and domestic partners will be admitted only if space is available. They may not hold a place in a closed class if any tuition-paying students wish to enroll.
- This benefit is available only for regularly scheduled courses that carry academic credit. Independent study, directed research, and similar courses are excluded.

For spouses and domestic partners, Menlo College credits beyond the limits stated above will be charged at 50% of the current full tuition rate. Spouses and domestic partners may take any course on an audit (non-credit) basis without charge.

Dependent children of full-time employees with at least one year of service at Menlo College are eligible for full tuition remission at Menlo College. This benefit is subject to the following restrictions:

- The dependent child must be 23 years of age or younger, and unmarried. If the dependent serves in the military, the maximum age may be extended by the length of military service.
- The employee must remain in full-time employment with the College. In the event of death or total and permanent disability, this benefit may continue for such time as to allow the dependent to complete the current academic year. In the event of employee- or College-initiated termination of employment, the last date of the benefit will be the last day worked.
- This benefit applies only to full-time study in one of the undergraduate degree programs offered by the College. No portion of this benefit may be transferred from one dependent to another. There will be no extensions of the benefit to accommodate multiple majors, personal curricular choices, or slow progress based on academic difficulty.
- At the beginning of each academic year in which tuition remission is requested, the employee must submit proof that he or she has applied for assistance from the California State Scholarship Program for the dependent child.
- If a scholarship or other financial aid is granted, this benefit will be reduced by the amount of the tuition assistance received from other sources.
- To be eligible, the dependent must meet normal admissions requirements and maintain a record of normal progress toward a bachelor's degree. All fees and expenses other than tuition are the responsibility of the student.

Except as specifically noted above, none of these tuition benefits continue after the employee's last day of employment at Menlo College.

Lunch and Campus Facilities

Full-time employees are provided with a free lunch in the dining hall every weekday (Monday through Friday) that it is open for service during the fall and spring semesters.

The Haynes-Prim Pavilion, which houses a multi-purpose gymnasium and the Fitness Center, are open to Menlo College employees without charge during the fall and spring semesters, and for limited hours during the summer. Employees using the Haynes-Prim facilities may be accompanied by their spouse, their domestic partner, their immediate family, and one sponsored guest outside the family. Use of the fitness center is restricted to individuals 18 and older.

The outdoor tennis courts may be used by employees on a space-available basis. The swimming pools are available throughout the year at no cost to employees, their spouses/partners, and their immediate families, when not reserved for athletic events. Employees are invited to participate in the Recreational Sports Program, which provides a wide range of sports activities and fitness opportunities.

Bowman Library provides all employees with free library privileges, including book and DVD borrowing privileges, reference services, and access to the College's periodical databases and other online information resources. Library hours are posted on the Library's website and at the entrance to the building.

Employees are welcome to shop in the Campus Store and to use the postal services. The hours of the Post Office and the Campus Store are posted on their windows.

On-Campus Housing

There are a limited number of on-campus apartments and houses, the disposition of which rests solely with the Chief Administrative Officer of the College. If an employee is authorized to rent on-campus housing, he or she is governed by the rules and regulations of the College and by the separate Housing Agreement.

Section 6
Holidays, Vacations, and Leaves

IMPORTANT NOTE TO FACULTY: Menlo College's faculty members do not accrue vacation or sick leave time during their employment at the College. When faculty illnesses or family emergencies occur, or any leave-taking is anticipated to occur such as jury duty, etc., the faculty member must call the Office of Academic Affairs and the Director of Human Resources immediately so that arrangements may be made for coverage and other matters impacted by or related to the faculty member's absence. If applicable in case of illness, the Director of Human Resources will discuss short term disability arrangements with the faculty member.

Holidays

Regular staff employees receive 10 paid holidays:

- Labor Day
- Thanksgiving and the following day
- Christmas
- January 1 (New Year's Day)
- Martin Luther King Day Jr.'s Birthday
- Memorial Day
- July 4th (Independence Day)
- Two floating holidays (see below)

Traditionally, the time between Christmas and New Year's Day is designated as paid winter break. However, this practice is at the discretion of the College, and neither paid nor unpaid time is guaranteed during that period.

Weekends and Vacations

Weekends and Vacations

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday, respectively. However, the College may close on another day or grant other time off within the pay period instead of closing. Any changes to holiday observance will be announced in advance. Holidays that occur during an employee's vacation will not be counted as a vacation day.

Floating Holiday

Regular staff employees can take two floating holidays with pay on a day of their choice during each year of employment starting with their date of hire and each anniversary of that date. Floating holidays must be approved in advance by an employee's immediate supervisor. An employee may not have more than two floating holidays in any year. Accordingly, if an employee carries over a floating holiday benefit from one year to the next, the employee will not be eligible to earn any floating holiday benefit in the latter year.

Computation of Benefits
The amount of benefits an employee shall receive for a holiday shall be determined on the basis of the employee's base hourly rate of pay, excluding any special elements of compensation (i.e. pay differentials, shift differentials, bonuses or commissions). An employee's holiday benefits will thus equal her or his base rate of pay times the number of her or his regularly scheduled hours worked for the day on which the holiday is observed. An employee's holiday benefits will not be counted for the purpose of calculating an employee's overtime hours of work.

Vacation
Certain salaried exempt employees have 9, 10 or 11 month work schedules that parallel the academic year, and include the academic breaks. For those individuals, the academic breaks are the annual paid vacation; further vacation hours do not accrue. For all other employees, vacation is earned beginning the first day of the month following employment. All employees hired after January 1, 2019 earn 1¼ days (ten hours) per month for the first five years of employment, and 1⅔ days (13.33 hours) per month after five years of consecutive full-time Menlo College employment.

To calculate vacation pay, a day's pay for full-time employees equals eight hours pay at the employee's regular straight time rate or base compensation, regardless of the number of hours the full-time employee normally works each day. For part-time employees, a day's vacation pay will equal four hours pay, regardless of the number of hours the part-time employee normally works each day.

Employees are encouraged to use benefits in the year in which they accrue to avoid reaching the ceiling on benefits. Employees may "bank" up to 200 hours (five weeks) of accrued vacation. However, once an employee has accumulated 200 hours of vacation, no further vacation will be accrued until the unused vacation balance falls below 200 hours. If the employee later uses enough vacation pay to fall below the maximum, she or he will resume earning vacation pay from that date forward. Moreover, neither exempt nor non-exempt employees accrue vacation hours while they are on an unpaid leave of absence.

Vacations should be scheduled and approved by an employee's supervisor in advance. Although efforts will be made to accommodate employees' requests to take vacation at a specified time, supervisors are required to consider the needs of the employer when evaluating vacation requests. Employees may not receive pay in lieu of taking vacation, except on termination of employment.

All accrued but unused vacation time (including any unused floating holiday(s)) is paid promptly with the employee's final paycheck upon an employee's resignation or termination.

Paid Sick Leave

Employees who work at least 30 days in a year are eligible to receive paid sick leave. Employees can begin using accrued sick leave once they have worked for 90 days. Employees will accrue one hour of paid sick leave for every 30 hours worked. Paid sick leave carry over from year to year, but unused sick leave can accumulate only up to 480 hours (3 months). There is no compensation for unused sick leave upon termination of employment.

Employees may take sick leave for their own health condition or the health condition of a family member, including preventative treatment. "Family member" is defined broadly and includes a spouse, domestic

partner, parent, child, parent-in-law, grandparent, grandchild, and sibling. Employees may also take sick leave if they are victims of domestic violence, sexual assault, or stalking.

Sick leave must be used in two hour increments. In the event of a planned or elective medical need, employees must make arrangements with their supervisor in advance so as not to interrupt business operations. In general, any time off of more than two weeks' length will require an approved leave of absence.

Sick leave taken by a non-exempt employee is reported each pay period on the time card. Sick leave taken by an exempt employee is reported on the Employee Absence Report. The Payroll Office keeps a running record of time accrued and time taken.

The College has the right to request a written statement from a physician as proof-of-illness. In the event of absence due to illness, you are required to notify your supervisor as soon as reasonably possible. Failure to call in may be cause for disciplinary action. Failure to call in for three consecutive days may be considered job abandonment.

The College will pay sick leave benefits to an eligible employee during the normal three-day waiting period before the employee is paid worker's compensation benefits, pursuant to applicable state and federal laws governing work-related injury or illness. Similarly, the College will pay sick leave benefits during the normal seven-day waiting period before the eligible employee is paid benefits from SDI or another insured unemployment disability plan.

Bereavement Leave

Regular staff employees with three months or more of service are eligible for Bereavement Leave. In the event of a death in an employee's immediate family, she or he may be granted a leave of absence with pay not to exceed three working days (if the death takes place in California) or five working days (if the death takes place outside of California). The employee will be paid her or his regular daily rate for each of the scheduled work days missed and may be required to furnish satisfactory evidence to support the leave. Additional days beyond the three or five working days may be used from accrued vacation time with the approval of the employee's immediate supervisor.

Immediate family includes mother, step-mother, father, step-father, spouse, domestic partner, child, step-child, brother, step-brother, sister, step-sister, current mother-in-law, current father-in-law, grandparents, and grandchildren. Bereavement leave requests must be made known to the supervisor as soon as the employee has need for the leave.

Voting, Jury Duty, and Witness Leave

Menlo College supports employees in the performance of their civic duties.

Voting. In accordance with California Elections Code section 14000, employees who do not have sufficient time outside of working hours to vote at a statewide election may take off enough working time that – when added to the voting time available outside of working hours – will enable them to vote. The College will provide the employee up to two hours of time off with pay to vote. The time off for voting will be only at the beginning or end of the regular work shift, whichever allows the most free time for voting and the least time off from the regular working shifts, unless otherwise mutually agreed.

If by the third working day prior to the day of election employees know, or have reason to believe, that time off will be necessary to be able to vote on election day, they must give their supervisor at least two working days' notice that time off for voting is desired, in accordance with the provisions of this section.

Jury Duty and Witness Leave The College encourages employees to serve on jury selection or jury duty when called. Any employee summoned for compulsory jury duty will be excused for the duration of the trial.

A regular employee will receive her or his full current salary for the time she or he is on duty, up to a maximum of 20 days in a 12-month period. If additional jury duty leave is required, leave shall be granted without pay. Employees are not required to reimburse the College for any payments they receive for serving on a jury. Employees may not be discharged or discriminated against when called for jury duty. However, an employee should notify her or his supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. A copy of the summons should be submitted when recording jury duty leave on an employee's timesheet at the end of the pay period.

An employee may be requested to provide written verification from the court clerk of having served for Jury Duty. If work time remains after any day of jury selection or jury duty, the employee will be expected to return to work for the remainder of the work schedule.

Jurors' fees, exclusive of mileage, that are received should be remitted to the College. Normal work hours that are spent on jury duty will not be considered as time worked for the purpose of computing overtime pay for non-exempt employees.

An employee who is required by law to appear in court or at another legal proceeding to which she or he is not a party will be provided time off for that purpose, provided she or he provides the College with reasonable advance notice. For non-exempt employees, this leave will be unpaid. For exempt employees, salary during leave will be offset by any amounts received as witness fees and no salary will be paid for workweeks in which no College work is performed.

Military Leave Policy

In addition to the military leave provided to employees under applicable federal law (e.g., the Uniformed Services Employment and Reemployment Rights Act), the College provides up to 17 days of job-protected unpaid leave per calendar year to employees who are members of the reserve corps of the armed forces of the United States, the National Guard or the naval militia when called to military duty for purposes of military training, drills, encampment, naval cruises, special exercises or the like, including travel time. Additionally, employees in the California State Military Reserve are entitled to a temporary military leave of absence without pay while engaged in military duty for purposes of military training, drills, unit training assemblies or similar inactive duty training not to exceed 15 calendar days annually, including travel time.

Eligible employees are members of the reserve corps of the armed forces of the United States, the National Guard or the naval militia, or members of the California State Military Reserve.

Employees requesting leave under this policy should comply with the following requirements:

1. Employees should request leave under this policy with as much advanced notice as practicable.

2. In support of their request for leave under this policy, employees should complete a Leave Request form and provide their immediate supervisor and the Director of HR with a copy of their orders or other appropriate written certification that the employees have been called to federal military duty for purposes of military training, drills, encampment, naval cruises, special exercises or the like (or that state military members have been called for military training, drills, unit training assemblies or similar inactive duty training).

Additionally, employees may choose to use accrued paid leave (such as vacation or paid time off), concurrently with some or all of the leave under this policy. To receive paid leave, eligible must comply with the College's normal procedures for the applicable paid-leave policy (e.g., call-in procedures, advance notice).

Leaves of Absence

Family/Medical Leave

General Provisions

This policy is designed to provide the leaves required by the federal Family and Medical Leave Act (FMLA) and California state law. This policy provides for paid and unpaid family and medical leave under the terms and conditions set forth below. Leaves are available for:

- The birth or adoption or foster care placement (by the state) of a child; or
- To care for the employee's child, parent, spouse, or domestic partner who has a serious health condition; or
- A serious health condition that makes the employee unable to perform one or more of the essential functions of her/his job.

There are special rules that apply only to pregnancy-related disabilities.

Eligibility for Leave

In order to qualify for unpaid family and medical leave, other than a pregnancy disability leave, the employee must:

- Be employed for at least 12 months and have worked at least 1,250 hours within the 12-month period prior to making a request for such leave; and
- Complete a certification of eligibility.

Family and Medical Leave Definitions

The unpaid family and medical leave policy is administered in accordance with the following definitions:

- "Child" means biological, adopted, or foster child, a step-child, a legal ward or a child to whom the employee stands in loco parentis, who is under the age of 18, or is an adult dependent child, i.e., one who is incapable of self-care because of a mental or physical disability.
- "Spouse" means the employee's husband or wife as recognized by state law.
- "Parent" means the employee's biological parent or the individual who stood in loco parentis when the employee was a child. It does not include a grandparent or parent-in-law.
- "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that includes:
    - In-patient care in a hospital, hospice, or residential medical care facility; or
    - Continuing treatment by a health care provider which includes any period of incapacity due to:
        - A health condition lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes: treatment two or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or
        - A chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may include occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence in this category; or
        - Pregnancy-related disabilities (special rules apply); or
        - A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
        - Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

A "serious health condition" generally will not include conditions like the common cold, the flu, earaches, upset stomach, minor ulcers, headaches (other than migraines), or routine dental problems, unless complications arise.

Duration of Family and Medical Leave

Employees may be granted a maximum of 12 weeks of family or medical leave in any 12-month period, unless otherwise required by law. For purposes of determining eligibility, the 12 months will be calculated backward from the date on which the employee first takes family or medical leave.

Leave for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth or placement of the child. If both parents of a child are employed by the College and request family care leave to care for a newly arrived child, their aggregate childcare leave is limited to 12 weeks. The time each parent takes off will count against her or his 12-week allotment of family and medical leave.

If an employee uses less than 12 weeks to care for a newly arrived child, the remainder of her or his 12 weeks of leave can be used for any permissible FMLA purpose.

If there is a medical need, leave may be taken intermittently or on a reduced work schedule basis to care for a sick family member or for an employee's own serious health condition. If the need for intermittent leave is foreseeable based on a planned medical treatment, the College reserves the right to require the employee to temporarily transfer to an equivalent position that can better accommodate the recurring periods of leave.

Intermittent leave for the birth, adoption, or foster care of a child generally must be taken in two-week increments. However, the employee can take childcare leave in increments of less than two weeks on two occasions in connection with each birth, adoption, or placement for foster care.

Notice/Certificates for Family and Medical Leave

Employees must give the College as much advance notice as possible of the need for family or medical care leave. If the employee knows about the leave more than 30 calendar days before the leave is to commence, the employee must give the College at least 30 days written notice. If 30 days' notice is not possible, i.e., the need for the leave is not known more than 30 days prior to its commencement, or because there has been a change in circumstances or a medical emergency, the employee must give as much notice as possible.

Where the employee's need for the leave is for planned medical treatment or supervision, she or he must consult with the College to schedule the treatment to minimize the disruption of the College's business.
The employee is required to provide a certificate from the health care provider setting out, among other things, the expected duration of the leave and certifying the condition warrants family or medical care. If the College does not receive proper certification prior to commencement of the leave or within 15 calendar days of requesting the certification, the absence from work may be deemed unexcused unless the delay was caused by circumstances truly beyond the employee's control.

The College reserves the right to require a second opinion, at its own expense, regarding the employee's serious health condition. Also, in certain circumstances, recertification by the doctor may be requested.

Generally, if given advance notice of the need for the leave, the College will designate the leave as family and medical leave before the employee goes out on leave. However, the College reserves the right to designate a leave as family and medical leave after the leave has begun if it learns of additional facts that allow it to make a determination while the employee is on leave. In addition, the College reserves the right to designate the leave as a family and medical leave after the employee returns to work if it does not have sufficient facts on which to make a determination while the employee is out on leave.

If the College does not have sufficient information regarding why an employee is off work, it will inquire as to the reason for the employee's absence. If the employee establishes that the absence is for a family and medical leave or other permissible leave, the time off will be treated consistent with the applicable policy. However, if the employee does not provide the requested information or the information provided is insufficient to establish that the leave is for a purpose covered by the Family and Medical Leave Policy, the leave will be treated as an unexcused absence.

In order to return to work from a medical leave for the employee's own serious health condition, she or he must submit a release to work certification from her or his health care provider.

Benefits during Family or Medical Leave

Employees must take any accrued paid sick leave as part of any family and medical leave for their own serious health condition, including a pregnancy-related condition. In other circumstances, employees may take any accrued paid sick leave as part of an unpaid family and medical leave when permitted by the sick leave policy. Employees must take any accrued vacation as part of any unpaid family and medical leave. After all paid leave is exhausted, the remaining period of the leave will be unpaid.

While taking unpaid family and medical leave, the College will continue to provide health benefits, including during pregnancy disability leave and child care leave, under the same terms and conditions as if the employee was still working. The employee will be required to continue paying the employee's portion of any premiums.

Employees may arrange to pay for their own life insurance premiums and premiums for any other insurance during the unpaid portion of the leave. Coverage will terminate at the end of the last period for which premiums are received.

Reinstatement

If an employee returns to work at the end of an unpaid family or medical leave which lasts 12 weeks or less, she or he will be returned to the same position held before the leave or to an equivalent position with the same equivalent pay, benefits, and terms and conditions of employment. Reinstatement of a "key" employee, as it is defined under Code of Federal Regulations section 825.207, may be denied at the conclusion of FMLA leave if reinstatement would cause "substantial and grievous economic injury" to the College. Special circumstances apply to pregnancy disabilities.

An employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the unpaid family and medical leave.

If the employee fails to return to work on the next regularly scheduled workday following the expiration of the leave of absence, her or his employment will be subject to termination.

All requests for family or medical leave of absences will be administered in compliance with applicable federal, state, and local laws.

Pregnancy Related Disability Leave

In addition to the provisions above, the following policies apply when pregnancy results in a disability. Pregnancy related disability leave will be designated as leave under the federal Family and Medical Leave Act, but not under the equivalent California statute.

Duration of Leave

If an employee is disabled because of childbirth, pregnancy, or a related condition, she may take a leave of absence of up to four months with medical verification of the disability. Paid family leave is not available for care of a newborn, but only for the mother's own disability. However, after her doctor releases the employee to work, she may apply for a family care leave to care for her newborn.

The estimated duration of pregnancy related disability leave is initially determined by the employee and her doctor. To assist in a smooth transition, employees should share this information with the College as far in advance as possible.

Transfer Rights

An employee who is pregnant is entitled to a transfer from her current position to a less strenuous or hazardous position or duties if:

- The employee provides a certification from her doctor stating less strenuous work is medically advisable; and
- Transfer can be reasonably accommodated by the College.

If it is foreseeable that it would be medically advisable for a pregnant employee to take intermittent leave or work a reduced schedule, the College may require the employee to transfer temporarily to an available alternative position that has equivalent pay and benefits, so long as the employee is qualified for the position, and the position better accommodates recurring absences than the employee's regular job.

The employee will be reinstated to her regular job or a comparable position when the employee's health care provider certifies that there is no further need for less strenuous work, intermittent leave, or a reduced work schedule.

Rights to Reasonable Accommodation

The College will make a reasonable accommodation for conditions that are related to pregnancy, childbirth, or related medical conditions if requested by an employee, with the advice of her health care provider, to the extent provided by law.

Benefits During Pregnancy Related Disability Leave

An employee must take any accrued paid sick leave reserve as part of her pregnancy related disability leave. An employee may take any accrued vacation as part of her pregnancy disability leave. After all paid leave is exhausted, the remainder of the employee's pregnancy disability leave will be unpaid.

The College will continue to provide health benefits for an employee on pregnancy related disability under the same terms and conditions as if the employee were still working. The employee will be required to continue paying the employee's portion of any premiums. For policies regarding other benefits, refer to the section of this handbook dealing with benefits during family and medical leave. With respect to all benefits, an employee on paid family leave will be treated no less favorably than employees on other disability related leaves.

Reinstatement After a Pregnancy Related Disability

If an employee returns to work at the end of a pregnancy disability of four months or less, she will be reinstated to her former position unless the position no longer exists because of business changes, such as a reduction in force or job abolishment. If the employee's former position does not exist, she will be reinstated to an equivalent position, if one is available.

The employee will be required to provide the College with a fitness for duty certification from her doctor stating she is released to return to work and indicating any work restrictions she may have.
If the employee fails to return to work at the end of any authorized leave, her employment will be subject to termination, unless she is eligible for another form of leave.

Child Care Leave After a Pregnancy Related Disability Leave

After the employee is released to return to work from a pregnancy disability, she may request any remaining family and medical leave to care for her newborn, pursuant to the terms of the family and medical leave policy above.

Employee Responsibilities

- Furnish evidence as requested to substantiate the medical need for disability leave.
- Notify the College in the event the need for or anticipated duration of the leave has changed.
- Notify the supervisor in writing or in person two (2) weeks prior to the expiration of the leave to confirm interest in return to work.
- Notify the supervisor in writing or in person of any address or telephone number changes while on leave.
- Return to work promptly at the end of an authorized leave.

Other Disability Leaves

In addition to family/medical and pregnancy-related disability leaves, employees may request a temporary disability leave of absence if in the judgment of the College, it is necessary to accommodate reasonably a workplace injury or an ADA-qualified disability to the extent mandated by law. Any disability leave under this section may run concurrently with any medical leave to which the employee is entitled under the Family/Medical leave section of this handbook.

Employees taking disability leave must comply with the family/medical leave provision of this handbook regarding substitution of paid leaves, notice, and medical certification. For the purpose of applying these provisions, a disability leave will be considered a medical leave.

An employee taking a disability leave will not be paid and must exhaust her or his paid sick leave reserve and accrued vacation time.

If a disability leave under this section extends beyond 12 weeks in a 12-month period, the employee will not be entitled to any continued employer contributions towards any employee benefit plan. An employee, however, may elect to continue participating in such benefit plans, at the employee's own expense, to the extent permitted by such plans.

The duration of a leave under this section will be consistent with applicable law, but in no event will the leave extend past the date on which an employee becomes capable of performing the essential functions of her or his position, with or without reasonable accommodation.

An employee on any leave of absence may not accept employment with any other employer without the College's written permission. An employee who accepts such employment will be deemed to have resigned from employment at the College.

Section 7
Campus Health, Safety, and Emergency Procedures

General Principles

At Menlo College, the personal safety and health of each employee is of great importance. Our objectives are to keep employee safety awareness high and keep the number of injuries and illnesses to an absolute minimum.

The Injury and Illness Prevention Program relies upon the cooperative support of faculty, staff, and students to achieve a sound occupational and safety climate. Open communication regarding ideas and actions needed to achieve a safe working environment is inherent in the existing organizational structure of Menlo College. All employees are encouraged to contribute ideas and suggestions on injury and illness prevention without fear of reprisal or discrimination and with the assurance that such suggestions will be reviewed and given full consideration. All employees receive ongoing safety communication and training as well as feedback regarding the results of safety investigations including any actions taken as a result of reported hazards.

At the College, safety is the responsibility of every employee. In particular, it is your responsibility to

- Seek and obtain information and training on hazards in the workplace.
- Maintain safe workplace conditions, follow safe work practices, and wear personal protective equipment as required while performing your job duties.
- Notify your supervisor of unsafe or unhealthy conditions, work practices, and procedures in a timely manner.
- Correct unsafe conditions and activities where possible, and provide recommendations to your supervisor of how such conditions and activities can be corrected.
- Report immediately to your supervisor and the HR Office any work-related near miss, accident, injury, or illness.

Failure to maintain safe workplace conditions, abide by safe and healthful work practices, or wear required personal protective equipment can lead to disciplinary action up to and including termination.

Emergency and Accident Procedures

Detailed information including specific emergency procedures is available through the Menlo College website. The website includes the following documents, which are to be considered part of this Handbook:

- Menlo College Emergency and First Aid Quick Reference Guide.
- Menlo College Emergency Operations Plan. http://www.menlo.edu/sites/default/files/campus-services/docs/specific-emergency-procedures.pdf.
- Menlo College Emergency Pocket Guide.

For **emergency preparedness** contact (650) 400-5837. The **Emergency Operations Center** is located in the Administration Building, room 155.

Alcohol and Drug Abuse Policy

Menlo College is committed to achieving a drug- and alcohol-free environment for all staff and faculty. Our employees must be physically and mentally fit to perform their duties in a safe and efficient manner. Therefore, no employee shall work or report to work while under the influence of alcohol, illegal drugs, or other substances that would affect his or her ability to perform the job in a safe and efficient manner.

No employee may use, possess, transfer, distribute, manufacture, or sell alcohol or any illegal drug while on the College's property, while on duty, while on-call status, or while operating a vehicle or potentially dangerous equipment that is owned or leased by the College. In addition, no employee may report for work, or go or remain on duty or on on-call status, while under the influence of or impaired by any illegal drug or alcohol. Violation of this policy is cause for disciplinary action up to and including discharge. The exception to this rule is when the administration authorizes the consumption of alcoholic beverages at organization functions or other business activities.

Employees experiencing problems with alcohol or other drugs are urged to voluntarily seek assistance to resolve such problems before they become serious enough to require management referral or disciplinary action. If you have questions regarding this policy or issues related to drug or alcohol use at work, you can raise your concerns with your immediate supervisor or the Director of HR without fear of reprisal.

Under the Drug Free Workplace Act, employees performing work for a government contract or grant must notify the College within five days of any criminal conviction for drug-related activity that happened at work.

Smoking

The College is committed to a philosophy of good health and a safe work place. In keeping with this philosophy, it is important that the work place and office environment reflect the College's concern for good health. Smoking is therefore not permitted inside any buildings on College property. If you are a smoker, please be considerate and smoke only outdoors at the required distance (30 feet) from any building entrance or windows, and only during meal and rest breaks. Failure to adhere to this policy may result in disciplinary action up to and including termination.

Workplace Violence

Menlo College believes strongly that every individual should be treated with dignity and respect. Acts of violence will not be tolerated. We have a "zero tolerance" policy for actual or threatened violence committed by or against any employee, student, faculty member, visitor, or other persons who are either on our campus or have contact with employees during the course of their duties.

If an employee becomes aware of any actual violence, imminent violence, or threat of imminent violence, obtaining emergency assistance must be a matter of first priority. Every written, verbal, or physical threat of violence must be treated seriously and reported immediately to the employee's supervisor and the Human Resources Office. Employee reports made pursuant to this policy will be held in confidence to the extent practicable and appropriate under the circumstances and will only be disclosed on a need-to-know basis to authorized personnel. The College will not tolerate retaliation against any employee for making a report in good faith under this policy. All reported incidents will be promptly investigated by the Human Resources Office.

Prohibited conduct includes, but is not limited to the following:

- Causing physical injury to another person
- Engaging in behavior that creates a fear of injury in another person
- Engaging in behavior that subjects another individual to extreme emotional distress
- Possession of a weapon while on the campus or while on College business
- Making threatening remarks
- Intentionally damaging College property or property of another employee

During the fact-gathering process, an employee may be suspended, with or without pay, pending investigation. Any employee found to be in violation of this policy will result in corrective action up to and including immediate termination of employment.

The College will make a good faith effort to accommodate victims of workplace violence, including referring victims to appropriate community resources, and cooperating with law enforcement in the investigation of the crime and prosecution of the offender.

Building Access by Visitors

Employees who are expecting guests from the outside for a meeting should provide a guest name along with the date and estimated time of the visit to the Security Office.

Section 8
Confidentiality

The College will safeguard confidential information concerning students, employees, alumni, College business, and other matters. Unauthorized accessing and/or disclosure of confidential information by College employees is prohibited and may result in legal penalties as well as disciplinary sanctions.

Types of Confidential Information

Confidential information includes, but is not limited to information concerning:

- Prospective, current or former students
- Prospective, current or former employees
- College business, finances, or operations

Restrictions and Violations

There are specific laws, College policies, and guidelines that govern the release of confidential information. Therefore, College employees may not obtain access to or provide confidential information unless their positions within the College authorize them to do so. Employees who receive requests for confidential information should seek direction from a supervisor before responding. Employees who violate the College's Confidential Information policy may be disciplined up to and including dismissal. Unauthorized accessing or disclosure of legally protected information may result in civil liability or criminal prosecution.

References

The College limits the authorized release of reference information on former employees to confirmations of dates of employment, positions held, and salary verification. Any further information provided by individuals is construed to be a personal reference for which the College is not responsible or liable.

Media Contacts

Employees are encouraged to seek prior authorization before commenting on College business to representatives of the press (radio, television, electronic or print media). They may not represent themselves as spokespersons for the College unless authorized to do so. Inquiries from campus media should be referred to the appropriate department head or higher level of management.

Subpoenas

Subpoenas and any other request or demand for the release of information for legal proceedings must be referred to the Director of HR before release of any information.

Supervisors are responsible for knowing the confidentiality laws, policies, and guidelines that pertain to their area. Supervisors are also responsible for informing employees about restrictions on confidential information. College employees must comply with this policy. When in doubt, they should assume information is confidential and not disclose it until authorized to do so.

Section 9

Employee Social Media Policy

Menlo College's social media policy is designed to reflect the College's commitment to meet its legal obligations and reputational interests. The rules promulgated in the social media policy are meant to act as guiding principles when using social media in the workplace. Employees are expected to exercise common sense and good judgment when participating in online social media, blogs, and other online tools available on the Internet.

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's blog, journal or diary, personal website, social networking website, web bulletin board, wiki, as well as any other form of electronic communication.

General Guidelines

1. Employees are expected to use their time at work and workplace resources in an appropriate manner. Work time should be spent on work-related matters. The College's computers, intranet, electronic resources and equipment should be used solely for appropriate College-related activities and not to engage in postings or communications on social media.
2. Employees must comply at all times with the College's policies against unlawful harassment and discrimination. Consistent with these policies, employees should be respectful of one another and should never participate in communications in a manner that unlawfully harasses or discriminates against another employee or student on that individual's race, color, religion, sex, national origin, age, disability, gender identity, or any other characteristic protected by state, federal, or local law.
3. Employees should remain aware that postings and communications transmitted on social media are not private. Employees should consider how any communication might be perceived or what might happen if a posting or statement becomes known by third parties or is more widely shared or distributed than intended. They should also consider how it may reflect on the employee and the College. In some instances, search engines may locate communications long after they are originally posted or sent, and information, postings and communications can be forwarded or copied.
4. Employees who express opinions should include disclaimers noting that the opinions are solely their own and are not those of or endorsed by the College.
5. Employees are responsible for the information they post, share, or respond to online. Employees should utilize privacy settings to control access to personal networks, webpages, profiles, posts, digital media, forums, fan pages, etc. However, be aware that privacy settings create a false sense of security and anything posted on the Internet may be subject to public viewing and republication by third parties without your knowledge.
6. Employees should not use the College's logo, copyrights, and trademarks in violation of applicable copyright and trademark laws.

Monitoring

Employees should not assume that activities involving the use of any of the College's computers, communication devices, equipment or resources are private or confidential. Accordingly, Menlo College reserves the right to monitor activities and gain access to any information that uses, is received by, is transmitted by, or is stored in any College-owned, leased or operated electronic communications device, computer, electronic resource, intranet, or equipment.

Moreover, should the College receive a complaint from an employee or student about information an employee has posted about an employee or student employee, the College reserves the right to investigate that complaint to insure that there has been no violation of the harassment policy or other College policy. In the event there is such a complaint, the employee is expected to cooperate in any investigation of that complaint, including providing access to the posts at issue.

Internet, E-mail, and Electronic Communications Policy

Menlo College has established this Internet, e-mail, and electronic communications policy in an effort to make certain that employees utilize electronic devices in a legal, ethical, and appropriate manner. The College has devised this policy in a manner that addresses the College's legal responsibilities and concerns regarding the fair and proper use of all electronic communications devices within the College.

Scope of Policy

This policy extends, by way of example only, to all features of the College's electronic communications systems, including computers, e-mail, connections to the Internet and other internal or external networks, voice mail, video conferencing, facsimiles, telephones, electronic mobile devices, tablets, and smart watches. Any other form of electronic communication used by employees currently or in the future is also intended to be encompassed under this policy. An employee who is provided with any of the aforementioned electronic devices by the College is subject to this policy and is expected to read, understand, and comply fully with its provisions.

Rules

It may not be possible to identify every standard and rule applicable to the use of electronic communications devices. Employees are therefore encouraged to utilize sound judgment and common sense whenever using any feature of the communications systems. In order to offer employees some guidance, the following principles and standards should be clearly understood and followed:

1. The College's policy against unlawful harassment, including sexual harassment, extends to the use of computers, the Internet, and any component of the communications systems. In keeping with that policy, employees should not use any electronic communications device in a manner that would violate that policy. For example, employees may not communicate messages that would constitute sexual harassment, may not use sexually suggestive screen savers, and may not receive or transmit pornographic, obscene, or sexually offensive material or information.

2. The College's anti-discrimination policies extend to the use of the communications systems. Any employee who uses any electronic communications device will therefore be subject to disciplinary action, including the possibility of immediate termination, for use of such a device in any manner that violates the College's anti-discrimination policies or commitment to equal employment opportunity. This includes, as an example, using an electronics communication device to transmit, communicate or post personal opinions of an unlawfully discriminatory nature.
3. Employees may not use any electronic communications device in a manner that violates applicable copyright and trademark laws.
4. Employees may not use any electronic communications device to alter, transmit, copy, download, or remove any proprietary, confidential, trade secret or other information belonging to the College without proper and legally binding authorization.
5. Employees may not use any electronic communications device for any purpose that is competitive, either directly or indirectly, to the interests of the College or for any purpose that creates an actual, potential or apparent conflict of interest with the College.
6. Employees should identify all communications as "privileged and confidential" or "attorney/client" privilege when it is accurate and appropriate to do so. In this manner, the College can assert any protections, privileges, and rights relating to communications if it becomes necessary to do so.

Access

Menlo College must retain the right and ability to enforce this policy and to monitor compliance with its terms. While computers and other electronic devices are made accessible to employees to assist them to perform their jobs and to promote the College's interests, all such computers and electronic devices, whether used entirely or partially on the College's premises or with the aid of College equipment or resources, must remain fully accessible to the College and, to the maximum extent permitted by law, will remain the sole and exclusive property of the College.

Employees should not maintain any expectation of privacy with respect to information transmitted over, received by, or stored in any electronic communications device owned, leased, or operated in whole or in part by or on behalf of the College. The College retains the right to gain access to any information received by, transmitted by, or stored in any such electronic communications device, by and through its agents, employees, or representatives, at any time, either with or without an employee's or third party's knowledge, consent or approval. Employees who are provided access to computers must advise the Chief Information Officer of the College, in writing, of any password they use to gain access to computers or the Internet as well as any changes to such password. Such notice must be made immediately.

Compliance is Essential

Employees who violate any aspect of this policy or who demonstrate poor judgment in the manner in which they use any electronic communications device will be subject to disciplinary action, up to and including the possibility of immediate termination. Employees who have any questions regarding this policy should bring them to the immediate attention of the Chief Information Officer of the College.

Section 10

Supplemental Policies Applicable to Student-Employees

Work Schedule and Attendance

Students may not work for more than two departments and are limited to a total of twenty hours (20) per week on campus while school is in session. During the fall and spring terms, students are not eligible to work for the College if they are on Academic Probation for the previous or current semester. During semester breaks and summer, student assistants are allowed to work up to 40 hours per week.

Each department will be as supportive as possible when filling work hours while still maintaining workflow for the department. As part of the application process, each student will be asked to provide a schedule of when s/he is available to work. Supervisors schedule work hours around availability to the best of their ability. Once a schedule is agreed upon, it is a commitment for the entire semester. Failure to report to work without notice or with repeated absences or late arrivals may result in termination. Planned absences should be arranged in advance and approved by the student's supervisor. Accommodations can be made during finals week if a scheduling conflict arises.

Benefits

Student employees are generally not eligible for benefits, except for workers' compensation insurance, unemployment compensation benefits, California's paid sick leave, and state disability insurance.

Recordkeeping

On-campus positions: If a student is working on the College premises, s/he and her/his supervisor are responsible for reporting daily hours to Payroll four days before each pay date. All time sheets must be completed and signed in pen by the student employee with the hours for the time period totaled at the bottom, or completed on-line via the College's Human Resources Office application.

Off-campus FWS (Federal Work Study) positions: If the position is at an off-campus FWS site, the student's name will appear on a set of time sheets provided to the off-campus employer. The student and supervisor must complete a time sheet each week and return it to Financial Aid. As with on-campus time sheets, the supervisor will be responsible for reporting the number of hours the student worked each day.

Federal Work Study

Please ·schedule an appointment with Financial Aid to learn about the Federal Work Study (FWS) program. Students may also check the Financial Aid section of MyMenlo to see if they have received awards. Receiving an award, does not guarantee a student will receive a job on campus. While the FWS program offers an excellent opportunity for many students, it may not be the best option for everyone. If a student already has a job that pays well or offers good experience in her/his field of study, s/he may prefer to decline the FWS award. If a student chooses not to take advantage of the FWS award, the student should notify Financial Aid as soon as possible.

The Federal Work-Study program is a federally-subsidized, need-based, financial aid program. As such, a student's eligibility for this program is determined through Financial Aid Services. Unlike other financial aid programs that are credited directly to a student's account, FWS eligibility must be earned through a bi-monthly paycheck. The FWS award listed on a student's award letter is the maximum that may earned through the program (e.g. the funding commitment). However, unless the student actually works the hours necessary to earn the award, s/he will not receive the maximum eligibility.

The FWS program is funded through multiple sources. While no difference appears in the paycheck, the department is only charged for 25% of the wages. The other 75% is paid through a federal grant. This requires Financial Aid to monitor FWS paperwork very carefully. It also limits off-campus employment through the FWS Program to approved, local, non-profit sites that are able to provide 25% of the student's FWS eligibility.

While FWS earnings are taxable income as reported on the federal and state tax returns, FWS earnings are not considered income when calculating a student's eligibility for financial aid. This allows students to earn money without impacting their eligibility for need-based financial aid resources.

Restrictions

- Students may hold no more than two FWS position at any time.
- Federal regulations require that all earnings through the FWS Program be spent solely on educational expenses.
- Financial Aid Services awards FWS funding only to those students who apply on time and demonstrate financial need. Eligibility for those students who are awarded cannot be released until all verification required by Financial Aid Services is submitted and reviewed. Furthermore, students must maintain satisfactory academic progress toward their degree, as defined by Financial Aid Services, in order to work through the FWS program.
- Additional restrictions apply to off-campus FWS opportunities.

SALARY RATES & JOB CLASSIFICATIONS

A student's pay rate is determined by the department as specified in the Student Employment Classification and Pay Plan for Menlo College. A student's classification depends on the duties and tasks assigned. The supervisor should inform the student of her/his pay rate and classification at the time of hiring. Student employees are paid only for the hours worked and documented on the time sheet.

PERFORMANCE APPRAISALS & PAY INCREASES

Salary increases are normally considered at least once per year and are based on the length of service and work performance or with the assignment of additional or higher-level responsibilities. Salary increases may be given after 4 consecutive months of employment. Salary increases are not mandatory and are granted at the discretion of the employer.

At this time, Menlo College does not have a formal appraisal system in place for student employees. However, it is strongly recommended that the student initiate a performance discussion no later than the fourth week of employment. This discussion may include goals as well as feedback on performance.

RESIGNATION/END OF ASSIGNMENT

As a courtesy, the student should give the supervisor at least two weeks' notice when planning to resign. At that time the student may ask the supervisor for permission to use her/him as a reference for future employment. The supervisor is under no obligation to provide a reference.

Each student should discuss next semester's class schedule with her/his supervisor. Should availability no longer work for the department, it may be necessary to end the assignment.

RESPONSIBILITIES OF THE SUPERVISOR

The relationship between students and supervisors should be open and honest. Students should be comfortable discussing any work-related issues with their supervisors. Students are also encouraged to make suggestions which might enhance service to customers.

HOMEWORK, PERSONAL CALLS, TEXTING & VISITORS

Personal business including reading, homework, personal calls, texting and visitors may be permitted with approval only and may not be allowed in public service areas. Students must remember that their primary responsibility is to complete the tasks assigned. If assigned tasks are completed, students should let the supervisor know so that new tasks can be assigned.

SUMMER EMPLOYMENT

Student employees may work on campus during summer and do not have to be enrolled in the summer semester to be eligible to work. Student employment in the summer months is dependent on a department's budget and scheduling needs. Federal Work Study awards may or not be available. Please check with Financial Aid. During the summer, student employees are allowed to work a maximum of 40 hours per week, eight hours per day.

CONTINUED EMPLOYMENT

All returning student workers MUST have a completed Student Payroll Action Request (SPAR) form at the beginning of the fall semester, even if there has been no break in employment. The SPAR will be completed by the supervisor.

ONLINE STUDENT PERSONNEL FORMS

The following forms and documents may be found online on the Menlo website under Campus Services/Policies, Procedures & Forms. Additionally copies of some forms may be found on Menlo Careerlink or in Career Services.

- Student Employee Handbook
- Student On-campus Job Application
- Payroll Schedule - Student Worker
- Time Sheet - Student Worker
- Direct Deposit Form