Faculty Manual

Section I
Salary and Fringe Benefits

September 1, 2011

Union College
807 Union Street
Schenectady, NY 12308

Table of Contents

I. SALARY PAYMENTS 4

II. GENERAL BENEFIT INFORMATION 5

A. Reservation of Rights 5
B. Flexible Benefits Program 5
C. Benefit Eligibility 6
D. Domestic Partnership Policy 6
E. Medical, Dental and Vision Insurance 7
F. Prescription Program 7
G. Employee Assistance Program 7
H. Wellness Benefits 8
I. Health Care and Dependent Care Flexible Spending Account 8
J. Life Insurance and Accidental Death & Dismemberment Insurance 8
K. Short Term Disability Insurance 9
L. Long Term Disability Insurance 9
M. Dependent Life Insurance 10
N. Personal Insurance (Auto, Home, Renters and Other) 10
O. Retirement Plan and Supplemental Retirement Accounts 10
P. 457(b) Deferred Compensation Plan 11
Q. Retirement Policy 11
R. Business Travel Accident Insurance 12
S. Long Term Care Insurance 12
T. Unemployment Insurance 12
U. Social Security and Medicare 13
V. Worker's Compensation 13

III. TUITION REMISSION AND SCHOLARSHIPS 14

A. Faculty/Staff Children's Scholarship Program 14
B. Employee Training Scholarship Program 18

IV. PERSONAL LEAVES 19

A. Family and Medical Leave (FMLA) 19
B. Adoptive Parent Leave 24
C. Personal Leave of Absence without Pay 24

V. OTHER BENEFITS 26

A. Moving Expenses 26
B. Apartment Assistance 26
C. College Park Home Loan Assistance Program 26
D. Survivor's Benefits 26
E. ERISA Rights 27
F. Continuation of Group Health Benefits 27

G. Recognition Programs 27
H. Discounts 28
I. Hotel Discounts 28
J. Computer Loans 28
K. Second Mortgage Program 28
L. College Plot in Vale Cemetery 29
M. Credit Union 29

I. SALARY PAYMENTS

Faculty contracts for the academic year are paid on a semi-monthly basis over 12 months. Salary payments commence September 1 and continue on the first and fifteenth of each month, with the last installment on August 15.

When first appointed, but before a faculty member can formally start work at the College the following forms must be completed and returned to Human Resources located at 17 South Lane:

— Letter of Appointment and Pay Notice for Exempt Employees.
— Faculty Appointment Attestation Form.
— Federal Income Tax Withholding Certificate - Form W-4.
— Legal Proof of Identity and Employability - Form I-9.

II. GENERAL BENEFIT INFORMATION

The College has established a variety of employee benefit options and a flexible benefit program. The following is a brief summary of these options. Complete plan descriptions are contained in plan documents and Summary Plan Description booklets. Copies of these documents are available from Human Resources and are on the Human Resources website. In the event of any contradiction between the information appearing in this manual and the information that appears in the plan documents, the plan documents shall govern in all cases. For more complete information regarding any benefit, please contact Human Resources or consult the Human Resources website.

A. Reservation of Rights

While it is the College's intent to continue all current benefit plans and policies, the College reserves the right, at any time, to amend or terminate any of the plans or to change contribution levels toward benefits, change carriers, and modify the scope of contracted coverage, at its sole discretion and for whatever reasons it considers appropriate with or without prior notice (unless prior notice is required by law). The Reservation of Rights provision pertains to all current, former, and retired employees and applies to any and all benefits offered by the College. No oral statement made by a representative of the College may contradict this Reservation of Rights provision.

B. Flexible Benefits Program

The College has adopted a comprehensive Flexible Benefits Program (Flex Plan) that gives an employee the opportunity to choose the type of benefits and the level of benefits that meet his/her personal needs.

This Flex Plan provides an employee with "flex dollars" and the freedom to select medical, dental, vision, life insurance, disability insurance, personal insurance and dependent life insurance. The Flex Plan includes a cash-out option for an employee who does not need the College's medical insurance coverage and a Medical Premium Rebate program for an employee with household adjusted gross income below a stated threshold. Additional "flex dollars" are available for claiming "Head of Household." Also, Health Care and Dependent Care Flexible Spending Accounts allow any employee to set aside tax exempt dollars for certain unreimbursed health and/or dependent care expenses.

An employee participates in the Flex Plan and enrolls for eligible benefits at the time of hire (within 90 days) and during open enrollment, held in the fall of every year. An employee may change coverage during open enrollment or within 30 days of a qualifying event. A qualifying event is defined as: addition of a dependent child (as specified in IRS Section 152) by birth or adoption, addition or loss of a dependent child through a change in legal responsibility for the child's medical coverage or attainment

of age 25, spouse's or domestic partner's termination or commencement of employment, change in employment status from full-time to part-time or from part-time to full-time, death of spouse, domestic partner, or dependent child, divorce, legal separation, marriage, unpaid leave for employee, spouse, or domestic partner, or loss of coverage through spouse's or domestic partner's employment.

C. Benefit Eligibility

Several benefit options have eligibility requirements independent of the Flex Plan (i.e., retirement plan, Long Term Disability Insurance, and the Tuition Remission program). An employee who works in a continuing position a minimum of 30 hours per week and at least 1,000 hours per year is considered full-time. A full-time employee is eligible for all benefits (flex plan, 100% of the College-contributed "flex dollars," and paid time off if applicable). An employee who works in a continuing position a minimum of 20-29 hours per week and a minimum of 660 hours per calendar year is considered part-time/benefits eligible. A part-time/benefits eligible employee is eligible for many benefits (flex plan, 50% of the College-contributed "flex dollars," and paid time off if applicable). All college employees, including adjuncts and temporaries, are eligible for statutory benefits including NYS disability, unemployment, social security and worker's compensation. An independent contractor is not eligible for benefits. Benefits are available to same and/or opposite sex domestic partners as defined by the College.

D. Domestic Partnership Policy

The College extends all benefits that are available to a spouse of an employee to a domestic partner of an employee.

The definition of domestic partnership is: two adult individuals who live together in an intimate, long-term committed relationship of indefinite duration with an exclusive mutual commitment similar to that of marriage.

1. Eligibility

- Living together for at least six (6) months
- Having an exclusive mutual commitment similar to that of marriage.
- Financially responsible for each other's well-being and debts to third parties. The couple has entered into a contractual commitment for that financial responsibility or has joint ownership of significant assets such as home, car, or bank accounts and joint liability for debts such as mortgages and major credit cards.
- Neither partner is married to any one else nor has another domestic partner.
- Partners are not related by blood closer than would bar marriage in the state of their residence.

2. Dependent Children

Eligibility for dependent children of domestic partners shall be based upon the relationship between the employee and the child and be consistent with the eligibility definition used by the College for each employee benefit currently in effect, as specified in IRS Section 152.

3. Method of Implementation

To receive benefits from the College, domestic partners are required to register a Certification of Domestic Partnership with Human Resources. The certification declares that the partners meet all the requirements for domestic partnership.

4. Tax Considerations

Unless the domestic partner qualifies as a dependent of the employee under IRS Section 152, the College's cost of providing these benefits is taxable income to the employee. Because of tax laws and other legal considerations, Health Care and Dependent Care Flexible Spending Accounts cannot be extended to domestic partners.

E. Medical, Dental and Vision Insurance

The College provides a choice of HMO and POS medical insurance, two dental options, including one covering orthodontics, and vision insurance. The College reserves the right to change carriers, modify the scope of contracted coverage, and revise the portion of premium it pays toward the plans.

F. Prescription Program

The medical insurance plans offer mail-in and pharmacy-direct prescription components. The mail-in service provides an employee with maintenance prescription drugs at a reduced cost.

G. Employee Assistance Program

The College offers the services of an Employee Assistance Program (EAP) at no cost to the employee or immediate family members. The EAP provides confidential professional counseling services to help with personal or work-related problems or stressful situations such as family/child issues, financial problems, and /or alcohol/drug abuse. Time off from work for EAP visits is treated the same as time off for other medical appointments. For EAP assistance please call 800-828-6025.

H. Wellness Benefits

In the interest of employee health and well-being, and to assist in improving overall health, the College provides a variety of wellness and health management programs. Programs may include flu shots, cholesterol screenings, weight control programs, smoking cessation and health risk assessments. The Athletics Department and the Theatre and Dance Department offer various fitness activities. The College medical plans also contain many wellness benefits.

An employee has free membership and use of the fitness center, pool, and facilities for basketball, squash, racquetball, track, ice-skating and tennis. Recreational access cards are available for a one-time fee of $20 for a spouse or domestic partner, and for dependent children ages 16-22. All children under age 16 must be accompanied by an employee or recreational access card holder. An employee is allowed up to 3 immediate family member guests at no charge or non-family member guests for $5 per visit. Dependents are not allowed to bring guests.

I. Health Care and Dependent Care Flexible Spending Account

The College offers Internal Revenue Code (IRC) Section 125 Health Care and Dependent Care Flexible Spending Accounts. Section 125 allows an employee to save money by paying for certain health related and/or dependent care expenses with pre-tax dollars. These expenses include medical, dental and vision premiums, medical and drug co-pays, un-reimbursed medical, dental, vision costs, over-the-counter medication costs, and child/dependent care expenses (expenses for children under the age of 13 and/or other dependents that are physically or mentally unable to care for themselves).

An employee estimates the amount of out-of-pocket expenses and authorizes the College to withhold that amount from gross salary before any taxes are calculated. Expenses are incurred, then submitted on a Reimbursement Claim Form with original receipt(s), after which the employee is reimbursed directly without paying taxes.

J. Life Insurance and Accidental Death & Dismemberment Insurance

The College carries a Group Term Life Insurance and Accidental Death & Dismemberment (AD&D) policy on employees who work a minimum of 20 hours per week and at least 660 hours per year. This benefit is provided without charge, and coverage is effective on the first of the month concurrent with or following date of hire. Coverage is equal to the employee's annual base salary (to a maximum of $250,000) and is doubled in the event of accidental death. Coverage is reduced at age 65 and older.

An employee may purchase supplemental term life insurance or supplemental accidental death and dismemberment insurance, subject to medical underwriting.

Premium dollars paid for life insurance coverage above $50,000 are considered by the IRS as taxable income.

K. Short Term Disability Insurance

Faculty members absent due to illness, injury or other qualifying medical condition will receive continuation of full salary for up to three months plus one additional week for each year of service to a maximum of six months. Should the disabling condition begin during the academic year, the full salary period will commence on the actual disability date. Should the disabling condition begin during July or August, the full salary period will commence on September 1. If the disabling condition continues through July and August, and the period during which full salary is continued has not elapsed, then July and August will count towards the period during which full salary is continued. Should the faculty member return to work and then experience a relapse, the continuation of full salary for up to three months plus one additional week for each year of service will start all over again. Full benefits will continue for the duration of the short term disability.

To receive full salary continuation, a faculty member must submit an appropriate physician's statement to Human Resources, indicating date of disability, job limitation/inability to perform job responsibilities, and length of disability/potential return to work date. To return to work, a faculty member must submit a physician's statement to Human Resources indicating ability to return to regular/modified job responsibilities and a return to work date.

The work of the absent person has been customarily carried out by other members of the faculty during his/her absence, except when the absence was of such duration as to cause a material deficiency in teaching, or of such a duration as to impose undue hardship on the members of the faculty. In such event, the Vice President for Academic Affairs/Dean of Faculty will consider obtaining a replacement.

These provisions are effective for full-time faculty. Proportional provisions will be made for part-time faculty members.

L. Long Term Disability Insurance

After one year of full-time employment the College provides a full-time employee with a long-term disability insurance plan. An employee may also purchase supplemental long-term disability insurance. The insurance coverage helps protect against total or partial loss of income due to personal illness or injury.

If an employee becomes totally disabled due to illness or injury for more than a six-month period, he or she may qualify for long-term disability benefits. Total disability is defined in the plan documents. Prior to this determination, an employee who has a "disability," as defined in the Americans with Disabilities Act ("ADA" or the New York State Human Rights Law ("HRL"), may need to be evaluated and a reasonable accommodation may need to be considered. Where an employee with a disability under the ADA or HRL is unable to perform the essential functions of his or her job, with or without a reasonable accommodation, or where no reasonable accommodation is otherwise possible or would amount to an undue hardship, the College may initiate termination of active employment.

An employee approved for long term disability benefits may remain on the College's medical, dental and/or vision insurance plans, at active employee rates and with continued contributions to the retirement plan, prior to attaining age 65. Upon attaining age 65, the disabled employee can continue on the insurance plans at retiree rates and the annual contribution to the retirement plan will cease. Medical, dental, and/or vision insurance plan coverage will cease when one of the following occurs: non-payment of premiums, disabling condition ends and benefit eligible employment with Union does not resume and/or the employee is not eligible to continue coverage as a retiree, the insurance option is discontinued, or the long-term disability insurance plan is terminated. The disabled employee will not be allowed to enroll in or to add spousal, domestic partner, or dependent coverage if he/she did not have this type or level of coverage at the time he/she became eligible for long-term disability benefits. If the disabled employee elects to discontinue insurance coverage (medical, dental or vision) or remove covered dependents at any point, he/she will not be eligible to re-enroll for coverage or re-add covered dependents at a later date.

M. Dependent Life Insurance

An employee may purchase life insurance for his/her spouse and dependent children through the Flex Plan.

N. Personal Insurance (Auto, Home, Renters and Other)

An employee may purchase auto, home, renters, and other personal insurance through the Flex Plan.

O. Retirement Plan and Supplemental Retirement Accounts

An employee age 21 or older after one year of service and working at least 1,000 hours per year, and an employee age 21 or older who worked for another institution of higher education immediately prior to hire by the College and who was eligible for that

institution's 403(b) plan, is qualified to enroll in the College Retirement Plan (a defined contribution plan) and receive a contribution equal to 11% of base annual salary. The College enrolls employees four times per year, in January, April, July, and October. An employee becomes fully vested in the plan after 3 years of employment.

The College currently offers two companies to choose from: Fidelity Investments, and Teachers Insurance Annuity Association/College Retirement Equities Fund (TIAA-CREF).

Salary reduction allows an employee to set aside money from gross salary before taxes. Salary reduction not only offers the benefits of untaxed growth and earnings on contributions but also lowers taxable income and current taxes. There are limits on the total contributions through salary reduction allowed by the IRS. Human Resources can assist in determining maximum contributions.

Salary deduction, through a Roth 403(b), allows an employee to set aside money from net salary after taxes have been taken out. Since taxes have already been paid, accumulations in a Roth 403(b) account are considered as tax-free income in retirement.

An employee, including one who is not eligible for the retirement plan, may elect to make pre-tax contributions to retirement savings by establishing a Tax Deferred Annuity (TDA)/Supplemental Retirement Account (SRA/GSRA), or after-tax contributions to a Roth 403(b).

Information and booklets describing the retirement program are available and Human Resources can assist in establishing an account. Representatives from TIAA/CREF and Fidelity are on campus frequently for group and individual meetings.

P. 457(b) Deferred Compensation Plan

The College has a Deferred Compensation Plan for its officers and other highly compensated employees. The College does not make any contribution to the plan. An eligible employee may elect to make personal contributions by payroll reduction. The amount that may be tax-deferred is determined by the Internal Revenue Code. The College has designated TIAA/CREF as the manager of the 457(b) Deferred Compensation Plan.

Q. Retirement Policy

An employee who separates from service or terminates employment having completed 15 years of service after attaining age 40 will be considered a retiree of the College. A retiree is eligible to participate in and have access to College events and facilities. A

retiree and enrolled dependent family members are eligible to participate in the College Retiree Health Insurance Program (medical, dental and vision insurance). Under the Retiree Health Insurance Program, the College continues to make a monthly contribution toward medical insurance premiums. A retiree enrolled for medical insurance through the College can choose to switch between available plans at open enrollment. A retiree enrolled for dental insurance through the College can switch between the Plus and Basic options. A retiree will not be allowed to enroll in or to add spousal or dependent coverage if he/she did not have this type or level of coverage at retirement. If a retiree elects to discontinue insurance coverage (medical, dental or vision) or remove covered dependents, at any point, he/she will not be eligible to re-enroll for coverage or re-add covered dependents at a later date. The medical, dental and/or vision coverage ceases on the last day of the month that a premium is not paid or immediately when an insurance program ends.

R. Business Travel Accident Insurance

The Business Travel Accident insurance provides a benefit of $300,000 if an employee dies in an accident while traveling on College business (other than commuting to and from work). The benefit is payable to the employee's beneficiary as stated in the group life insurance policy. The policy also pays an accidental death and dismemberment benefit, from 25% to 100% of the principal amount, depending on the severity of the disabling condition (loss of a hand, foot, sight, speech, hearing, quadriplegia, paraplegia, hemiplegia, uniplegia, etc.). Medical evacuation and repatriation coverage, bomb scare/search/explosion coverage, and seat belt coverage are also included. Human Resources can help an employee or an employee's dependents in filing a claim. The College pays the entire cost of this benefit.

S. Long Term Care Insurance

The College offers a program where an employee can purchase insurance that offsets the cost of care (in-home, assisted living, adult day or nursing home) or expenses resulting from a disabling accident or illness.

Coverage is available through CNA and CNA should be contacted directly for a price quote.

T. Unemployment Insurance

All employment at the College, with the exception of student employment, is covered under the provisions of the New York State Unemployment Insurance Law. The College pays the full cost for this benefit.

U. Social Security and Medicare

In accordance with federal law, a percentage of each employee's salary is deducted to cover Social Security benefits that may include retirement payments, Medicare benefits, death benefits, disability insurance, and monthly income payments to certain dependent survivors of covered workers. These percentages are mandated by law and are equally matched by a College contribution to Social Security.

V. Worker's Compensation

An employee is covered by Workers' Compensation Insurance to provide for payment of medical expenses and partial salary continuation in the event of a work-related injury or illness. An employee injured at work must report the accident to Campus Safety within 24 hours. The College pays the entire cost of this benefit.

III. TUITION REMISSION AND SCHOLARSHIPS

A. Faculty/Staff Children's Scholarship Program

The Faculty/Staff Children's Scholarship Program includes:

— Full-time enrollment at certain institutions other than Union College
— Full-time enrollment at Union College
— Part-time enrollment at Union College

The scholarship program is subject to the following eligibility qualifications and other terms and conditions.

1. Full-time Enrollment Scholarships

a. Eligibility Provisions

1. For the purposes of this program and whenever used herein, the word "children" or "child" refers only to children the employee claims as "dependent" for federal income tax purposes and who are either (1) the natural-born children of the employee in question, or (2) legally adopted children of the employee adopted (i) before the child reached 18 years of age and (ii) five (5) years or more before entrance of the child into college.

2. The following are eligible for full-time enrollment scholarship benefits to attend Union College or to attend institutions other than Union College.

   a) Children of members of the Union College faculty and Union College salaried and hourly non-faculty employees, (faculty and employees hereinafter collectively referred to as "employees") provided that:

      — The employee has been employed at the College on a regular full-time basis for at least five (5) years prior to the date on which the requested tuition scholarship would take effect; and
      — The employee is in active service during the scholarship period or on a leave of absence that has been authorized by the Board of Trustees and that extends for not more than one (1) calendar year.
      — For purposes of subdivision (a) time worked in a part-time or temporary status is not considered in determining the five-year minimum. For purposes of subdivision (b) such children are eligible only while the parent is employed by Union College. Eligibility of the child ceases automatically if the parent ceases to be employed by the College.

b) Children of retired employees of the College may be eligible upon recommendation of the President and the approval of the Board of Trustees.

c) Children of employees who are disabled or who die while in active service of the College and who completed at least ten consecutive years in the College's employ are eligible.

3. The changes to the Faculty/Staff Children's Scholarship Program in Section A herein shall be effective and govern eligibility as of July 1, 1985, and thereafter until such time as the Program may again be amended. However, for any eligibility obtained prior to July 1, 1985, the immediate former Faculty/Staff Children's Scholarship Program shall remain valid.

b. Qualifications for Eligible Children

1. To qualify for a scholarship from Union College, the child must be:

   a) Enrolled in the undergraduate program of an accredited institution offering a bachelor's degree in the arts, sciences, or engineering; or

   b) Enrolled in a recognized two-year junior college, provided the applicant is pursuing a program of study that at the end of two years of study will qualify him or her for transfer to another institution offering a bachelor's degree in the arts, sciences, or engineering.

2. To retain the scholarship, the child must be in good standing at the institution attended.

3. In the interest of fairness to all, Union College expects that students will complete their baccalaureate education in four consecutive academic years, or the equivalent number of semesters or academic terms including summer, and will therefore limit its tuition scholarships to apply to only these first four years of study. For example, a student who attended a college for two years before the parent became eligible for a Union College tuition scholarship and then requested three years of scholarship once the parent became eligible would only be entitled to (2) additional years, and not three (3) because of this four-year limit.

4. Individuals who are enrolled full-time under the Faculty/Staff Children's Scholarship Program may take one course or more during the summer tuition free under the part-time benefit. However, any such course or courses shall count toward the four-year limit (eight semesters or twelve terms).

c. Scholarship Amounts to Institutions Other Than Union College

1. For eligible children who attend institutions other than Union College, the amount of each annual award shall be equal to the lesser of :

   a) One-half the annual tuition at Union College, or
   b) The annual tuition charge at the institution attended.

2. The maximum cash liability of Union College for all scholarships paid to other institutions in any single year shall be limited in the first year (1985-86) of the program to $120,000.00. This limit shall be increased in each subsequent year after the first year by the same percentage allowed for increases in the general compensation budget of Union College. In the event that claims for any year shall be in excess of that limit, then treatment of claims and the excess shall be referred to the Board of Trustees by the President of the College. Such treatment may include proportionate reduction in all claims to eliminate the excess.

d. Scholarship Amounts to Attend Union College

For eligible children who attend Union College the amount of each annual award shall be equal to the Union College tuition

e. General Scholarship Information

1. Individual Union College full-time enrollment scholarships for those attending Union College or institutions other than the College are limited to that amount of the tuition fee remaining after the sum of all other grants or awards are subtracted from it (e.g., TAP award, etc.).

2. Entitlement amounts under the Scholarship Program shall be payable in installments as tuition for credit against the recipient's tuition charges.

3. Scholarship grants under this Part 1 are awarded to each eligible child on an annual basis for not more than four years of undergraduate study.

2. Part-time Enrollment at Union College Eligibility

a. Eligibility Provisions

Eligibility extends only to full-time Union College faculty and Union College salaried and hourly non-faculty employees (hereinafter all collectively referred to as "employees"), their spouses, domestic partners and "dependent" children (as previously defined). Eligibility for this "Part-Time Enrollment" scholarship begins with the date of commencement of the employee's full-time status at the College.

b. Entitlement

Union College employees may enroll, on a part-time basis, in a maximum of four Union College or Union Graduate College courses per calendar year free of charge. For the purposes of part-time enrollment the summer term starts the academic year. This would mean up to two courses per term, including summer school. Employees registering for a free summer course will not be included in the enrollment count that determines whether a course will run or be canceled. Spouses, domestic partners and dependents of Union College employees may enroll on a part-time basis in up to three courses per calendar year up to three (3) per term at no cost. This entitlement does not allow a child, spouse, or domestic partner attending full-time to have his or her tuition bill reduced by one-third.

c. General

1. Employees under the part-time enrollment provision shall take courses that are not in conflict with the employee's work schedule.
2. Admission to degree status is governed by the regular requirements and procedures of the College.
3. Any special or other fees and costs related to tuition-free courses must be paid by the employee.

3. Administration and Miscellaneous Administration

a. Administration

1. This program is administered by the President or other officers of the College if the President has delegated such authority. These officers will make the availability of the Scholarship Program known to the College community. The Executive Committee of the Board of Trustees shall be sole interpreters of the provisions of this program except that it shall be the responsibility of the administrators of the program to define whether a child remains in good standing.

2. The Board of Trustees reserves the right to amend all provisions, qualifications, and terms of the program and grants thereunder as, in their sole discretion, circumstances make necessary or advisable.

b. To retain a scholarship under full-time enrollment or part-time enrollment, the student must remain in good standing at the institution attended, including Union College. It is the responsibility of the parent or employee to notify the officer administering these grants if the student withdraws or fails to remain in good

standing at the college for which he or she is receiving benefits. In the event that the student qualifies for a refund from the college attended, such refund will be made directly to Union College for as much of the original Union College award as the refund covers and not merely for a proportion thereof. The employee or student under this program may remain liable to Union College in the event (i) a refund is not directed to Union College as provided herein, or (ii) the College is not notified if the student withdraws or fails to remain in good standing at the college for which he or she is receiving benefits.

c. Any conflict in this program or between this program and any other program of the College or other rules and regulations of the College shall be resolved by the Executive Committee of the Board of Trustees. While Union College intends to continue these benefit programs indefinitely, the College reserves the right to change or discontinue any of the benefits described herein.

B. Employee Training Scholarship Program

A full-time employee can pursue external training opportunities to enhance his/her skill level and effectiveness and/or to broaden knowledge and skills for future job assignments.

The Employee Training Scholarship Program is intended to reimburse an employee and/or departmental budgets, up to $5,000 per year, for the cost of courses, seminars, workshops, licensures, certifications, etc., that are pursued for the work-related development of the employee. The program does not reimburse for ancillary costs such as travel, hotel or meal expenses, insurance or activity fees, books etc. Some of these costs or fees may be reimbursable by an employee's department.

An employee interested in pursuing training opportunities should submit a brief written proposal, to his/her department chair, describing the training opportunity and related costs. Each proposal will be considered carefully, in terms of job-relatedness, and a prompt approval or denial will be provided.

Once approved for the Employee Training Scholarship an employee should charge the cost to an appropriate departmental account and forward to Human Resources the signed Works Transaction Summary cover sheet with the paid bill/invoice attached. The department will then be reimbursed.

IV. PERSONAL LEAVES

A. Family and Medical Leave (FMLA)

This policy statement is a summary of the Family and Medical Leave Act (FMLA) of 1993. The FMLA is specific in its scope of coverage and will be the determining factor in final interpretation of leave provisions. An employee should contact the Human Resources Office for information about specific situations.

To be eligible for FMLA leave, an employee must: (i) have been employed by the College for at least 12 months; (ii) have worked at least 1,250 hours during the 12-month period immediately preceding the first day of leave; and (iii) work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

FMLA leave is intended to run concurrently with the provisions of College sick leave policy, New York State Disability Insurance, Workers' Compensation Insurance, Long Term Disability Insurance, and/or accrued personal and vacation time. The provisions of this policy apply only to family and medical leave circumstances covered by the FMLA. The provisions for personal leave of absence under other existing College policy are not changed and cannot be substituted for the provisions covered by the FMLA.

To the extent allowed by law, an employee on an approved FMLA leave will be required to use all accrued, unused vacation, sick and personal days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay. During an approved FMLA leave, the employee will remain covered under the College's health insurance plans on the same conditions as coverage would have been provided had the employee not been on leave; provided the employee continues regular contributions. Upon requesting a leave, an employee will be advised of the procedures for making his or her health care premium contributions during the leave period. If the employee fails to return to active employment for at least 30 calendar days after an unpaid FMLA leave, the College may exercise its right to recover its share of health insurance premiums from the employee, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control. Other benefits (such as retirement, life insurance, and long-term disability) will be governed by the terms of each benefit plan.

An employee who returns from an approved FMLA leave will retain the same benefit status he or she held prior to going on leave. Use of FMLA leave will not result in the loss of any employment benefits that accrued prior to the start of an employee's FMLA leave (unless such accrued benefits, such as paid leave, were used during FMLA leave). All benefits that operate on an accrual basis (e.g., vacation, sick and personal days) will cease to accrue during any period of FMLA leave that is unpaid.

1. Leave Entitlement

The College will grant a leave ("FMLA leave") of up to a total of 12 workweeks during any 12-month period (as defined herein) to an eligible employee for:

a. The birth, adoption, or foster care placement of a child and to care for such a child;
b. The care of the employee's spouse, domestic partner, child or parent who has a serious health condition; and
c. The employee's own serious health condition that makes the employee unable to perform the functions of his or her position.

FMLA leave may also be taken for two types of Military Family Leave:

Qualifying Exigency Leave: Eligible employees with a spouse, domestic partner, son, daughter, or parent on "Covered Active Duty" may use their 12-week leave entitlement to address certain qualifying exigencies. "Covered Active Duty" means, in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; in the case of a member of a reserve component of the Armed Forces, "Covered Active Duty" means duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty. Qualifying exigencies may include short-notice deployment, military events and related activities, arranging for alternative childcare and certain other childcare and school activities, addressing certain financial and legal arrangements, attending certain counseling sessions, attending post-deployment activities, rest and recuperation, and other activities that the employee and the employer agree upon.

Military Caregiver Leave (also known as Covered Service member Leave): A special leave of up to 26 weeks during a "single 12-month period" for an eligible employee who is the spouse, domestic partner, child, parent, or next of kin of a Covered Service member to care for the Service member. "Covered Service member" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty. "Covered Service member" also means a veteran who is undergoing treatment for a serious illness or injury incurred in the line of active duty and who was a member of the Armed Forces, including the National Guard or Reserves, within the five years preceding the treatment. The "single 12-month period" for the purpose of this type

of leave begins on the first day the eligible employee takes FMLA leave to care for a Covered Service member and ends 12 months after that date.

The maximum amount of leave for any FMLA-qualifying reason that may be taken in any 12-month period is 26 weeks, provided that no more than 12 weeks of leave may be taken for any FMLA-qualifying reason other than Military Caregiver Leave.

For purposes of this policy, a "serious health condition" generally means an illness, injury, impairment, or physical or mental condition that involves either (1) an overnight stay in a medical care facility (i.e., hospital, hospice, or residential medical care facility), or (2) continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Medical leave for an employee's own serious health condition, a serious health condition of an employee's immediate family member, or for Military Caregiver Leave, may in some cases be taken on an intermittent or reduced schedule basis when medically necessary (as distinguished from voluntary treatments and procedures) and if it is determined that the employee's medical needs can best be accommodated through an intermittent or reduced leave schedule. Certification from an employee's health care provider of the medical necessity of intermittent leave or leave on a reduced schedule will be required. An employee needing intermittent FMLA leave or FMLA leave on a reduced schedule must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the College's operations. Qualifying Exigency Leave may also be taken on an intermittent basis. An employee may be assigned to an alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced leave schedule. FMLA leave for the birth or placement of a child for adoption or foster care with the employee may not usually be taken on an intermittent or reduced leave schedule basis.

For all FMLA leave other than Military Caregiver Leave an eligible employee may take up to 12 weeks of leave in any rolling 12-month period measured backward from the date an employee uses any such FMLA leave. This means that at any point in time, the amount of leave available for such FMLA leave is 12 weeks less the

amount of leave used during the preceding 12 months. For the purpose of the Military Caregiver leave, a "single 12-month period" is used, which is measured differently; as noted above; the "single 12-month period" for the purpose of this type of leave begins on the first day the eligible employee takes FMLA leave to care for a Covered Service member and ends 12 months after that date.

Military Caregiver Leave Limits: This leave is to be applied on a per-covered-Service member, per-injury basis such that an eligible employee may only take one 26 week period of leave for the same Service member with the same injury; however, an eligible employee may be entitled to take more than one period of 26 weeks of leave if the leave is to care for different Service members or to care for the same Service member with a subsequent serious injury or illness, except that no more than 26 workweeks of leave may be taken within any single 12-month period.

Special Limitations on Leaves: If the College employs both spouses and both spouses request leaves for the birth, adoption or foster care placement of a child, for the care of that child, or to care for a parent with a serious health condition, then the aggregate, combined leave for both employees for that purpose shall be limited to 12 weeks during any rolling 12-month period. FMLA leave for the birth, adoption or foster care placement of a child or for the care of that child must be completed within 12 months of the child's birth, adoption or foster care placement. If the College employs both spouses and one or both spouses take Military Caregiver Leave, they are limited to a combined total of up to 26 weeks of leave during the single 12-month period depending upon the type and length of leave taken.

An employee who has questions concerning qualification for leave under the FMLA is advised to consult with his/her immediate supervisor, department head, or Human Resources.

2. Job and Benefit Protection

Upon return to active work from an approved FMLA leave, to the extent required by law, most employees will be restored to his/her former position or, if his/her former position has been filled or is no longer available, to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

Medical, dental, vision, life, and long-term disability benefits will remain in effect during the leave on the same basis and premium sharing/payments as if not on leave. College contributions to the retirement plan will not be made during the leave period unless pay has continued under an approved paid leave category. Accrual of benefits or eligibility for benefits based upon time worked or length of employment will not continue during the unpaid leave.

Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

3. Procedure for Securing Leave

When the need for leave is foreseeable, an employee should submit a written leave request to his/her immediate supervisor and/or department head, a minimum of 30 days prior to or as soon as practical from the beginning date of the leave. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the College's normal call-in procedures. An employee must provide sufficient information for the College to determine the anticipated timing and duration of the leave and if the leave qualifies for FMLA protection. Circumstances qualifying for FMLA protection may include:

a. employee is unable to perform job functions,
b. family member is unable to perform daily activities,
c. the need for hospitalization or continuing treatment by a health care provider,
d. circumstances supporting the need for military leave.

An employee must inform the College if the requested leave is for a reason that FMLA leave was previously taken or certified.

Certification of Serious Health Condition: The College may condition its approval of a leave for purposes of personal or family illness or to care for a Service member on the employee's submission of a satisfactory medical certification from the employee's, family member's, or Service member's health care provider. The College will provide the employee with the certification form for this purpose, and it is the employee's responsibility to ensure that the health care provider submits a fully completed form to the College within 15 days. The College may, in its discretion and at its expense, require the employee to obtain second or third medical opinions from independent health care providers. The College may also require certification for Qualifying Exigency Leave. The employee must provide a complete and sufficient certification to the College; if the employee does not, the College will give the employee seven calendar days to cure any such deficiency. The College may also require an employee on leave to submit periodic recertifications throughout the leave, but generally will not do so more often than every 30 days unless there is a change in circumstances or other circumstances

warranting an earlier recertification. Failure to provide an appropriate certification or recertification, upon request, may result in the denial of leave.

Periodic Status Reports: The College may require an employee on leave to report periodically on the employee's status and intent to return to work.

Reinstatement from Leave and Fitness-for-Duty Certification: An employee who has complied with his or her obligations under this policy will be reinstated to the position he or she held prior to leave or to an equivalent position, unless business conditions resulted in the elimination of the employee's former position during the leave or the employee would not otherwise have continued to be employed had he or she continued in active employment. The College, however, may refuse to restore those employees considered to be "key," for purposes of the Family and Medical Leave Act, to their previous positions under certain circumstances. An employee who has taken a leave in excess of five days for his or her own serious health condition must submit a medical certification from his or her health care provider verifying that the employee is able to return to work and perform his or her regular job duties. Reinstatement may be delayed until a satisfactory medical certification has been provided. If the employee does not provide either a fitness-for-duty certification or a new medical certification for a serious health condition at the time FMLA leave for the employee's own serious health condition is concluded, the employee's employment may be terminated.

B. Adoptive Parent Leave

An adoptive parent who is the primary caregiver may apply for an adoptive parent leave consisting of one course off for one term (four credit hours) and release from service expectations for one term. The unpredictable timing of adoption can make it difficult to make course arrangements in advance. Depending on the adoption arrangements, the need to replace a faculty member before a course starts may not be certain. Knowing that an adoption is planned, department chairs should make plans for a substitute faculty member to be put into place if and when the adoption is finalized. Prospective adoptive parents should keep department chairs informed of plans. If a department chair has very little notice, it may not be possible to find an acceptable substitute, and the leave may be in question. The College has an obligation to make a good-faith effort to arrange for a substitute faculty member, and the adoptive parent has an obligation to make a good-faith effort to keep the College informed of the adoption plans.

C. Personal Leave of Absence without Pay

A faculty member may request a personal leave of absence without pay. Leaves may be renewed, though normally they do not exceed the equivalent of one academic year.

Requests for a personal leave or renewal of leave should be submitted to the department chair at the earliest possible time so that arrangements can be made to fulfill personnel needs. Requests should be forwarded by the department chair to the Dean of the Faculty's Office for approval.

A faculty member should arrange to continue Flex Plan coverage through Human Resources. Health care coverage may be continued provided the individual pays the full premium. The College does not make any contribution to the retirement plan while the leave is in progress. A faculty member who is going on unpaid leave, has children in college, and is receiving financial assistance from Union College towards tuition costs elsewhere should inform the Dean of the Faculty of his/her plans. A faculty member who decides not to return from an unpaid leave will be required to reimburse the College for any financial assistance toward tuition costs received from the College during the term of the leave.

Although the College recognizes the importance of such leaves, approval of such a requested leave of absence without pay is at the discretion of the Board of Trustees upon the recommendation of the President.

V. OTHER BENEFITS

A. Moving Expenses

New faculty members may receive financial assistance from the College in meeting expenses incurred by the move to this area. The amount of reimbursement is limited to one-half of the cost of a commercial move or the full cost of a self move, up to $4,000. Reimbursement does not include mileage, personal transportation, vehicle transportation, personal expenses, storage, warehouse costs, or secondary moves.

The College has entered into an agreement with certain agents that provide a discount for packing materials, packing, and the transportation of household goods. The negotiated discount is available to new hires and current employees.

B. Apartment Assistance

A limited number of College-owned apartments are available for rental in the College Park neighborhood. The apartments are unfurnished with year-to-year leases. For additional information contact Facilities Services (ext. 6181).

C. College Park Home Loan Assistance Program

The College Park Home Loan Assistance Program offers assistance to a regular full- time employee, with at least two years of service, who purchases a home in the College Park neighborhood. The College will provide a maximum of $5,000 in the form of a forgivable loan (at the rate of 20% per year) to pay for required contract deposits, appraisals, inspections and other related closing costs.

D. Survivor's Benefits

Should a faculty member die during the academic year (not on long term disability or retired), the family/estate will receive a pro rata portion of the faculty member's annual salary. The percent of salary to be paid will be dependent upon the percent of the assigned academic services completed at the time of death. In addition, as a widow's/widower's benefit, the College will provide to the surviving spouse of a deceased full-time faculty member a gift amounting to 1/10 of the faculty member's annual salary.

The surviving spouse/family is also eligible for lifetime continuation of enrolled insurance benefits. An employee who has met the tuition remission and scholarship program requirements and has at least ten consecutive years in the College's employ may have his/her surviving children participate in the tuition remission and scholarship program.

E. ERISA Rights

An employee is entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all participants in the College's benefit plan shall be entitled to:

— Examine, during normal working hours at Human Resources, all plan documents, master copies of insurance contracts, and copies of all documents required by the U.S. Department of Labor, such as detailed annual reports and plan descriptions.
— Obtain copies of all, or any of the above documents, at a reasonable cost.
— Receive, upon request, a summary of the plan's annual financial report.

ERISA imposes certain duties on administrators of the College's benefit plan, including the duty to administer the plan prudently in an employees' best interest. An employee shall not be retaliated against for exercising his/her rights under ERISA.

F. Continuation of Group Health Benefits

An employee and/or his/her dependents covered under the College health plan may be eligible for the continuation of those benefits at the time employment ends. The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) provides that an employee who loses group benefit coverage due to a "qualifying event" other than termination for "gross misconduct" is eligible to continue benefits at his/her own cost.

G. Recognition Programs

The College recognizes the contributions, accomplishments, and valued service of employees through special programs, in campus publications, and on the College website. College departments will often recognize an employee on special occasions and for excellence at work.

The Annual Recognition Program provides public recognition and demonstrates appreciation for an employee when he/she reaches ten years of service and at five-year milestones thereafter. The Annual Recognition Program is also a time when the College recognizes the contributions of retiring employees.

The Annual Quarter Century Club Dinner, held by the President, honors employees with 25 or more years of service.

U ARE A TREASURE is a program that recognizes and rewards special effort or exemplary performance by an employee. An employee can be nominated at any time by anyone who thinks the employee has done something "extra" in the course of his/her employment.

H. Discounts

Throughout the year, Human Resources offers numerous discount programs including Broadway show and New York City activity tickets, golf calendars, amusement park tickets, and vacation get-away information.

I. Hotel Discounts

While traveling for business or pleasure, first check out all internet rates, use any available discounts available (i.e., AAA), and check the corporate plans available to all employees of the College. The College currently has an arrangement through the Choice Hotels International program and the Cendant Brand Hotel program.

J. Computer Loans

The College seeks to encourage technology awareness by employees and their families. A full-time employee, after one year of service, may borrow the funds (up to $2,250) to purchase a laptop or desktop computer, printer and/or operating software from the College Bookstore or outside vendor. Loan repayment is done through payroll deduction over a maximum twenty four (24) month period. An employee is eligible for more than one computer loan in the course of employment, but any additional loan can only be granted following completion of the previous loan. Please contact Payroll, x. 6105, for an appointment.

K. Second Mortgage Program

This program was established and approved by the Board of Trustees in 1956. In accordance with the privacy provisions of the Gramm Leach Bliley Act, second mortgage loans are to be made available to full-time administrators and faculty members. Such loans are to be issued directly by the College to the employee for the purpose of purchasing homes in the Schenectady area.

How the program works:

- Employee signs note and mortgage to the College.
- The attorneys for the College handle all the paperwork with the employee.
- The legal fees incurred by the College are to be paid by the employee.

- The maximum loan amount available is $15,000 and the maximum repayment period is 15 years.
- The interest rate on loans granted by the College in this program will be based upon the net yield on Federal National Mortgage Association (Fannie Mae) fixed rate bonds with a 15 year maturity (or less as applicable) plus 1%. The interest rate is to be fixed on the third business day prior to closing.
- The College issues a check to the employee.
- The College collects monthly payments from the employee through automatic payroll deduction.
- The loan balance outstanding will be reviewed annually by the Finance Office. The current authorized total amount available for loans shall not exceed $250,000.

L. College Plot in Vale Cemetery

A faculty member, his/her spouse, domestic partner, and unmarried children have the privilege of interment in the College plot in Vale Cemetery without charge for the plot assigned. Provision for additional plots for other family members may be voted by the Board of Trustees in exceptional circumstances. The family is responsible for furnishing adequate markers and for the upkeep of the area assigned. A "perpetual care" plan may be purchased from the Vale Cemetery Association.

M. Credit Union

An employee and his/her family are eligible to become members of and use the services of the First New York Federal Credit Union and/or Capital Communications Federal Credit Union. Services available include free checking, savings accounts, VISA card, insurance, loan programs, and direct deposit of paychecks.