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## 100. INTRODUCTION

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### 101. WELCOME TO UNION COLLEGE

Welcome to Union College! Your contributions are highly valued and integral to the quality of our students' educational and personal experiences.

It is Union's vision to develop every student to lead with wisdom, empathy, and courage, in ways large and small, now and across multiple tomorrows. You have chosen to work at one of the finest colleges in the nation. Since 1795, Union has nurtured intellectual exploration and creative expression in a residential learning environment that values diversity, equity, inclusion, and belonging. In the face of evolving challenges and opportunities, we must build on and sustain our rich history and accomplishments through bold innovation and continuous improvement. Our [strategic plan](#) lays out how we will achieve these goals. ↑

### 102. USING THE EMPLOYEE HANDBOOK

This Employee Handbook is intended to be a convenient resource for policies, guidelines, and information to help you throughout your employment. These policies and guidelines may not anticipate or address all the possible situations and circumstances that may arise. For that reason, if you have questions about how a policy or guideline may apply, please ask your supervisor, department chair, or a Human Resources team member for clarification. Unless otherwise noted, references in this handbook to "employee" includes both faculty and staff members.

This handbook supersedes all previous employee, staff, and administrator handbooks and manuals. It does not supersede the [Faculty Manual](#). The policies, guidelines, and information described in the handbook may be added to, modified, or discontinued from time to time. Any such changes will in writing and put into effect with as much notice as possible. No verbal statements or representations can change its policies, guidelines, or information.

Some of the subjects described in this handbook are covered in more detail in other legal and official documents, including benefit plan documents, the [Faculty Manual](#), or in other referenced college policies. In these cases, this handbook may only provide introductory or general information, and you should refer to these other legal and official documents.

If you would like to have a printed version of this handbook, as well as any referenced college policies or benefit plan documents, please contact Human Resources. If you have feedback or suggestions about the handbook, please do not hesitate to share them with Human Resources. ↑

### 103. EMPLOYMENT AT-WILL

Union is an "at-will" employer in accordance with New York law, meaning the employment relationship may be terminated for any lawful reason, with or without cause, at any time by you or by the College. The policy of at-will employment may be superseded only by a written employment agreement or appointment letter signed by the President, the Vice President for Academic Affairs and Dean of the Faculty, Chief Human Resources Officer, or their designees. ↑

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## **200. DIVERSITY, EQUITY, AND INCLUSION**

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### **201. EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITIES**

The Union College mission calls on our community to provide “a rigorous, holistic, and immersive residential liberal education that emphasizes integration, innovation, inclusion, and reflection for every student.” To maintain an environment that is consistent with the mission and values of Union College, the College is committed to equality of education and employment opportunity, and strives to create a campus environment that is inclusive, values diversity, and treats students, faculty, and staff members on the basis of their individual performance and not on the basis of characteristics protected by federal, state, and local law.

Union College is committed to cultivating respect and understanding for all members of the Union College and broader communities, and welcome, include, and support a measurably more diverse college community. Union College does not discriminate on the basis of race (including traits historically associated with race), color, sex (including pregnancy), religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, familial status, sexual orientation, gender identity and expression, the status of being transgender, military and veteran status, genetic information, predisposition, and carrier status, status as a victim of domestic violence, reproductive health decision-making, known relationship or association with any member of a protected class, or any other protected category under applicable local, state, or federal law. Union also does not discriminate against applicants or employees based on arrest or conviction records. All such discrimination is unlawful and a violation of Union College policy.

In furtherance of its commitment to inclusion, the College works with employees to remove barriers to employment related to an individual’s disability, pregnancy-related condition, religion, or status as a victim of domestic violence. Prospective and current employees in need of a workplace accommodation should refer to Section 205 of this handbook, which covers accessibility and workplace accommodations. [↑](#)

### **202. PROHIBITED DISCRIMINATION, HARASSMENT, BIAS, AND RETALIATION IN EMPLOYMENT**

Discrimination, including harassment, bias, and retaliation, is a violation of a person’s rights, dignity, and integrity. An act of discrimination represents a fundamental failure by a community member to recognize and respect the intrinsic worth and dignity of another. Acts of discrimination, including harassment, bias, and retaliation, are harmful to our community as a whole and will not be tolerated at the College. Such acts corrupt the integrity of the educational process and the workplace and are contrary to the holistic and immersive philosophy upon which the College mission is built.

All members of the Union community should be free from discrimination, harassment, bias, and retaliation in the workplace. The College seeks to foster a climate free from discrimination, harassment, bias, and retaliation through a coordinated education and prevention program, clear and effective policies, and investigative and grievance procedures that are prompt, equitable, and accessible to all. In response to any alleged violation of this policy, the College will take all appropriate steps to eliminate the misconduct, prevent its recurrence, and address its effects.

Creating a safe campus environment is the responsibility of all members of the College community, both individually and collectively, and all members of the College community are expected to contribute to the prevention and elimination of discrimination, harassment, bias, and retaliation. In order to foster a climate that encourages reporting of discrimination, including harassment, bias, and retaliation, the College will actively educate the community, respond to allegations promptly, and provide support measures to address the safety, emotional well-being, and equal employment opportunities of the individuals involved. Employees responding to reports of discrimination, harassment, bias, and retaliation will act in a manner that recognizes the inherent dignity of the individuals involved.

Employees are expected to read and comply with the full [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#), which includes definitions of prohibited conduct, how to report conduct that potentially violates this policy, the College's investigation and resolution process, and other remedies. The full [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#) can be found at [union.edu/titleix](http://union.edu/titleix).

In order to achieve equitable results, the College will carefully review and, if deemed necessary, investigate reports and provide for fair and impartial evaluation and resolution in accordance with the [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#).

Union College will not tolerate retaliation of any kind against anyone who opposes a discriminatory practice, makes a good faith complaint about discrimination or harassment, or furnishes information or participates in any manner in an investigation of such a complaint. Retaliation includes any conduct, whether or not workplace or employment-related, directed at someone because they opposed a discriminatory practice, made a report of discrimination or harassment, or participated in such an investigation, which might deter a reasonable person from making or supporting a charge of discrimination or harassment. Retaliation is unlawful and will not be tolerated. Any individual who believes that they have been subject to retaliation should file a complaint using the procedure set forth in the [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#). ↑

## **203. GENDER EQUITY AND TITLE IX**

Union College is committed to creating a safe and inclusive campus culture in which bias, harassment, and violence have no place. Title IX of the federal Higher Education Amendment of 1972 (Title IX) prohibits discrimination on the basis of sex in any education program or activity receiving federal financial aid. Union's Title IX Policy governs all members of the Union College community and prohibits certain forms of sexual discrimination, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

Employees are expected to read and comply with the full [Title IX Policy](#), which includes definitions of prohibited conduct, how to report conduct that potentially violates this policy, the College's investigation and resolution process, and other remedies. The full [Title IX Policy](#) can be found at [union.edu/titleix](http://union.edu/titleix).

Employees should read the [Title IX Policy](#) together with the College's [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#) for a full description of the protections against sexual harassment extended to employees of Union. All reports of sexual harassment that are brought by or against an employee, whether reported under the [Title IX Policy](#) or the [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#) will be

reviewed by the Title IX Coordinator and the Chief Human Resources Officer to determine which policies and procedures apply to the alleged conduct. ↑

## **204. PROHIBITED DISCRIMINATION BASED ON REPRODUCTIVE HEALTH DECISIONS**

Union respects employees' and their dependents' right to make their own reproductive health care decisions and will not discriminate against any employee based on their or their dependent's reproductive health decisions.

The College maintains confidentiality of employees' protected health information and will not access an employee's or their dependent's personal information regarding their reproductive health decision-making, including but not limited to, the decision to use or access a particular drug, device, and/or medical service, without the employee's prior informed affirmative written consent.

Any employee who believes they have been discriminated or retaliated against on the basis of their or their dependent's reproductive health decision-making should immediately report it using the complaint procedure set forth in the [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#), which includes definitions of prohibited conduct, how to report conduct that potentially violates this policy, the College's investigation and resolution process, and other remedies. The full [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#) can be found at [union.edu/titleix](http://union.edu/titleix). Employees may also bring a civil action to enforce their right to be free from discrimination based on an employee's or their dependent's reproductive health decision-making. ↑

## **205. ACCESSIBILITY AND WORKPLACE ACCOMMODATIONS**

In furtherance of Union's commitment to equal employment opportunity for all, the College makes reasonable accommodations to ensure employees do not face unfair limitations in the workplace.

### **205.01. DISABILITIES AND PREGNANCY-RELATED CONDITIONS**

Union will work to reasonably accommodate qualified individuals with known disabilities or pregnancy-related conditions unless doing so would pose an undue hardship on the College. Any qualified applicant or employee with a disability or pregnancy-related condition who requires an accommodation in order to perform the essential functions of their job should contact the Chief Human Resources Officer or their designee and request an accommodation. Where there is a conflict of interest relating to the Chief Human Resources Officer, the Title IX Coordinator or their designee will make determinations relating to accommodation requests.

After receiving your request, the College will engage in an interactive process with you to determine the precise limitations of your disability or pregnancy-related condition and explore potential reasonable accommodations that could overcome those limitations. In order to properly carry-out this process, the College may request certain information from you to support your request for accommodation. This requested information may include the nature of your condition, your functional limitations, your need for accommodation, and the anticipated duration of your condition and need for accommodation. Failure to provide this requested information may result in a denial of your request for accommodation. The College encourages you to suggest specific reasonable accommodations that may allow you to perform the essential functions of your job.

However, the College may provide an alternative accommodation if the accommodation you request would pose an undue hardship on the College.

Union will not discriminate or retaliate against any employee for requesting an accommodation under this policy.

## **205.02. RELIGIOUS BELIEFS**

Union respects the religious beliefs and practices of its employees. If an employee's religious beliefs or practices conflict with an aspect of their job, the College will work with the employee to determine an accommodation that will eliminate the conflict without posing an undue hardship on the College. To request such an accommodation, contact the Chief Human Resources Officer or their designee. Where there is a conflict of interest relating to the Chief Human Resources Officer, the Title IX Coordinator or their designee will make determinations relating to accommodation requests.

## **205.03. VICTIMS OF DOMESTIC VIOLENCE, SEX OFFENSES, OR STALKING**

Union supports victims of domestic violence, sex offenses, and stalking and encourages any employee who is a victim of domestic violence, sex offenses, and/or stalking to seek help and support. To ensure an employee's job does not stand in the way of an employee's safety and wellbeing, the College will provide reasonable accommodations to victims of domestic violence, sex offenses, and/or stalking unless doing so would pose an undue hardship on the College.

Reasonable accommodations may include modifications or adjustments that allow an employee who is a victim of domestic violence, sex offenses, and/or stalking to satisfy the essential requirements of their job. Depending on the circumstances, accommodations may include time away from work for reasons such as:

- seeking medical attention for injuries caused by domestic violence, including for a child who is a victim of domestic violence (provided that the employee is not the perpetrator of the domestic violence against the child);
- obtaining services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence;
- obtaining psychological counseling related to an incident or incidents of domestic violence, including for a child who is a victim of domestic violence (provided that the employee is not the perpetrator of the domestic violence against the child);
- participating in safety planning and taking other actions to increase safety from future incidents of domestic violence, including temporary or permanent relocation; and/or
- obtaining legal services, assisting in the prosecution of the offense, and/or appearing in court in relation to the incident or incidents of domestic violence.

To request such an accommodation, contact the Chief Human Resources Officer or their designee. Where there is a conflict of interest relating to the Chief Human Resources Officer, the Title IX Coordinator or their designee will make determinations relating to accommodation requests. [↑](#)



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## 300. EMPLOYMENT, PAY, AND HOURS OF WORK

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### 301. EMPLOYMENT PAY STATUS AND CLASSIFICATION

Your **pay status** is either *hourly* (also referred to as *non-exempt*) or *salaried* (also referred to as *exempt*) in accordance with applicable federal and state laws. Your **employment classification** is either *regular* or *temporary*, and either *full-time* or *part-time*. These terms are defined below. You will receive notification of your pay status and employment classification at your time of hire, as well as when your pay status and/or employment classification may change as the result of a promotion, transfer into a new position, or for other reasons.

#### Pay Statuses:

- *Hourly* employees are eligible for overtime pay in accordance with federal and state laws.
- *Salaried* employees are compensated on a salary basis and are not eligible for overtime pay. Salaried employees are those working in positions that meet the federal and state requirements for overtime exemption.

#### Employment Classifications:

- *Regular full-time* employees are those who are normally scheduled to work and who do work a schedule of 30 or more hours per week and 1,000 hours or more per year. Regular full-time positions are eligible for Union benefits in accordance with the College's policies and the applicable benefit plans.
- *Regular part-time* employees are those who are scheduled to work and do work a minimum of 20 hours per week and 660 hours or more per year. Regular part-time employees may be eligible for certain Union benefits based on their hours of work.
- *Temporary* employees may be full- or part-time. Temporary employees serve in a position for a limited period based on the needs of the College and are generally eligible only for statutory benefits, including the College's contributions to Social Security and Medicare benefits. ↑

### 302. ANNIVERSARY DATE AND LENGTH OF SERVICE

A regular employee's date of hire is their anniversary date and this date is used to accumulate service for time worked and to establish eligibility for certain benefits. Employees retain their original date of hire as their anniversary date during approved leaves of absence and during breaks in service of six months or less. If there is a break in service of more than six months, the employee's date of rehire becomes their anniversary date and they lose their accumulated service from their previous Union employment.

If a temporary employee with a regular and recurring shift (not on-call) moves directly into a regular full- or part-time position without any break in Union service, their most recent date of hire as a temporary employee becomes their anniversary date. ↑

### 303. EMPLOYMENT RECORDS

Union's employee records are maintained by Human Resources in accordance with federal and state laws. Current employees may contact Human Resources to review these records.

### **303.01. UPDATING YOUR PERSONAL INFORMATION**

Employees should promptly notify Human Resources of changes to their personal information, including name, address(es), telephone number(s), marital status and dependents (for benefits coverage purposes), beneficiaries for certain life insurance and retirement accounts, persons to notify in case of an emergency, and any other personal information the College may need for employment and benefits purposes. Human Resources will then notify other college offices and benefits providers and administrators of the change to your personal information. Employees can update their tax withholdings in the College’s payroll system or by contacting the Payroll Office.

Unless an employee requests otherwise, Union will publish employee contact information in its online directories. If you do not want any of your contact information to be published in these directories, please make your request to Human Resources by email or in writing.

### **303.02. PERSONAL INFORMATION PROTECTIONS AND RESPONSIBILITIES**

To protect employees from the fraudulent use of their personal information (identity theft), the College prohibits the following:

- posting or displaying of an employee’s Social Security number (SSN), including any number derived from this number (e.g., the last four digits of the SSN);
- filing of documents (including those filed with state agencies or state courts) that are available for public inspection that contain SSNs;
- visible printing of SSNs on any identification badge or card (including a time card);
- placing of SSNs in files with open access;
- communication of an employee’s “personal identifying information” (i.e., SSN, home address, home telephone number, personal email address, internet identification name or password, last name prior to marriage, and/or driver’s license) to the general public;
- encoding or embedding SSNs in or on a card or document, such as through the use of a bar code, chip or magnetic strip, in lieu of removing the SSN;
- requiring an employee to transmit their SSN over the internet unless the connection is secure or the SSN itself is encrypted; and
- requiring an employee’s SSN for authentication purposes when accessing online services.

A knowing violation of these prohibitions carries with it a civil penalty of up to \$500 and will result in appropriate disciplinary action. Victims of identity theft may receive information and assistance from the [New York Consumer Protection Board](#). ↑

## **304. PAY AND HOURS OF WORK**

### **304.01. WORKWEEK AND PAY PERIODS**

The workweek is defined as seven consecutive 24-hour periods, following the designated beginning of the workweek, which is 12:00 a.m. Eastern time, Saturday, to 11:59 p.m. Eastern time, Friday, for all employees, except in special cases when an alternative workweek has been defined. Employees working in positions with an alternative workweek will be notified in writing.

**Hourly employees** are paid biweekly on every other Friday and are therefore paid 26 times in a 12-month period. However, if the scheduled pay date falls on a banking holiday, hourly employees are paid on the preceding banking day. Refer to the College's [payroll calendar](#).

**Salaried employees** are paid on a semi-monthly basis and are therefore paid 24 times in a 12-month period. Semi-monthly pay periods will be the 1st through 15th and the 16th through the last day of the month. Paydays are normally the 1st and the 15th of the month. However, if the scheduled pay date falls on a weekend or on a banking holiday, salaried employees are paid on the preceding banking day. Refer to the College's [payroll calendar](#).

### **304.02. TIMEKEEPING**

Union is required to maintain accurate records of time worked for all hourly employees. Time worked includes all time an employee is requested or required to perform work for the College. Hourly employees must accurately record their actual time worked for payroll and benefit purposes in the College's timekeeping system, including the time they start working, any breaks lasting more than 20 minutes, and the time they finish work for the day.

Altering, falsifying, or tampering with time records, or recording time on another employee's time record is prohibited by this policy. Approval of your time records at the end of the payroll period constitutes your certification as to the accuracy of all time recorded. Any error in your time record, including unrecorded or mis-recorded work hours, or interrupted meal periods, should be reported immediately to your supervisor or to the Payroll Office.

### **304.03. PAYCHECK DEDUCTIONS**

Union is required by law to take certain deductions from your paycheck each time one is prepared. Among these required deductions are federal, state, and/or local income taxes and your contributions to Social Security and Medicare. In addition, eligible employees authorize deductions from their paychecks to cover the cost of voluntary participation in the College's insurance plans and/or other employee benefit plans. The College may make other paycheck deductions that are required by applicable law, by court order for wage garnishments, for your benefit, for the recovery of overpayments due to clerical or mathematical errors, and for repayment of advances. Any such deductions will be in accordance with applicable law and regulations.

#### **Safe Harbor Policy for Salaried Employees (Improper Deductions from your Paycheck):**

Union is committed to providing accurate compensation to all employees and complying with all applicable federal and state wage and hour laws. The College is also committed to complying with the salary basis requirements of the Fair Labor Standards Act for salaried employees and protecting employees against improper salary deductions.

Union prohibits supervisors from making any improper deductions from the salaries of salaried employees. To ensure you are paid properly for all time worked and that no improper deductions are made, you should review your paychecks to make sure they are correct. If you believe an improper deduction has been made or have any questions, please contact the Payroll Office.

### **304.04. WORK HOURS**

Department leadership sets service and operating hours, which may vary across departments.

### **304.05. MEAL PERIODS**

In accordance with New York law, employees scheduled for more than six hours in a workday must have an uninterrupted meal period of at least 30 minutes in the middle of the workday at a mutually agreeable time. An employee who begins work before 11:00 a.m. and continues later than 7:00 p.m. will be allowed an additional meal period of at least 20 minutes between 5:00 p.m. and 7:00 p.m.

Hourly employees must sign-in and sign-out for their meal periods, and these periods are unpaid unless interrupted by work, in which case employees must record and will be paid for any work performed during their meal period. Except in limited and pre-approved circumstances, employees may not defer their meal period to the end of their shift so they can leave work before their normal shift ending time.

### **304.06. OVERTIME PAY**

Hourly employees who work more than 40 hours in a workweek will receive overtime pay (time and a half) in accordance with federal and state laws. Hours worked does not include paid time away or unpaid leaves of absence. If eligible to receive shift differential pay, shift differential pay rates are included when calculating overtime pay rates. Refer to [304.08. SHIFT DIFFERENTIAL PAY](#).

Working more than 40 hours in a workweek requires prior supervisor approval, except when the need to work more than 40 hours in a workweek is due to extenuating and unanticipated circumstances. In these extenuating and unanticipated circumstances, employees must notify their supervisor of these excess hours worked as soon as they are able to do so.

### **304.07. ON-CALL ASSIGNMENTS**

To maintain continuous operations as a residential institution, some positions and staff members may be assigned to be on-call to work in addition to a staff member's regular shift. Staff members assigned to be on-call will be notified by their supervisor with as much advance notice as possible. On-call assignments may be intermittent or on a regularly scheduled basis.

Staff members assigned to be on-call are not required to remain on campus or to otherwise restrict their activities while on-call. However, given the possibility of having to work while on-call, staff members assigned to be on-call must remain free of the influence of alcohol or drugs in accordance with the College's Alcohol and Drug-Free Workplace Policy (refer to [606. ALCOHOL AND DRUG-FREE WORKPLACE POLICY](#))

Staff members assigned to be on-call must remain available by phone call or text message while away from campus and must respond to being called within 10 minutes. If a staff member is requested to work, they must start work within one hour of the request being made, unless authorized to start work at a later time. To prevent any misunderstanding about the requested time to start work, the start time should be confirmed in a text message or in an email. Failure to respond to the College's call or text message or to start work as requested is a violation of this policy.

Hourly staff members assigned to be on-call receive a per day rate set by the College regardless of whether they actually work while on-call. The College may also set a premium rate for college holidays or for other specific situations. Time while on-call and not working does not count as hours worked for the purpose of calculating overtime.

If an hourly staff member works while on-call, the staff member is paid for their hours worked at time and a half and for a minimum of four hours for the first call to work. If called to work again in a 24-hour period, the staff member is paid for their hours worked at time and a half and for a minimum of one hour. The time commuting to and from campus is not counted as hours worked.

### **304.08. SHIFT DIFFERENTIAL PAY**

Union provides shift differential pay to regular full-time, hourly staff members in certain positions who work in the evening (second shift) or overnight (third shift). Staff members who are eligible for shift differential pay will be notified in writing of their eligibility and the current shift differential pay rates, which the College may change from time to time. This written notification will also indicate whether or not a staff member's holiday and time-away pay rates include the shift differential rate, which is based on how often the staff member may work shifts that qualify for shift differential pay.

The College defines the second and third shifts as follows:

- **Second-Shift:** Scheduled to start work between 3:00 p.m. and 11:00 p.m., and works for six or more hours; or scheduled to start work before 3:00 p.m. and works for four or more hours after 3:00 p.m.
- **Third-Shift:** Scheduled to start work between 11:00 p.m. and 4:00 a.m., and works for six or more hours; or scheduled to start work before 11:00 p.m. and works for four or more hours after 11:00 p.m.

If a staff member is assigned to start work before their scheduled shift that qualifies for shift differential pay, the shift differential pay rate applies to all hours worked. Shift differential pay rates are included when calculating overtime pay rates. Refer to [304.06. OVERTIME PAY](#).

### **304.09. HOURLY STAFF MEMBER TRAVEL**

[Federal regulations](#) pertaining to travel pay for hourly staff members can be complicated, particularly for overnight travel. Accordingly, supervisors of hourly staff members must consult with the Payroll Office and/or Human Resources before they travel for work purposes.

### **304.10. BREAKS FOR EXPRESSING BREAST MILK**

Employees are entitled to take reasonable paid breaks for expressing breast milk. You are expected to provide your supervisor or Human Resources with enough notice so the College can provide a private space for expressing breast milk. You are eligible for these breaks for up to three years following the birth of a child. These breaks should generally be 20 to 30 minutes in duration and may occur every three hours. If you require a different break schedule, please notify your supervisor who will work with you to accommodate your needs.

Union will not discriminate or retaliate against employees who choose to express breast milk in accordance with this policy.

### **304.11. DAYLIGHT SAVING TIME**

When daylight saving time begins in the spring, hourly staff members who are working when the time moves forward may lose an hour of time worked. To account for this lost hour of work time,

affected staff members will receive instructions for completing their time report so they receive their normal full pay for this shift.

When daylight saving time ends in the fall, hourly staff members who are working when the time moves back may work an additional hour so their shift ends at the normally scheduled time. Affected staff members must report this additional hour of time worked. Supervisors may adjust work schedules for this workweek so those affected do not accrue overtime pay. ↑

## **305. TEMPORARY FURLOUGHS BETWEEN ACADEMIC TERMS**

Certain positions at the College have work scheduled only when classes are in session and students are on campus. Staff members in these positions may be temporarily furloughed and recalled when students return and classes resume. Affected staff members are encouraged to contact Human Resources about temporary positions that may be available between academic terms.

### **305.01. HEALTH COVERAGE WHILE FURLOUGHED**

A staff member who is temporarily furloughed may continue their Union health coverage. If a staff member uses their paid time away during a furlough, their health coverage contributions will continue to be deducted from their paycheck. Staff members on unpaid furlough must work with Human Resources to arrange payment of their health coverage contributions to maintain their Union health coverage.

### **305.02. UNEMPLOYMENT BENEFITS WHILE FURLOUGHED**

In accordance with New York State unemployment regulations, employees of an educational institution, with reasonable assurance of resuming work for the next academic term, are generally not eligible for unemployment benefits. If you have questions and/or believe you may be eligible for unemployment benefits, please contact the New York State Department of Labor.

If you reside in a state other than New York, please check with your state's unemployment benefits agency to determine if you are eligible for unemployment benefits. ↑

## **306. INCLEMENT WEATHER AND EMERGENCIES**

To maintain essential campus operations and services, Union generally does not completely shut down due to inclement weather or other government-declared emergencies.

Staff members who do not believe it is safe for them to come to campus or who choose to leave campus before travel becomes unsafe must make arrangements with their supervisor to minimize operational and service disruptions.

When a government-declared weather warning or emergency is in effect and to prevent hourly staff members from feeling pressured to make incautious decisions, they will receive full shift pay for up to one hour of missed work time if they arrive late to campus. Supervisors may also approve other accommodations due to poor road conditions, public transportation delays, school closures, power outages, or other related reasons. These accommodations may include working from home, arrangements to make-up missed time, or other similar accommodations.

### **306.01. ABSENCE DUE TO INCLEMENT WEATHER OR EMERGENCIES**

Regular staff members must use vacation/person leave (refer to [402. VACATION/PERSONAL LEAVE](#)) to cover absences due to inclement weather or other emergencies.

### **306.02. EMERGENCY CLOSURE OR CURTAILMENT OF CAMPUS OPERATIONS**

If deemed necessary, the President, the Vice President for Administration and Finance, or their designee may close or curtail campus operations due to a government-declared or other emergency. An announcement to close or curtail operations will be posted on the College's website homepage, emailed to students and employees, texted to mobile phones (if students and employees have provided their mobile phone numbers to the College), and posted on the Times Union's [school closing website](#).

Specific plans and guidelines for maintaining essential campus operations and services (including any special pay and benefits for essential staff members), working remotely, paying those who are not working, resuming normal operations and services, and other concerns will be determined and announced by college and department leaders based on the particular circumstances of the closure or curtailment of operations. ↑

## **307. FLEXIBLE WORK ARRANGEMENTS**

Union generally relies on its staff members to engage with and support students, faculty, fellow staff colleagues, alumni, guests, and others on campus to effectively and efficiently provide an outstanding residential experience and deliver excellent services. At the same time, the College wants its staff members to achieve and sustain harmony among their personal and work responsibilities. Accordingly, staff members may request arrangements that enable them to work remotely away from campus or differently from their department's normal service hours.

### **307.01. REQUESTING AND EVALUATING A FLEXIBLE WORK ARRANGEMENT**

Staff members seeking a flexible work arrangement must discuss their interest in such an arrangement with their supervisor and with sufficient notice, so their supervisor has adequate time to evaluate their request. Human Resources is available as a resource for both staff members and supervisors throughout the flexible work arrangement request and evaluation process.

Flexible work arrangements may include:

- **Short-Term Arrangements:** These are reasonably brief, non-recurring arrangements to work remotely away from campus or differently from a department's normal service hours. Short-term arrangements generally start and end within one to six weeks.

Reasons for such an arrangement may include: (a) coordination with family or other personal commitments (e.g., a sick family member or pet, home repairs and deliveries, personal appointments, etc.); (b) completing work assignments that require focus and concentration; (c) temporary inaccessibility to campus workspaces due to construction, maintenance, service outages, or special events; (d) working partially or fully away from campus between academic terms for those in student-facing, academic affairs, or other roles that are not conducive to flexible work arrangements during academic terms; or (e) other reasons.

You and your supervisor may agree on a short-term arrangement without further review or approval as long as:

1. You have coordinated in advance with your fellow team members to ensure on-campus work is covered, especially in student-facing and in other departments where in-person accessibility is expected;
2. You are accessible and responsive to those who may want to connect with you, including to those outside of your department and particularly for emergencies and other time-sensitive matters;
3. Your absence from campus does not result in others doing work you would normally do; and
4. You and your supervisor understand that circumstances may change and a previously agreed upon arrangement may need to be adjusted.

Although short-term arrangements do not typically require approval by your area's vice president or consultation with the Chief Human Resources Officer, your supervisor may from time to time seek such approval or consultation to ensure these arrangements are being agreed to appropriately, consistently, and equitably.

- **Ongoing Arrangements:** These are longer term and/or recurring arrangements to work remotely away from campus or differently from a department's normal service hours. Ongoing arrangements are generally in place for more than six weeks and must be made in writing using the *Flexible Work Arrangement Request Form*. Ongoing arrangements to work remotely also require a completed *Remote Work Agreement*. These request forms will be evaluated on a case-by-case basis and will take into account the following factors:
  1. Are the staff member's job responsibilities capable of being performed effectively and efficiently under the proposed arrangement?
  2. Will the proposed arrangement allow the department to maintain adequate on-campus staffing levels during the department's normal service hours?
  3. What is the impact, if any, of the proposed arrangement on those who depend upon the staff member's services (e.g., students, faculty, colleagues, and/or others)?
  4. How will the staff member participate in meetings and other group activities?
  5. Will the proposed arrangement have any impact on the staff member's current benefits, pay, or any other aspect of their employment?
  6. If working away from campus, does the staff member have suitable communication connectivity at their remote location?

To ensure consistency and equity within and across departments, the evaluation of these requests is at the discretion of the staff member's supervisor and their area's vice president in consultation with the Chief Human Resources Officer or their designee. Approved ongoing arrangements must describe in writing the terms of the arrangement, including when the arrangement may be formally reviewed.

- **Emergency Arrangements:** In the event of an emergency, such as a weather disaster, pandemic, or other exigent circumstances, the College may allow or require staff members to work remotely away from campus or differently from their department's normal service hours. When such an arrangement is required, staff members will be notified by their supervisor, department leadership, and/or the College.



## **307.02. FLEXIBLE WORK ARRANGEMENT GUIDELINES**

Like all other staff members, those with a flexible work arrangement must maintain satisfactory job performance, including, among other requirements, continuing to work assigned work hours; responding to all work-related calls, emails, and other messages on a timely basis; completing all work assigned on a timely basis; and complying with all college policies.

The College may approve, modify, or deny a flexible work arrangement at any time based on student, service, operational, or other needs, providing when possible reasonable advance notice to affected staff members. ↗

## **308. ENDING EMPLOYMENT**

These guidelines for ending employment apply to staff members. Faculty members should refer to the [Faculty Manual](#).

### **308.01. RESIGNATION OF EMPLOYMENT**

If you wish to resign your employment with the College, you must provide written notification to your supervisor and Human Resources and indicate the last day you intend to work. Your last day of employment must be an actual working day and not a day off.

Although not required, advance notice of your resignation may provide valuable time for your department to prepare for your departure. In addition, if you provide at least 10 working days of notice, the College will pay out to you in your final paycheck the value of your accrued and unused vacation. Refer to [402.05. VACATION PAY-OUTS](#).

Your supervisor and/or Human Resources will work with you to prepare for your departure, including the return of any college property, settlement of any outstanding business expenses, and any other items. Human Resources will inform you of your benefits coverage continuation rights and invite you to complete a voluntary exit conversation and an exit survey.

### **308.02. INVOLUNTARY TERMINATIONS OF EMPLOYMENT**

When Union employment ends involuntarily due to unsatisfactory performance, misconduct, layoff, or other reasons, the College will provide notice of termination and benefits coverage continuation rights, and issue final pay in accordance with applicable federal and state laws.

### **308.03. TERMINATION OF EMAIL ACCESS**

Staff members' access to their Union College email account ends on their last day of employment. Staff members who are eligible to retire may make arrangements with Information Technology Services (ITS) to set up an "away message" on their college email account for up to six months following their retirement date that indicates that they have retired and, if desired, their personal email address. If a retiree does not have a personal email account, ITS can assist them with creating an account. ↗

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## 400. TIME AWAY FROM WORK

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Union provides several time away from work benefits, which are summarized in the table below and explained in more detail in this section. Personal and professional leaves available specifically for faculty members are covered in the [Faculty Manual](#).

<b>PAID TIME AWAY</b>	<b>FOR ELIGIBLE STAFF MEMBERS</b>
	<i>Entitlements may be prorated for part-time staff members</i>
<a href="#">401. Holidays and Recesses</a>	15 days per year
<a href="#">402. Vacation/Personal Leave</a>	20 days per year <i>Hourly staff members who started before 2014 also receive 1 to 3 days of <a href="#">supplemental paid leave</a></i>
<a href="#">403. Sick Leave</a>	10 days per year (56 hours for temporary and student employees)
<a href="#">404. Bereavement/Trauma Leave</a>	1 to 5 days per occurrence
<a href="#">405. New York Paid Family Leave</a>	Partial wage replacement for up to 12 weeks
	<b>FOR ELIGIBLE FACULTY AND STAFF MEMBERS</b>
<a href="#">406. Short-Term Disability</a>	Up to 26 weeks, depending on length of service
<a href="#">407. Jury Duty/Witness Leave</a>	Full pay while serving or appearing
<a href="#">408. Voting Leave</a>	Up to 2 hours per election
<a href="#">409. Emergency Responder Leave</a>	Full pay during an emergency
	<b>UNPAID TIME AWAY</b>
<a href="#">410. Family/Medical Leave</a>	Up to 12 or 26 weeks, depending on the reason for leave
<a href="#">411. Military Leave</a>	Pay and benefits for up to 1 year; reinstatement for up to 5 years
<a href="#">412. Blood Donation Leave</a>	Up to 3 hours in any 12-month period

Certain time-away benefits must or can be used concurrently or consecutively. For example, employees who are on short-term disability may also be eligible for concurrent job-protected leave in accordance with the Family and Medical Leave Act (“FMLA leave”). Human Resources can answer questions about and will assist you in the coordination of your time-away benefits. ↑

### 401. HOLIDAYS AND RECESSES

College holidays and recesses are those days when most offices are closed, except for those offices that must remain fully or partially open to maintain essential operations and services. Winter recess is normally four days designated by the College between Christmas Day and New Year’s Day. Summer recess is normally two days around Independence Day. The College posts its annual holiday and recess calendar on the Human Resources website.

#### 401.01. ELIGIBILITY FOR HOLIDAY/RECESS PAY

Regular staff members who are not on leave (except vacation/personal leave), hiatus, or furlough are eligible for holiday/recess pay. Refer to [401.02 COORDINATION WITH LEAVE BENEFITS](#). Holiday/recess pay is paid at a staff member’s normal rate of pay for their regular hours of work. For those staff members who receive shift differential pay, holiday/recess day pay may include their shift differential pay rate. Refer to [304.08. SHIFT DIFFERENTIAL PAY](#). Staff members receive an alternative day off when a college holiday or recess day occurs on a day when the staff member is not scheduled to work. Refer to [401.03. ALTERNATIVE DAYS OFF](#).

If you resign your employment with the College, your last day of employment cannot be a college holiday or recess day. Refer [308.01 RESIGNATION OF EMPLOYMENT](#).

#### **401.02. COORDINATION WITH LEAVE BENEFITS**

Staff members are not eligible for holiday/recess pay when away from work using paid or unpaid leave, except for vacation/personal leave (VPL). If a college holiday or recess day occurs during approved VPL, this day will be paid as a college holiday or recess day and not as VPL.

#### **401.03. ALTERNATIVE DAYS OFF**

Hourly and salaried staff members receive alternative days off (ADOs) in lieu of college holidays or recess days in these circumstances:

1. **When a college holiday or recess day occurs on a day when a staff member is not normally scheduled to work.** For example, if you normally do not work on Mondays, and a college holiday or recess day occurs on a Monday, you will receive an ADO.
2. **When a staff member is *required* to work on a college holiday or recess day.** In addition, hourly staff members who are required to work on a college holiday will be paid at time and a half for the time they work. Refer to [401.04. WORKING ON A COLLEGE HOLIDAY](#). If a staff member *chooses* to work on a holiday or recess day, they are not eligible for an ADO.
3. **When a staff member is *required* to work on an *actual* holiday that falls on a Saturday or Sunday, and they are also not scheduled to work on the related college holiday observed on Friday or Monday.** For example, if you are required to work on Sunday, January 1 (New Year's Day), and you are also not scheduled to work on Monday, January 2, the observed New Year's Day college holiday, you will receive an ADO. If a staff member *chooses* to work on an actual holiday, they are not eligible for an ADO. A staff member who is required to work on *both* an actual holiday that falls on a Saturday or Sunday *and* the related college holiday observed on a Friday or Monday will receive only one ADO; they will not receive two ADOs.

Earned ADO hours are tracked in the College's timekeeping system and do not expire, meaning they are available to use until the end of employment. Supervisors are expected to work with their team members to plan when ADO hours will be used. At the end of employment, any unused ADO hours are forfeited and not paid out.

#### **401.04. WORKING ON A COLLEGE HOLIDAY**

Hourly staff members who are *required* to work on a college holiday are paid at time and a half for the time they work. They may also receive an alternative day off. Refer to [401.03. ALTERNATIVE DAYS OFF](#). If a staff member *chooses* to work on a college holiday, they are not eligible for time and a half pay. Staff members who are required or choose to work on a recess day are paid their normal rate of pay.

Although college holidays are scheduled on weekdays, when the actual holiday being observed by the College on a Friday or Monday falls on a Saturday or Sunday, hourly staff members are paid at time and a half for any time they are *required* to work on the *actual* holiday. For example, if New Year's Day falls on a Sunday, and Monday, January 2, is the observed New Year's Day college holiday, you will receive time and a half pay for any time you are required to work on Sunday, January 1. If you are also *required* to work on the observed college holiday, you will

receive time and a half pay for any time worked on both the actual holiday and the college holiday. If a staff member *chooses* to work on an actual holiday or a college holiday, they are not eligible for time and a half pay. ↑

## 402. VACATION/PERSONAL LEAVE

Union provides paid vacation/personal leave (VPL) to regular staff members for rest, rejuvenation, and renewal, and for other personal reasons. Personal reasons may include home repairs and maintenance work, vehicle repairs and maintenance work, legal and financial planning appointments, home appliance and furnishing purchases and deliveries/installations, home selling and buying appointments and closings, government agency appointments, school conferences and events, college campus tours, veterinary services, inclement weather, home utility outages, volunteering for charitable organizations, or other personal matters. VPL may also be used concurrently with other leave benefits. Refer to the table at the [beginning of this section](#) for a list of other leave benefits the College provides.

### 402.01. ELIGIBILITY FOR VACATION/PERSONAL LEAVE

Regular staff members who are not on unpaid leave of absence, hiatus, or furlough are eligible to accrue VPL. When VPL is used, it is paid at a staff member's normal rate of pay for their regular hours of work. For those staff members who receive shift differential pay, VPL may be paid at their shift differential pay rate. Refer to [304.08. SHIFT DIFFERENTIAL PAY](#).

Regular hourly staff members who started before 2014 are also eligible for supplemental paid leave (SPL). Refer to [402.06. SUPPLEMENTAL PAID LEAVE](#).

### 402.02. ACCRUING VACATION/PERSONAL LEAVE

Staff members begin accruing VPL when they start employment or – if they start employment and are previously ineligible for VPL – when they become eligible for VPL. VPL accrues on a continuous basis and does not reset on a calendar-year basis or at any other time. However, accrual of VPL stops if the maximum VPL balance is reached. Refer to [402.03 MAXIMUM BALANCE OF VACATION/PERSONAL LEAVE](#).

**Hourly staff members** who are budgeted to work 40 hours per week accrue 6.15 hours of VPL each biweekly pay period, or 160 hours (20 days) over 26 pay periods. Hourly staff members who work less than 40 hours per week accrue VPL on a prorated basis.

**Salaried staff members** who have a full-time equivalency of 100 percent accrue 6.67 hours of VPL each semimonthly pay period, or 160 hours (20 days) over 24 pay periods. Staff members who have a full-time equivalency of less than 100 percent accrue VPL on a prorated basis.

Staff members must be employed and being paid (i.e., not on an unpaid leave of absence, hiatus, furlough, or other inactive status) to accrue VPL. If a staff member is not being paid for an entire pay period, their accrual of VPL for that pay period is prorated.

### 402.03. MAXIMUM BALANCE OF VACATION/PERSONAL LEAVE

The maximum VPL balance for full-time staff members is 160 hours. This maximum VPL balance is prorated for hourly staff members who work less than 40 hours per week or 12 months per year, and for salaried staff members who have a full-time equivalency of less than 100 percent.

If you reach your maximum VPL balance, VPL stops accruing and does not resume until you use your VPL. You should work with your supervisor to schedule your time away to avoid reaching your maximum VPL balance.

If unforeseen circumstances arise that make it difficult to avoid reaching your maximum VPL balance, you and your supervisor should promptly consult with your department leadership and Human Resources to consider other appropriate arrangements.

#### **402.04. USING VACATION/PERSONAL LEAVE**

Staff members may use their accrued VPL by submitting a request in the College's timekeeping system for approval by their supervisor. Since salaried staff members can often fit personal appointments into a typical workday, it is expected that salaried staff members only need to use VPL for personal reasons when they are unable to work for the entire workday.

You must submit your VPL request with enough notice so you and your supervisor can adequately prepare for your absence. Without enough notice, your supervisor may deny your request. To prevent operational and service disruptions at peak times, your department may designate certain periods during the year when using VPL is discouraged. Although unusual, your supervisor or your department leadership may rescind a previously approved VPL request due to extenuating circumstances, such as unexpected staffing needs, to meet a deadline, or for other essential operational or service reasons.

Staff members are permitted to "borrow" VPL, that is, staff members may use more VPL than they have accrued, up to 50 percent of the VPL they will accrue in a 12-month period. This means full-time staff members may borrow up to 80 hours of VPL. This borrowing limit is prorated for hourly staff members who work less than 40 hours per week or 12 months per year, and for salaried staff members who have a full-time equivalency of less than 100 percent.

#### **402.05. VACATION PAY OUTS**

Staff members who provide at least 10 working days of written notice of resignation will receive in their final paycheck the value of their unused VPL at the end of their employment. If you do not provide 10 working days of notice, you will forfeit the full balance of your accrued VPL and receive no pay out. In extenuating circumstances, this notice requirement may be waived by your area's vice president or the President in consultation with Human Resources.

VPL is paid out to staff members who end employment when they are unable to return to work following a leave of absence, due to elimination of their position, or for other reasons outside of a staff member's control.

Staff members who end employment due to unsatisfactory job performance, misconduct, or other for-cause reason will forfeit the full balance of accrued VPL and will receive no pay out.

If your employment status or normal work schedule changes, and you are no longer eligible for VPL, the College will pay out to you in the paycheck following your change in status or work schedule the value of your accrued VPL.

Staff members hired into positions for a fixed term of service are not eligible for a VPL pay out when they end their employment. These staff members are expected to use all their VPL before their employment with the College ends.

## **402.06. SUPPLEMENTAL PAID LEAVE**

Regular hourly staff members whose anniversary date is before January 1, 2014, are eligible for supplemental paid leave (SPL). (Refer to [302. ANNIVERSARY DATE AND LENGTH OF SERVICE](#).) Eligible staff members receive the following amount of SPL at the beginning of each calendar year based on the years of service they will have completed by the end of that calendar year, subject to prorating for staff members who work less than 40 hours per week or 12 months of the year:

- 12 to 14 years of service: 8 hours (1 day)
- 15 to 18 years of service: 16 hours (2 days)
- More than 18 years of service: 24 hours (3 days)

Staff members may use SPL by submitting a request in the College’s timekeeping system for approval by their supervisor. Since SPL hours do not count toward the maximum VPL balance, VPL should generally be used before using SPL. You must submit your SPL request with enough notice so you and your supervisor can adequately prepare for your absence. Without enough notice, your supervisor may deny your request.

To prevent operational and service disruptions at peak times, your department may designate certain periods during the year when using SPL is discouraged. Although unusual, your supervisor or your department leadership may rescind a previously approved SPL request due to extenuating circumstances, such as unexpected staffing needs, to meet a deadline, or for other essential operational or service reasons.

Earned SPL hours do not expire, meaning they are available to use until the end of employment. At the end of employment, any unused SPL is forfeited and not paid out. ↑

## **403. SICK LEAVE**

Union provides paid sick leave from work due to illness or injury, to care for an ill family member, and for personal and family safety reasons. The College provides sick leave to its employees in accordance with the New York State Paid Sick Leave Law. The coordination of legally required and college benefits can be complicated, particularly when using leave due to disability or for family reasons. Human Resources is available to explain the details and to help you through the leave process.

Union will not discriminate or retaliate against employees who request or use sick leave in accordance with this policy.

### **403.01. REASONS FOR USING SICK LEAVE**

Employees may use sick leave for their own or their family member’s mental or physical illness, injury, or health condition, including preventative care, routine provider visits, diagnosis appointments, medical procedures, treatment, and/or recovery. For the purposes of this policy, “family member” includes an employee’s child, spouse, domestic partner, parent, sibling, grandparent, or grandchild, or the child or parent of an employee’s spouse or domestic partner.

If you are absent due to your own health condition for more than seven consecutive days, you may be eligible for short-term disability benefits. [Refer to 406. SHORT-TERM DISABILITY](#).

Employees may also use sick leave for absence from work when they or their family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking due to any of the following reasons:

- to obtain services from a domestic violence shelter, rape crisis center, or other services;
- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or the employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

An employee who is the perpetrator of the offense is not entitled to use sick leave for the above reasons, regardless of the family relationship.

#### **403.02. ACCRUING SICK LEAVE AND USAGE LIMITS**

**Regular hourly staff members** accrue one hour of sick leave for every 26 hours worked. You may use up to 80 hours of sick leave in a calendar year, subject to prorating for hourly staff members who work less than 40 hours per week, but no less than a minimum annual entitlement of 56 hours. This minimum annual entitlement applies to regular hourly staff members who normally work less than 28 hours per week.

**Regular salaried staff members** accrue 3.33 hours of sick leave each semimonthly pay period. You may use up to 80 hours of sick leave in a calendar year, subject to prorating for salaried staff members who have a full-time equivalency of less than 100 percent, but no less than a minimum annual entitlement of 56 hours. This minimum annual entitlement applies to regular salaried staff members who have a full-time equivalency of less than 70 percent.

**Temporary staff members and student employees** accrue one hour of sick leave for every 30 hours worked. You may use up to 56 hours of sick leave in a calendar year.

At the end of each calendar year and in accordance with New York law, staff members carry over their full balance of accrued and unused sick leave to the new calendar year. However, you are generally not permitted to exceed the annual limit when using sick leave. Refer to [403.04 EXCESSIVE USE OF SICK LEAVE](#).

Accrued and unused sick leave is forfeited and is not paid out at the end of employment.

#### **403.03. USING SICK LEAVE**

Staff members may use sick leave by submitting a request in the College's timekeeping system for approval by their supervisor. Supervisors may enter sick leave for employees who are unable to submit requests themselves.

When the need for sick leave is foreseeable, submit your request with enough notice so you and your supervisor can adequately prepare for your absence. Without enough notice, your supervisor may deny your request. When the need for sick leave is not foreseeable, follow your department's late/absent notification guidelines.

Staff members are not permitted to use more sick leave than they have accrued, except in their first six months of employment. In these first six months, staff members may use more sick leave than they have accrued, up to the full amount of sick leave they will accrue in a six-month period.

For budget management purposes, a department may limit the use of sick leave by its hourly staff members, such that the number of hours paid in a workweek does not exceed a staff member's budgeted number of hours. For example, if you are normally scheduled to work 40 hours per week, and you work 33 hours over four workdays, your department may limit your use of sick leave on the fifth workday to seven hours as to not exceed 40 hours for the workweek.

#### **403.04. EXCESSIVE USE OF SICK LEAVE**

Staff members may use sick leave up to the annual limits defined in [403.02 ACCRUING SICK LEAVE AND USAGE LIMITS](#). Use of sick leave that exceeds these limits is considered excessive use of sick leave. Excessive use of sick leave may result in disciplinary action, up to and including termination of employment, unless this excessive use has been approved by your supervisor in consultation with Human Resources. Consultation with Human Resources is essential to determine whether the staff member may be eligible for other forms of leave or other accommodations.

#### **403.05. FACULTY USE OF SICK LEAVE**

Even though faculty members do not have a specific amount of sick leave to use, faculty members must still report their use of sick leave in the College's timekeeping system to comply with New York State Paid Sick Leave recordkeeping requirements. ↑

### **404. BEREAVEMENT/TRAUMA LEAVE**

Union provides regular staff members with bereavement/trauma leave (BTL) to cover absences from work due to traumatic events that may occur in their personal lives. Examples of personal traumatic events include the death of a family member or person of significance; loss of pregnancy or failed infertility treatment; home rendered uninhabitable by fire, flood, or other catastrophic event; loss of a pet; or surviving or witnessing an act of violence.

Since we experience trauma differently, there is no specific number of days of BTL designated for various traumatic events. The College counts on staff members to use this leave appropriately, typically one to five days immediately or reasonably soon after a traumatic event occurs.

Staff members and supervisors should consult with Human Resources when considering BTL arrangements that are less typical, including leave that exceeds five days. Consultation with Human Resources is essential to determine if other forms of leave or other accommodations are more suitable, such as vacation/personal leave, short-term disability, or paid family leave.

Staff members may use BTL by submitting a request in the College's timekeeping system for approval by their supervisor. ↑



## 405. NEW YORK PAID FAMILY LEAVE

New York Paid Family Leave (PFL) provides eligible employees with partial wage replacement during leave from work for certain family reasons for up to 12 weeks in a 52-week calendar period. Employees may use PFL in weekly or daily increments. This wage replacement is currently 67 percent of an employee's average weekly wage or the current [statewide average weekly wage](#), whichever is less. At the conclusion of PFL, you generally have the right to return to the same or to an equivalent position.

Human Resources can answer questions about PFL, including which average weekly wage would apply to you.

PFL is funded by a payroll tax on staff members, the amount of which is set by the New York Department of Financial Services. Employees who will never meet the eligibility requirements for PFL may opt out of these paycheck deductions.

Union will not discriminate or retaliate against employees who request or use PF leave in accordance with this policy.

### 405.01. ELIGIBILITY FOR NEW YORK PAID FAMILY LEAVE

**Hourly staff members** who work at least 20 hours per week and who have at least 26 consecutive weeks of service are eligible for PFL. Hourly staff members who work less than 20 hours per week may become eligible for PFL after they have worked 175 days for 52 consecutive weeks.

**Salaried staff members and librarians** who work at least 50 percent of full-time equivalency and who have at least 26 consecutive weeks of service are eligible for PFL. Salaried staff members and librarians who work less than 50 percent of full-time equivalency may become eligible for PFL after they have worked for 175 days for 52 consecutive weeks. Refer to the [Faculty Manual](#) for additional information about PFL for librarians.

**Faculty members** are not eligible for New York Paid Family Leave. Refer to the [Faculty Manual](#) for information about family leave that is available to faculty members.

### 405.02. REASONS FOR USING NEW YORK PAID FAMILY LEAVE

Eligible employees are entitled to job-protected, paid leave from work for the following reasons:

- To provide care, including physical or psychological care, to a family member due to a family member's serious health condition;
- To bond with the employee's child after birth or placement for adoption or foster care; or
- For any qualifying reason as provided for under the Family and Medical Leave Act (refer to [410. FAMILY/MEDICAL LEAVE](#)) arising from the employee's spouse, domestic partner, child, or parent being on active military duty, or, alternatively, being notified of an impending call or order to active military duty.

### 405.03. REQUESTING AND USING NEW YORK PAID FAMILY LEAVE

When the need for PFL is foreseeable, you must notify Human Resources as far in advance as possible, but no later than 30 days prior to the first day of your requested leave. Failure to provide timely notice for foreseeable leave may result in partial denial of the PFL claim. If giving 30 days

of advance notice is not practicable because of a lack of the knowledge of the approximate date leave will need to begin, a change in circumstances, or a medical emergency, you must notify Human Resources as soon as practicable.

When the need for PFL is not foreseeable, follow your department's late/absent notification guidelines. You must also follow your department's late/absent notification guidelines for each occurrence of intermittent PFL and report your use of intermittent PFL in the College's timekeeping system.

In addition to notifying Human Resources, you must file a PFL claim with the College's insurance carrier using the *Request for Paid Family Leave Form (PFL-1)*, including any necessary certifications or supporting documents. Human Resources will guide you through the PFL claim process. Human Resources must receive and retain documentation of your claim. The insurance carrier will notify you and Human Resources of approval or denial of your claim.

#### **405.04. PFL COORDINATION WITH OTHER TIME-AWAY BENEFITS**

**Paid Time Away:** Staff members may supplement their PFL with sick leave (subject to the annual limit for using sick leave) and/or vacation/personal leave, up to their full pay.

**Short-Term Disability:** Staff members cannot receive PFL while receiving New York short-term disability (NY-STD). In addition, in a 52-week calendar period, staff members can only receive a combined total of 26 weeks of NY-STD and/or PFL.

**Family and Medical Leave Act (FMLA) Leave:** Staff members who are using FMLA leave may do so in hourly increments, but they will not receive PFL benefits for FMLA leave taken in less than full-day increments. In addition, when FMLA leave used in less than full day increments reaches the total hours in a staff member's usual work day, the College will deduct one day from their annual PFL entitlement.

#### **405.05. HEALTH COVERAGE DURING PAID FAMILY LEAVE**

During PFL, an eligible employee is entitled to continued group health plan coverage as if they had continued to work. Employees will continue to be responsible for their contribution to group health plan coverage during PFL.

#### **405.06. APPEAL RIGHTS AND DISPUTE RESOLUTION**

PFL disputes are resolved through an arbitration process with the New York Workers' Compensation Board. Should you disagree with a PFL eligibility or decision, please contact Human Resources. [↑](#)

### **406. SHORT-TERM DISABILITY**

New York State and Union provide short-term disability benefits for eligible employees who are unable to work for more than seven consecutive days due to a non-work-related illness, injury, or health condition for up to 26 weeks following the onset of disability. For workers' compensation disability, refer to [601. WORK-RELATED ILLNESSES OR INJURIES](#). If the need for leave exceeds 26 weeks, Union provides eligible employees with long-term disability. Refer to long-term disability plan documents for details about this coverage.

If available, you must use sick leave to cover your absence until you are eligible to receive short-term disability. If you have reached your annual limit for using sick leave, your supervisor in consultation with Human Resources may approve excessive use of your accrued sick leave until you are eligible to receive short-term disability benefits. Refer to [403.04 EXCESSIVE USE OF SICK LEAVE](#). If you do not have sick leave available, you must use vacation/personal leave before taking any time away without pay.

#### **406.01. NEW YORK SHORT-TERM DISABILITY**

After a seven-day waiting period during which you must use sick leave or vacation/personal leave, New York short-term disability (NY-STD) provides up to 50 percent of average weekly pay, up to the state's [current maximum benefit](#). Once you become aware that you may need to be absent for more than seven consecutive days due to your own non-work-related illness, injury, or health condition, you must notify Human Resources who will then guide you through the short-term disability claim process.

#### **406.02. UNION SHORT-TERM DISABILITY**

Union short-term disability (Union-STD) supplements NY-STD for regular employees who have completed at least 12 weeks of service in the form of pay continuation. Eligible employees receive full pay for up to 12 weeks (not including the seven-day waiting period during which you must use sick and/or vacation/personal leave), plus one week for each year of service for up to a maximum of 26 weeks following the onset of disability.

If an employee remains eligible for NY-STD after they have exhausted Union-STD, they will continue receiving NY-STD. Staff members who have exhausted Union-STD may supplement NY-STD with sick leave (subject to their annual limit for using sick leave) and/or vacation/personal leave, up to their full pay. ↑

#### **407. JURY DUTY/WITNESS LEAVE**

Union provides regular employees with paid leave to cover absences from work for jury duty or to appear as a witness in court. You must notify your supervisor or department chair as soon as you are summoned for jury duty or subpoenaed to appear as a witness.

Staff members may use jury duty/witness leave by submitting a request in the College's timekeeping system for approval by their supervisor, which should be supported by court documentation that indicates when they served or appeared.

Second and third shift staff members may use jury duty/witness leave for either the shift immediately preceding or following their time at court. ↑

#### **408. VOTING LEAVE**

Union provides regular employees with paid leave to cover up to a two-hour absence from work to vote in national, state, and local elections. Staff members may use voting leave by submitting a request in the College's timekeeping system for approval by their supervisor. You must notify your supervisor at least two workdays before the election of your intent to use voting leave, and whether you will use voting leave at either the start or end of your normally scheduled work time.

Union will not discriminate or retaliate against employees who request or use voting leave in accordance with this policy. ↑

## **409. EMERGENCY RESPONDER LEAVE**

Union provides regular employees who volunteer as emergency responders with paid leave to cover absences from work while serving during a government-declared emergency. Regular employees who volunteer as firefighters are also eligible for this leave when called to fight a fire. Employees must notify their supervisor and Human Resources when called to serve, and Human Resources will assist with administering the paid leave process. ↑

## **410. FAMILY/MEDICAL LEAVE**

The Family and Medical Leave Act (FMLA) provides for unpaid leave (FMLA leave) from work for up to 12 weeks for certain family and medical reasons during a 12-month period for eligible employees. The FMLA also provides eligible employees with up to 26 weeks of unpaid leave from work to care for a covered armed-service member.

### **410.01. ELIGIBILITY TO USE FMLA LEAVE**

Employees are eligible for FMLA leave if they: (1) have worked for the College for at least 12 months; and (2) have worked at least 1,250 hours during the 12-month period immediately prior to the date when leave would begin.

### **410.02. REASONS FOR USING FMLA LEAVE**

Eligible employees may use up to 12 weeks of FMLA leave for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or the birth of a child;
- To care for the employee's child after birth, or placement of a child for adoption or foster care (so long as such leave concludes within 12 months from the date of the child's birth or placement);
- To care for a spouse, child, or parent with a serious health condition;
- For the employee's own serious health condition that makes the employee unable to perform the functions of their job; and/or
- For a qualifying exigency (as defined in regulations by the Secretary of Labor) arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the U.S. Armed Forces in support of a contingency operation.

Eligible employees may use up to 26 weeks of FMLA leave to care for a covered service member during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Each time an eligible employee takes FMLA leave, the College will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the amount of leave available. The balance remaining is the amount the employee is entitled to take at that time.

### **410.03. DEFINITION OF SERIOUS HEALTH CONDITION**

For purposes of determining an eligible employee's entitlement to FMLA leave, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either inpatient care (i.e., an overnight stay) in a hospital or other residential care facility or continuing treatment by a health care provider, which 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 (i.e., inability to work or perform other regular daily activities due to the serious health condition, its treatment, or recovery) of three or more 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 a chronic condition. Other conditions may meet the definition of continuing treatment.

### **410.04. REQUESTING AND USING FMLA LEAVE**

When the need for FMLA leave is foreseeable, eligible employees must submit their request in writing to Human Resources at least 30 days in advance of the date when leave would begin. If the need for leave is not sufficiently foreseeable to allow notice within that time frame, the employee or their authorized representative must provide notice as soon as reasonably practicable (within two workdays) of learning of the need for leave and generally must comply with their department's late/absent notification guidelines. If adequate notice is not given and there is no reasonable excuse for delay, the College may delay the start of FMLA leave until adequate notice has been given.

Eligible employees must provide sufficient information for the College to determine if the leave may qualify for FMLA protection: details confirming that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, circumstances supporting the need for military family leave, or other relevant information. Employees also must inform the College of the anticipated timing and duration of the leave and if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees may also be required to provide a certification and periodic recertification supporting the need for leave.

**Health Care Provider Certification.** An eligible employee's leave to care for the employee's covered family member with a serious health condition, or due to the employee's own serious health condition must be supported by a certification issued by the health care provider of the employee or the employee's family member. Leave because of a qualifying exigency or to care for a covered service member with a serious injury or illness must also be supported by a certification. When requested by the College, the employee must provide the certification to the College within 15 calendar days after its request, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. Failure to submit a complete and sufficient certification may result in denial of FMLA leave.

The College reserves the right to request a second opinion by another health care provider when it has reason to doubt the validity of a medical certification. The College will pay for the second

opinion. In the event a conflict occurs between the first and second opinion, the College may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the College and the employee. This third opinion will be final and binding. Union may require employees to report periodically on their status and intent to return to work.

**Intermittent and Reduced Schedule Leave.** An eligible employee does not need to use FMLA leave in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Intermittent leave is taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a part-time leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. Leave due to qualifying exigencies may also be taken on an intermittent basis.

If an eligible employee desires to take intermittent leave or a reduced leave schedule to care for a child after birth, or for placement for adoption or foster care of a child, the employee may do so only if the College agrees to and approves such leave. However, when FMLA leave is running concurrently with New York Paid Family Leave, employees are permitted to take leave intermittently (in full-day increments) to bond with a new child following the birth, adoption, or placement in foster care.

Employees requesting intermittent leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt the College's operations. Where the College deems it necessary or appropriate, it may assign an employee to an alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced leave schedule. When intermittent leave is required, you should contact Human Resources to report your need for leave, and provide at least the following information:

- The specific reason for your absence, with sufficient information to allow the College to determine whether the FMLA may apply to your request;
- When your leave will begin and when you expect to return to work, including specific dates and times of absences, if known; and
- A phone number or email address where you may be reached for further information.

In addition, you must follow your department's late/absent notification guidelines.

#### **410.05. FMLA LEAVE COORDINATION WITH OTHER TIME AWAY BENEFITS**

Generally, FMLA leave is unpaid leave, unless the employee is eligible for short-term disability, workers' compensation disability, New York Paid Family Leave, long-term disability, and/or paid time away benefits (e.g., sick leave, vacation/personal leave), in which case unpaid FMLA leave runs concurrently with these time-away benefits. The use of time-away benefits to supplement unpaid FMLA does not extend the 12- or 26-week FMLA leave period.

#### **410.06. HEALTH COVERAGE DURING FMLA LEAVE**

While an employee is on FMLA leave, the College will continue the employee's health insurance coverage under any group health plan at the same level and under the same conditions as if the employee had continued to be at work during the leave period. Employees will be required to contribute the same portion of the premiums they would be required to contribute if they were not on leave. The method and timing of the employee's group health plan contributions will be determined at the time of the leave and agreed upon by the College and the employee. If paid leave

is substituted for unpaid FMLA leave, the College will deduct the employee's group health plan contributions as a regular payroll deduction.

The employee's coverage and the coverage for all enrolled dependents will be terminated if the payment of the employee's group health plan contributions is more than 30 days late. If the payment is more than 15 days late, the College will send the employee a letter to this effect. If the College does not receive the payment for the outstanding group health plan contributions within 15 days after the date of that letter, the employee's coverage will be terminated. The employee has a five-day grace period to submit payment after which coverage will be discontinued if payment is not received and will result in the loss of their COBRA rights. There are no provisions for reinstating the employee's coverage after the COBRA rights have been lost.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member, or a circumstance beyond the employee's control, the College may require the employee to reimburse it for the amount it paid for the employee's health coverage during the leave period. For information regarding continuation of other benefits during FMLA leave, please contact Human Resources. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of your leave.

#### **410.07. RETURNING FROM FMLA LEAVE**

Except as otherwise provided under the FMLA, an employee who takes leave under this policy will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The taking of leave under the FMLA will not result in the loss of any benefit that accrued prior to the start of such leave.

The College may require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. Employees who are returning from a leave resulting from their own serious health condition (as opposed to that of a family member), but who are unable to perform the essential functions of their job because of a physical or mental disability, should notify Human Resources and request an accommodation pursuant to the College's Accessibility and Workplace Accommodations policy. Refer to [205. ACCESSIBILITY AND WORKPLACE ACCOMMODATIONS](#).

Failure to return from any approved or unapproved leave, as scheduled, may result in the termination of employee's employment.

#### **410.08. EMPLOYER'S RESPONSIBILITIES AND PROHIBITED ACTS**

The College will notify the employee if they are eligible for leave under the FMLA. If they are, the notice will specify any additional information required, as well as the employee's rights and responsibilities. If the employee is not eligible, the College will provide a reason for the ineligibility. The College will also notify the employee that leave has been designated as FMLA leave and the amount of leave counted against the employee's leave entitlement. If the College determines that the leave is not FMLA-protected, it will notify the employee.

In accordance with the FMLA, the College will not:

- Interfere with, restrain, or deny the exercise of any right provided under the FMLA; or

- Discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law that provides greater family or medical leave rights. ↑

## **411. MILITARY LEAVE**

The College honors and respects the rights and obligations of its employees to serve in the Armed Forces and who volunteer for the National Guard and Military Reserves. Employees are afforded a leave of absence to serve. Those returning from duty are entitled to full reinstatement to their former jobs after discharge, or to positions of comparable seniority, status, and pay, or, pursuant to the Uniformed Services Employment & Re-Employment Rights Act (USERRA) and applicable state law, the position the employee would have had, had the employee not left. Reservists will be granted time away for fulfillment of their duties, plus travel time.

The College's policy provides a leave of absence and reinstatement rights to those individuals who are absent from work for active duty, activity duty for training, initial active duty for training (such as drills), inactive duty training, full-time National Guard and/or National Disaster Medical System duty, and a period for which an employee is absent from a position for the purpose of an examination to determine the fitness of the person to perform any such duty.

### **411.01. MILITARY LEAVE NOTICE REQUIREMENTS**

Military orders should be presented to Human Resources and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the College unless military necessity makes this impossible. Similarly, if military service is extended, employees are responsible for submitting a copy of their extended orders in a timely manner to ensure their position at the College.

### **411.02. MILITARY LEAVE PAY AND BENEFITS**

**Supplemental Pay.** Employees on military leave will be paid a supplemental pay benefit by the College in an amount equal to the difference between an employee's daily rate of pay and the fees or pay the employee receives in carrying out their military service for a period of up to one year. To receive this supplemental pay benefit, employees must furnish proof of participation in military service and a statement of government pay received. Employees will not accrue paid time away benefits while receiving this supplemental pay benefit.

**Health Care Benefits.** For an employee on active duty for fewer than 31 days, the College provides continuing health care coverage as if the employee were actively employed. Those on active duty for 31 or more days may elect to continue college-sponsored benefits for up to 24 months while engaged in military service. As with other extended leaves, the College may require employees electing coverage to pay up to 102 percent of the full premium. Even if the employee does not elect to continue coverage during military service, the employee has the right to be reinstated in the College's health plan upon reemployment, generally without any waiting period or exclusions except for service-related illnesses or injuries.

**403(b) Plan.** Employees participating in the College's 403(b) Plan may make up any contributions missed due to being on leave when they return to work.



**Other Benefits.** The coverage provided by insurance, such as group life insurance and long-term disability insurance will be reinstated, with no waiting period, when the employee returns to active employment with the College. Dependents of employees who are eligible or become eligible for tuition remission benefits and course fee waiver benefits will retain this eligibility during the time the employee is on military leave.

### **411.03. REINSTATEMENT FOLLOWING MILITARY LEAVE**

Employees reinstated following military leave will receive seniority and other benefits that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. In addition, an employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their position.

Under USERRA, an employee is entitled to reinstatement to a position with the same status, rate of pay, opportunity for promotion and benefits as the position previously held by the employee, and the employee may object to the proffered reemployment position if it does not have the same status as previous employment. Reemployment by the College upon separation from military service is based on the period of military service and the employee meeting all these conditions:

- Gave advance written or verbal notice of military service, unless military necessity prevented the giving of notice or notice was otherwise impossible;
- Was separated from service with an honorable or qualifying discharge;
- Was employed in a position for which there was an expectation of continued employment;
- Was not absent for military duty for longer than a cumulative period of five years unless involuntarily retained in military service (excluding the two-week annual training sessions and monthly weekend drills mandated by statute for reservists and National Guard members); and
- Reports to work or notifies Human Resources of their intention to return to work, within the following timeframes:
  1. **Military service of less than 31 days:** The employee must report back to work by the beginning of the first regularly scheduled workday that would fall eight hours after the employee returns home from the place of military service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible.
  2. **Military service of more than 30 days, but less than 181 days:** The employee must reapply for employment at Human Resources no later than 14 days after military service is completed, or the next full calendar day when application becomes possible. The employee must also provide adequate documentation showing eligibility to return to work.
  3. **Military service of more than 180 days:** The employee must reapply for employment at Human Resources no later than 90 days after military service is completed. They must also provide adequate documentation showing eligibility to return to work.

Any service member who requires a reasonable accommodation of a disability to return to work in accordance with these requirements may request an accommodation pursuant to the College's Accessibility and Workplace Accommodations policy. Refer to [205. ACCESSIBILITY AND](#)

[WORKPLACE ACCOMMODATIONS](#). The reporting to work or application for reemployment requirements may be extended for up to two years for employees who are hospitalized or convalescing because of a service-related illness or injury. Otherwise, failure to report or apply for reemployment in accordance with the timeframes set forth above will be grounds for separation from employment.

#### **411.04. MILITARY SPOUSE AND DOMESTIC PARTNER LEAVE**

New York Paid Family Leave may be available for the military exigencies of family members. Refer to [405. NEW YORK PAID FAMILY LEAVE](#).

All employees who work an average of 20 or more hours per week, and who are married to or have as a domestic partner a member of the Armed Forces, are eligible upon request for a ten-day unpaid leave of absence. The purpose of the policy is to enable these employees to spend time with their spouse/domestic partner while the spouse/domestic partner is on leave from the Armed Forces during a period of military conflict.

For an employee to qualify for leave, the employee must be married to, or be the domestic partner of, a member of the Armed Forces of the United States, national guard, or reserves who has been deployed during a period of military conflict to a combat theater or combat zone of operations. A “period of military conflict” is defined to mean a period of war declared by the United States Congress, or in which a member of a reserve component of the Armed Forces is ordered to active duty. The leave may only be used when the employee’s spouse/domestic partner is on leave from the Armed Forces during a period of military conflict. While the leave period is unpaid, employees may use paid time away benefits, if eligible and available, to receive pay during the leave. ↑

#### **412. BLOOD DONATION LEAVE**

Union provides up to three hours of unpaid leave time in any 12-month period for employees to donate blood. Staff members may use vacation/personal leave, if eligible and available, to be paid while absent from work to donate blood. Staff members must notify their supervisor at least two workdays before using blood donation leave.

Note that Union periodically sponsors blood donation drives on campus. Time during work to donate blood at a college-sponsored blood drive is considered work time.

Union will not discriminate or retaliate against employees who request or use blood donation leave in accordance with this policy. ↑

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## 500. EMPLOYEE BENEFITS

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Union seeks to promote the wellbeing and the personal and professional development of its employees. Accordingly, the College offers an array of health, wellness, financial, educational, and other benefits. (Time away from work benefits are covered in Section 400 of this handbook.)

Because benefit offerings and their details may change, often annually, please contact Human Resources and refer to the [benefits website](#) for current information, including benefit summaries, announcements and updates, enrollment instructions, forms, summary plan descriptions and plan documents, and required legal and plan notices.

On the [benefits website](#), you will also find information about retiree health benefits, including eligibility criteria and enrollment instructions.

You will also receive announcements, updates, and required notices from time to time, and it is important for you to read these promptly in case there is any timely action you may need to take.

The College normally holds its annual open enrollment period for health and flexible spending benefits from mid-October to early November. However, if you have a qualifying life or family event, you and your dependents may have the opportunity to make these enrollment changes during a limited window of time following such an event. ↑

## 501. BENEFITS COMMITTEE

*This section is a verbatim excerpt from the Faculty Manual. Any changes made to this language in the Faculty Manual are also made to this section.*

The Benefits Committee is a standing sub-group of the College Planning and Priorities Group (P&P) that makes recommendations to P&P regarding faculty and staff benefits. P&P consults with the committee regarding the consideration of any significant benefit plan changes and provides detailed charges for specific projects. Working in conjunction with a contracted benefits consultant, the Chief Human Resources Officer annually seeks the advice of the committee regarding Union's benefits and benefits budget planning. Resource people, deemed helpful to a particular discussion, are invited to attend.

The Benefits Committee shall, when possible, be composed of: a maximum of five representatives of the Faculty Compensation Committee (FCC), including a Faculty Executive Committee (FEC) liaison; the Chief Human Resources Officer; and four staff members. The staff members are nominated by the Vice President for Administration and Finance and appointed by P&P. The FCC members are appointed by FEC. With the exception of the Chief Human Resources Officer, terms of appointment are for three years with the possibility of reappointment. A member of the FCC is designated by the FEC as co-chair. The designated faculty member and the Chief Human Resources Officer serve as co-chairs. ↑

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## 600. SAFETY, SECURITY, AND COMMUNITY HEALTH

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Union endeavors to provide a safe, secure, and healthy learning, living, and working environment for its students, faculty, staff, and visitors. Maintaining safety, security, and community health is a shared responsibility that must involve all members of our community, including you. The College expects you to read, understand, and comply with these safety, security, and community health policies and guidelines, as well as related standards and instructions communicated to you by your supervisor, your department leadership, and college officials.

Following below is a list of college safety, security, and community health policies, plans, and resources. Click on the links to access these items. For certain policies as noted below, you may be asked or required to sign an acknowledgement form or agreement. Please contact Human Resources if you are unable to access any of these items.

1. **Acceptable Use of Information Technology Resources:** Section [604](#) of this handbook.
2. **Airborne Infectious Disease Exposure Prevention:** Section [605](#) of this handbook.
3. **Alcohol and Drug-Free Campus and Workplace:** Section [606](#) of this handbook.
4. [Background Check Policy](#)
5. [Crime Prevention](#)
6. [Crime Reports and Statistics](#)
7. **[Data Classification Policy](#):** Depending on your role, you may be required to complete the *Bring-Your-Own-Device Attestation Form*.
8. **[Emergency Preparedness](#):** You are invited to complete and, if necessary, update the *Emergency Evaluation Voluntary Referral Form*, which indicates what assistance you may need during a possible emergency evacuation.
9. [Fire Safety and Prevention](#)
10. **[Health, Safety, and Loss Control Practice Statement](#):** You must complete the *Acknowledgement of Responsibility and Receipt*.
11. [ID Cards](#)
12. [Information Security Policy and Plan](#)
13. [Motor Vehicle Policy](#)
14. [Parking and Traffic Guidelines](#)
15. **Pet Dogs on Campus:** Section [608](#) of this handbook.
16. **Preventing and Responding to Workplace Violence:** Section [602](#) of this handbook.
17. **Prohibition of Weapons on Campus:** Section [603](#) of this handbook.
18. [Responsible Use of Generative Artificial Intelligence](#)
19. **Smoke/Tobacco-Free Campus:** Section [607](#) of this handbook.
20. **Work-Related Injuries and Illnesses:** Section [601](#) of this handbook.

## 601. WORK-RELATED INJURIES AND ILLNESSES

Work-related injuries and illnesses must always be reported to Campus Safety. In addition, work-related injuries and illnesses may also require the filing of a workers' compensation claim through Human Resources. These are separate processes, and both are explained below.

### 601.01. REPORTING WORK-RELATED INJURIES AND ILLNESSES

If you are injured while working or become ill for a work-related reason, seek medical attention, if needed. As soon as you are able to do so, notify your supervisor or department chair. If your supervisor or department chair is not available, notify another manager in your department or the Dean of Academic Departments and Programs. You and your supervisor/chair (or other manager or dean) must then immediately file an incident report with Campus Safety.

Campus Safety and Environmental Health and Safety staff will work with your department to evaluate the circumstances of the incident and take appropriate steps to prevent future incidents.

### 601.02. WORKERS' COMPENSATION CLAIMS AND BENEFITS

Workers' compensation insurance provides medical coverage and income replacement when an employee is injured while working or suffers from a work-related illness.

**Filing a Claim.** If you have received or may receive medical treatment, or if you have been or may be absent from work due to a work-related injury or illness, you must notify Human Resources as soon as you are able to do so to file a workers' compensation claim. Human Resources will then assist you in filing your workers' compensation claim.

**Using Leave Benefits.** Since workers' compensation insurance does not provide income replacement for the first seven days of missed work or job-protected leave rights, Human Resources will also guide you and your supervisor/chair in using leave benefits you may be eligible to use. If you are absent due to a workplace injury or illness, you may be required to provide fitness-for-duty certification from your health care provider before you can return to work.

**Temporary Workplace Accommodations.** If you are able to perform some, but not all of your job duties as certified by your health care provider, you may be granted temporary workplace accommodations. Temporary workplace accommodations must be arranged through Human Resources to ensure proper steps are followed in their consideration, approval, and implementation. If an ongoing (non-temporary) workplace accommodation may be needed, refer to [205. ACCESSIBILITY AND WORKPLACE ACCOMMODATIONS](#).

If you fail to file a workers' compensation claim in a timely manner, or if you do not keep Human Resources informed of your medical and/or return-to-work status, you may be denied or you may lose workers' compensation coverage. ↑

## 602. PREVENTING AND RESPONDING TO WORKPLACE VIOLENCE

Union takes steps to maintain a workplace that is free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. However, no workplace is completely immune from a violent incident. Violence, threats, harassment, intimidation, and other disruptive behavior on our campus or between community members when away from campus will not be tolerated. This applies to employees and non-employees, such as students, contractors, and visitors.

Workplace violence is any act or threat of physical or emotional violence, harassment, intimidation, or other threatening or disruptive behavior that occurs in the workplace. Workplace violence can include verbal, visual, or physical conduct and may include:

- Physically injuring another person;
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means;
- Intimidating, harassing, bullying, belligerent, or other inappropriate aggressive behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact;
- Possessing, brandishing, or using a firearm on college property or while performing college business, except as permitted by state law or college policy; or
- Violating a restraining order, order of protection, injunction against harassment, or other court order.

### **602.01. REPORTING VIOLENT INCIDENTS**

Everyone's cooperation is needed to implement this policy effectively and maintain a safe campus and working environment. Do not ignore violent, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by anyone on campus, whether they are an employee, contractor, student, or visitor, report it immediately to your supervisor or department chair, Campus Safety, Human Resources, or any manager.

Supervisors, department chairs, and managers who receive such reports should seek advice from Campus Safety or Human Resources in taking timely and appropriate action.

### **602.02. PREVENTING AND RESPONDING TO VIOLENT INCIDENTS**

Efforts to prevent violent acts from occurring must be planned, multi-faceted, campus-wide, and ongoing. If a violent incident does occur, the College will take steps to determine underlying causes and correct existing problems, which may include convening a threat assessment and emergency response team that includes representatives from senior staff, Campus Safety, Environmental Health and Safety, and others whose input may be needed. This team will assess potential threats, investigate violent incident reports, and take appropriate remedial measures. As a condition of employment, employees must cooperate in an investigation.

Employees who commit acts of workplace violence may be subject to disciplinary action, up to and including termination of employment, as well as criminal charges.

### **602.03. PROTECTION AGAINST RETALIATION**

Union protects victims and witnesses of violent acts from retaliation. In addition, employees who in good faith report violent acts or cooperate in an investigation will not be subject to corrective action. Any employee who believes they have been retaliated against for reporting or cooperating in an investigation of workplace violence should immediately report it to Human Resources. [↑](#)

## **603. PROHIBITION OF WEAPONS ON CAMPUS**

Union prohibits the possession of weapons or firearms on campus, including in employees' vehicles while parked on campus, except by sworn law enforcement officers in the performance of their duties or for a lawful purpose required by an employee's job function. Prohibited items include: firearms, darts, bow and arrows, martial arts weapons, fixed-blade knives in excess of 2.5 inches, any club-type weapon, any explosive device, metal knuckles, ballistic knives, rifles, shot-guns, stun guns, tasers, cane-swords, or any other item that could be reasonably perceived by others as a weapon that could cause serious bodily harm.

If you see a prohibited weapon on campus or suspect that a prohibited weapon may be on campus, you must immediately report your observation or suspicion to Campus Safety at 518-388-6911.

An employee who is found to have brought a prohibited weapon onto campus may be subject to disciplinary action, up to and including termination of employment, as well as criminal charges. ↑

## **604. ACCEPTABLE USE OF INFORMATION TECHNOLOGY RESOURCES**

*Substantive revisions to this policy require consultation with the Faculty Executive Committee.*

Union College provides to its community an array of information technology resources and counts on community members to use these resources responsibly. Use of these resources constitutes consent by the user to all the terms and conditions of this policy, which describes the responsibilities of those who use these resources, how to report concerns about or misuse of these resources, and the privacy of activities performed using these resources.

### **604.01. POLICY DEFINITIONS**

“IT Resources” is defined as computers and peripheral equipment; computing systems, servers, and networks; telephones, telecommunications systems, and telephonic equipment; mobile phones, tablets, and other handheld devices; printers, photocopiers, scanners, and fax machines; email, text, and chat messaging applications; internet access; removable media and digital data storage devices; software applications; and ID badges and badge-access readers.

“User(s)” is defined as Union employees and students, including Information Technology Services staff members, as well as contractors, vendors, volunteers, visitors, or anyone else who uses the College's IT Resources. Information Technology Services (ITS) is the department that administers almost all of the College's IT Resources, except for ID badges (administered by Campus Safety) and photocopiers (administered by Auxiliary Services).

“Appropriate Officer” is defined according to a User's affiliation with the College: the Vice President for Student Affairs and Dean of Students for students; the Vice President for Academic Affairs and Dean of the Faculty for faculty members and non-employees who are engaged in academic functions; the Chief Human Resources Officer for staff members; the President for senior staff members; and the Vice President for Administration and Finance for contractors and vendors. For all other non-employees, the appropriate officer will be determined by the Chief Information Officer or the Vice President for Administration and Finance according to the nature or function of a User's affiliation.

## 604.02. USER RESPONSIBILITIES

The College counts on Users to exercise prudence and sound judgment when using its IT Resources. Generally, this means (1) using IT Resources only for their intended purposes, (2) complying with applicable laws and college policies, and (3) protecting IT Resources from damage or harm. The rights of academic freedom and freedom of expression apply to the use of IT resources. The following guidelines provide more details about using IT Resources responsibly:

### 1. Use IT Resources only for their intended purposes.

The College's IT Resources are typical of those used in higher education institutions. ITS will inform Users about service contract or software licensing terms that may require Users to use certain IT Resources differently from what is considered usual and customary.

For IT Resources that require specialized knowledge or instructions to use, training will be provided or is available, if requested. In addition, employees and students have unlimited access to LinkedIn Learning, which offers online, self-paced courses for many of the software applications used by the College. If you are unsure how to use a particular IT Resource or have questions about training, please contact ITS.

Many IT Resources require User-specific authentication to use them. Do not intentionally or negligently disclose passwords or other authentication information that could enable others to impersonate you. Do not give someone else your Union College ID badge to use and immediately report a lost or stolen ID badge to Campus Safety.

A reasonable amount of personal use of IT Resources is permitted if your personal use complies with this and other college policies. IT Resources must not be used for running a side business or creating content for or engaging in commercial ventures that are unrelated to academic research and scholarship endeavors. Supervisors have the discretion to set additional guidelines for staff members' personal use of IT Resources. These guidelines pertaining to personal use of IT Resources do not apply to outside work performed by faculty members as defined in the Outside Work policy in the Faculty Manual.

### 2. Comply with applicable laws and college policies.

Federal and state laws that apply to using IT Resources include those pertaining to defamation, libel, and slander; copyright and trademark infringement; intellectual property; child pornography and human trafficking; and wiretapping, hacking, cracking, and other similar activities.

Since laws in other countries may apply when using IT Resources outside of the United States, consult with ITS before you travel. ITS can also provide advice for protecting your personal devices and data while traveling abroad.

College policies pertaining to appropriate conduct apply when using IT Resources just as they would in any other circumstance and include those in the Employee Handbook, the Faculty Manual, and the Student Conduct Code, as well as conduct policies that are referenced in these policy documents, most importantly including the [Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment](#). It is your responsibility to understand and comply with college policies when using IT Resources.

### 3. Protect IT Resources from damage or harm.



Although the College has put in place measures to protect its IT Resources from security threats and other harmful acts, you have an essential role in ensuring these measures work as intended. As noted previously in this policy, never disclose information that may allow unauthorized persons to access IT Resources, such as passwords (to access electronic IT Resources) and ID badges (to access physical IT Resources on campus property).

Although ITS monitors and provides guidance to Users regarding scams or other malicious activity intended to gain unauthorized access to IT Resources, the College is counting on your vigilance. If an email, text or chat message, or other electronic communication appears at all suspicious, do not click on any links or respond. Immediately alert ITS.

Be conscientious about your use of network bandwidth and refrain from activities that could interfere with other Users' activities. You may consult with ITS if you are unsure about how much bandwidth a particular activity may consume, such as downloads or uploads of unusually large data files.

If you have questions about these User responsibilities, please contact ITS, the Chief Information Officer, or the Appropriate Officer.

### **604.03. REPORTING CONCERNS AND MISUSE**

Concerns about the use of IT Resources or their suspected misuse should be promptly reported to the Chief Information Officer or the Appropriate Officer. (For the definition of "Appropriate Officer," refer to [604.01 POLICY DEFINITIONS.](#))

Upon receiving such a report, ITS may temporarily restrict a User's access to certain IT Resources. Decisions about restricting access will be made in consultation with the Appropriate Officer, and the User will be notified as soon as it is practical and appropriate to do so. In most cases, the User will be notified before access is restricted. However, the following extenuating circumstances may warrant access restrictions without advance notice:

- When time is of the essence and any delay in restricting access may result in damage or harm to IT Resources or other college property.
- When reasonable attempts to notify the User have been unsuccessful.
- When there is reasonable suspicion that the User has intentionally caused or intends to cause damage or harm to IT Resources.
- When there is reasonable suspicion that the User has violated laws or college policies and restricting access is deemed appropriate to prevent further violations or to protect potential evidence of wrongdoing from tampering or destruction.

If misuse of IT Resources has occurred, appropriate remedial action will be taken. When misuse is determined to be unintentional, training or guidance may be provided. When misuse is determined to be intentional or the result of gross negligence, and the User is an employee or a student, the User may be subject to disciplinary action in accordance with the applicable disciplinary policies. If the User is not an employee, the User's affiliation with the College may be terminated. If it is determined that laws may have been violated, the College may report suspected misuse to the appropriate law enforcement agencies.

## 604.04. PRIVACY, ACCESS, AND DISCLOSURE OF USER ACTIVITY

Users should also be aware that their use of IT Resources are not completely private. While the College does not routinely monitor or access any particular User's electronic communications, internet usage, data files or other activities, the normal functioning and maintenance of IT Resources require processes that monitor and archive these activities. These processes include the backup and caching of electronic communications and data, the monitoring of general usage volume and patterns, the scanning of systems and network ports for anomalies and vulnerabilities, and other processes or operations that ITS may from time to time deem necessary to ensure that IT Resources are functioning as intended and are protected from harm or damage.

ITS has protocols and guidelines in place to ensure ITS staff members do not improperly monitor or access any particular User's electronic communications, internet usage, or data file. Any such monitoring or access in violation of these protocols or guidelines is also a violation of this policy.

The College may monitor or access a particular User's previous electronic communications, internet usage, or data files to ensure compliance with this policy and/or for the following purposes:

- **When unusual system or network activity has been detected, and it is deemed necessary to access a User's electronic communications or internet usage to identify the cause or fix a problem.** In this particular circumstance, reasonable efforts will be made to notify affected Users before their electronic communications or internet usage is accessed or, if time is of the essence, as soon as practicable after such accessing has occurred.
- **To locate specific electronic communications or data files in the custody of a particular User, and the User is unavailable or reasonable attempts to contact the User have been unsuccessful.** This may happen after a User is unexpectedly away on a leave of absence. Once the User is contacted, they will be notified about any electronic communications or data files that have been accessed or disclosed.
- **To gather or examine evidence during an internal investigation.** In addition to obtaining authorization from the Chief Information Officer and the Appropriate Officer, investigators will obtain written consent from a User before accessing or disclosing their electronic communications, internet usage, or data files. However, consent of the User may not be appropriate if there is a reason to believe that a User may tamper with or destroy potential evidence of wrongdoing, or otherwise threaten the integrity of an investigation. A decision to disclose a User's electronic communications, internet usage, or data files without the User's consent must be documented in the investigation record. Reasonable efforts must be made to limit the disclosure of electronic communications, internet usage, and/or data files to only those that are relevant to the investigation.
- **To comply with a litigation hold, subpoena, warrant, contractual obligation, or request for documents or information as part of an outside investigation or legal process.** Matters relating to User consent will be determined by the terms and conditions of the legal order.

The College will only disclose a particular User's previous electronic communications, internet usage, or data files when authorized by the Chief Information Officer and the Appropriate Officer.

It is a violation of this policy for anyone to disclose a User's electronic communications, internet usage, or data files without the User's consent and/or authorization by the Chief Information Officer and the Appropriate Officer.†

## **605. AIRBORNE INFECTIOUS DISEASE EXPOSURE PREVENTION**

Union is committed to responding promptly to and implementing appropriate health and safety measures to protect employees during an airborne infectious disease outbreak. The College has developed an *Airborne Infectious Disease Exposure Prevention Plan*, which will be activated when an airborne infectious disease is designated by the New York State Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to public health.

All employees will be notified when the College's plan is activated in response to a designation by the Commissioner of Health, and employees will be required to follow the plan and participate in related trainings. Failure to follow the plan and/or participate in related trainings may result in disciplinary action, up to and including termination of employment.

The College's plan is subject to additional or greater requirements arising from a declaration of a state of emergency due to an airborne infectious disease, as well as any applicable federal standards. Therefore, the College reserves the right to modify or update the plan at any time or as required by law. †

## **606. ALCOHOL AND DRUG-FREE CAMPUS AND WORKPLACE**

Union values and prioritizes the wellbeing of its employees and strives to create a workplace and campus environment that discourages the unauthorized or illegal use of drugs and/or alcohol by employees. Consistent with this commitment and in accordance with the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act, the College strictly prohibits the unlawful possession, manufacture, distribution, dispensation, or use of a controlled substance or alcohol by an employee on college-owned or controlled property, in college-owned or controlled vehicles, or as part of a college-sponsored program away from campus. Employees are prohibited from working or operating any college vehicle or equipment while under the influence of alcohol or controlled substances. Drug paraphernalia, such as pipes and needles, are prohibited on college grounds, at work sites, and in college vehicles.

The College maintains a comprehensive program to support its policy on drug and alcohol use. This program consists of educational information and programming, a voluntary program of employee assistance, and appropriate corrective action if a violation of this policy or applicable law has occurred.

### **606.01. EDUCATIONAL INFORMATION AND PROGRAMMING**

The Chief Human Resources Officer, the Vice President for Academic Affairs and Dean of the Faculty, and the Vice President for Student Affairs and Dean of Students are jointly responsible for the College's compliance with federal and state laws, orders, and regulations related to the Drug-Free Schools and Communities Act and Drug-Free Workplace Act. These responsibilities include regular evaluations of the effectiveness of the program, implementation of any needed changes, and consistent enforcement of corrective actions. Human Resources is responsible for ensuring this policy is distributed and made available to all college employees.

The College offers supervisors the opportunity to participate in drug awareness education and regularly provides drug awareness information to all members of the college community. Employees may seek treatment and support services information from Human Resources or the College's Employee Assistance Program. Refer to [606.08. COUNSELING, TREATMENT, AND REHABILITATION](#) for a list of these and other resources.

### **606.02. REASONABLE SUSPICION FOR ALCOHOL OR DRUG TESTING**

The College may require drug and/or alcohol testing when a reasonable suspicion exists that an employee is under the influence of alcohol or any drug, intoxicant, or controlled substance in violation of this policy. Reasonable suspicion is suspicion that requires further investigation based on evidence of impairment. Evidence of impairment is based on observations made by a supervisor, Campus Safety, and/or Human Resources, and may include: difficulty speaking or responding to basic questions or requests, exhibiting irrational or unusual behaviors, diminished physical dexterity or coordination, difficulty remaining awake and alert, disregard of the employee's own safety or the safety of others, and/or apparent odor of alcohol or drugs. Odor alone is not sufficient evidence of impairment by use of marijuana. Supervisors should contact Campus Safety and/or Human Resources for assistance.

If required, employees will undergo alcohol and/or drug testing by a trained Campus Safety Officer and/or at a licensed testing facility. Under no circumstances should the employee be allowed to drive themselves to the testing facility. An employee who refuses the College's request to undergo an alcohol and/or drug test may be subject to immediate suspension, as well as disciplinary action, up to and including termination of employment.

### **606.03. CORRECTIVE ACTIONS**

An employee whose work performance is impaired as a result of use or abuse of drugs or alcohol (either on or away from campus); who illegally or inappropriately uses or abuses drugs or alcohol on college property or on college business; or who has been convicted of violating any criminal drug statute while on college property or while participating in a college-sponsored program away from campus may be subject to immediate suspension, as well as disciplinary action, up to and including termination of employment, and criminal charges.

The College may at its sole discretion allow an employee who is found to have violated this policy to continue their employment if they agree in writing to all the following conditions:

- acknowledge that they violated this policy;
- successfully complete counseling, treatment, rehabilitation, or other activities that may be recommended by the College's Employee Assistance Program or other health care provider approved or selected by the College;
- undergo periodic, unannounced alcohol, and/or drug testing for a set period of time;
- provide fitness-for-duty certification from a health care provider approved or selected by the College; and
- acknowledge that they remain subject to disciplinary action, including termination of employment, for previously unknown or future violations of this or other college policies.

#### **606.04. LAWFUL USE OF PRESCRIBED AND OVER-THE-COUNTER DRUGS**

Employees may use lawfully prescribed and over-the-counter drugs while working, provided they follow prescription or recommended dosage instructions and remain able to perform their job safely and satisfactorily.

#### **606.05. USE OF MARIJUANA**

In accordance with applicable state law, the College will not discipline an employee certified to use medical marijuana or to otherwise unlawfully discriminate against any employee certified by a New York State doctor to use medical marijuana. Employees who are certified to use medical marijuana and who may require a workplace accommodation, must request such an accommodation in accordance with the College's Accessibility and Workplace Accommodations policy. Refer to [205. ACCESSIBILITY AND WORKPLACE ACCOMMODATIONS](#).

Additionally, the College will not discriminate against employees who use recreational marijuana. While recreational marijuana and possession of up to 24 grams of marijuana is legal in New York, the College is subject to federal laws that continue to prohibit the possession, use, or distribution of marijuana for any reason and for any purpose. Therefore, an employee may not use, be under the influence of, possess, or distribute marijuana during work hours, on college property, in college vehicles, or as part of any college activities for any reason or under any circumstances.

#### **606.06. COLLEGE SOCIAL EVENTS WITH ALCOHOL**

For any college social event at which alcohol will be served, a responsible person must be designated. If an employee assumes the responsible person role, they must comply with the requirements of the [Social Events with Alcohol](#) policy and applicable New York laws. Requirements include:

- Individuals under age 21 and intoxicated persons must not be served. As such, the responsible person must ensure that those drinking or being provided with alcohol are of legal drinking age.
- Anyone arriving in an intoxicated condition—even if 21 years of age or older—must be denied entrance.
- The amount of beer and wine and non-alcoholic beverages made available must be in proportion to the number of guests who will be above and below the age of 21.

Employees attending a college social event with alcohol, where the employee is not considered the event's responsible person, are expected to alert the appropriate responsible person should the employee observe an intoxicated student, employee, or invitee, or an underage student drinking.

#### **606.07. MANDATORY REPORTING OF DRUG CONVICTIONS**

As a condition of continued employment, each faculty member, staff member, and/or student employee must notify the Vice President for Academic Affairs and Dean of the Faculty (in the case of faculty members), the Chief Human Resources Officer (in the case of staff members), or the Vice President for Student Affairs and Dean of Students (in the case of student employees) no later than five days after any conviction for a criminal drug statute offense or alcohol offense committed on college property or as part of a college-sponsored program away from campus.

Failure to report a mandatory drug conviction may be grounds for disciplinary action, up to and including termination of employment.

## 606.08. COUNSELING, TREATMENT, AND REHABILITATION

College employees have available counseling, treatment, and rehabilitation services through the College’s health insurance plan, the Employee Assistance Program, or local agencies and programs. Student employees may seek assistance from the student health and counseling service, or through local agencies and programs. The College also regularly distributes drug and alcohol treatment resource information and holds periodic training sessions.

Early diagnosis and treatment of drug and alcohol abuse is in the best interests of the College and its employees. Employees concerned about drug or alcohol abuse are encouraged to consult with Human Resources and to access any of the support resources listed below.

### Alcohol Abuse

- Employee Assistance Program: (800) 252-4555 or [www.higheredeap.com](http://www.higheredeap.com)
- Alcoholics Anonymous: (518) 242-4989 or <https://alcoholicsanonymous.com/aa-meetings/new-york/>
- Alcoholism and Substance Abuse Council: (518) 346-4436
- Conifer Park: (518) 399-6446
- Ellis Hospital Alcoholism Program: (518) 386-3300

### Drug Abuse

- Employee Assistance Program: (800) 252-4555 or [www.higheredeap.com](http://www.higheredeap.com)
- Alcoholism and Substance Abuse Council: (518) 346-4436
- Narcotics Anonymous: (888) 459-5511 or [www.na.org](http://www.na.org)
- Bridge Center: (518) 346-1277
- Carver Community Counseling Services: (518) 382-7838

## 606.09. HEALTH RISKS ASSOCIATED WITH ALCOHOL AND DRUG USE

Following below is summary of common health risks associated with using alcohol and drugs:

<b>Depressants</b>	– Depression
Alcohol	– Accidents because of impaired ability and judgment
Barbiturates	– Accidental overdose
Sedatives	– Damage to a developing fetus
Tranquilizers	– Heart and/or liver damage
<b>Marijuana</b>	– Impaired short-term memory, thinking, and physical coordination
	– Elevated anxiety and panic reaction
	– Interferes with judgment, attention span, and concentration
	– Respiratory problems, including cancer and emphysema
<b>Stimulants</b>	– Lung and/or cardiovascular system damage, including heart attack
Amphetamines	– Brain damage and seizures
Cocaine	– Severe depression
	– Paranoia
	– Psychosis

<b>Nicotine</b>	<ul style="list-style-type: none"> <li>– Cancer</li> <li>– Increased heart and respiration rates, blood pressure, and adrenaline production</li> <li>– Compromised immune system</li> </ul>
<b>Narcotics</b> Opium Morphine Codeine Heroin	<ul style="list-style-type: none"> <li>– Restlessness and irritability</li> <li>– Loss of appetite</li> <li>– Nausea</li> <li>– Tremors</li> <li>– Accidental overdose</li> <li>– Risk of hepatitis and HIV/AIDS infection from contaminated needles</li> </ul>
<b>Inhalants</b> Gas and aerosols Glue Nitrous oxide	<ul style="list-style-type: none"> <li>– Depressed central nervous system</li> <li>– Heart failure</li> <li>– Sudden sniffing death</li> <li>– Severe brain, liver, central nervous system, kidney, and bone marrow damage</li> </ul>
<b>Prescription Drugs</b>	<ul style="list-style-type: none"> <li>– Irregular heartbeat and/or reduced heart rate</li> <li>– Seizures</li> <li>– Aggressive and paranoid behavior</li> <li>– Accidental overdose</li> <li>– Withdrawal</li> </ul>

## 606.10. POSSIBLE LEGAL SANCTIONS AND PENALTIES

Under the requirements of the Drug-Free Schools and Communities Act, institutions of higher education must provide employees with notice of applicable state and federal sanctions for unlawful possession or distribution of illicit drugs and alcohol. Below are the applicable New York and federal legal sanctions. The College cooperates fully with law enforcement authorities.

It is illegal in New York:

- **For anyone under the age of 21 to possess alcohol with the intent to consume:** Up to a \$50 fine, completion of an alcohol awareness program, and/or up to 30 hours of community service.
- **To sell alcohol to anyone under 21, to anyone who is already intoxicated, or to anyone who is habitually intoxicated:** Up to a \$1,000 fine and/or up to one year in jail.
- **To use a false ID or to provide someone else with a false ID to buy alcohol:** Up to a \$100 fine, completion of an alcohol awareness program, and/or up to 30 hours of community service. If the false ID is a driver's license, the license may also be suspended for 90 days. Higher level charges for criminal possession of a forged instrument or criminal impersonation penalties can include a fine of up to \$1,000 and/or up to one year in jail, or a felony conviction and sentence.
- **To misrepresent one's age or that of anyone else under 21:** Up to a \$200 fine and/or up to five days in jail.
- **To drive with ability impaired (more than 0.05 BAC) or while intoxicated (0.08 BAC or more, or other evidence):** \$300 to \$500 mandatory fine, a maximum jail term of up to 15 days, and mandatory suspension of driver's license for 90 days.
- **To drink and drive if under age 21:** Under New York's Zero Tolerance law, for even small amounts of alcohol, a license is suspended for six months or revoked for one year, plus a \$125 mandatory fine.

Federal and New York laws provide many legal sanctions for the unlawful possession or distribution of controlled substances. These sometimes include severe criminal penalties, such as fines and/or imprisonment. The severity of the penalty depends upon the nature of the criminal act and the identity and amount of the illicit drug involved.

Some examples are:

- **Cocaine:** Possession of 500 milligrams of cocaine can result in a maximum sentence of seven years in prison.
- **LSD:** Possession of one milligram can result in up to 15 years in prison.
- **Marijuana:** Possession of between four and eight ounces of marijuana can result in up to one year in jail and/or a \$1,000 fine. [↑](#)

## 607. SMOKE/TOBACCO-FREE CAMPUS

In an effort to maintain a healthy environment for students, employees, and visitors, Union is a smoke/tobacco-free environment.

For the purpose of this policy, smoking and tobacco use is defined as using any type of tobacco product including, but not limited to, cigarettes (commercial, handmade, or electronic), cigars, cigarillos, pipes, hookahs, vape pens, oral tobacco (spit and spitless, smokeless, chew, or snuff), or any other smoking material or delivery device including anything that simulates smoking.

The College recognizes that smoking, breathing secondhand smoke, or using tobacco products constitutes a significant health, safety, and environmental hazard for students, employees, visitors, and campus facilities.

The College is committed to promoting health, wellness, and prevention within its community, as well as providing a healthy learning and working environment students, employees, visitors, contractors, and vendors. Employees will find resources for quitting smoke and tobacco use through the College's [medical coverage plan](#). The [Centers for Disease Control and Prevention](#) also provides information and resources.

All areas of the College campus, all campus properties, and all campus vehicles are designated as smoke/tobacco-free.

The Smoke/Tobacco-Free Policy strictly prohibits:

- Smoking or the use of any other tobacco product in all college campus buildings, on the college grounds, and on properties owned, leased, or rented by the College.
- Smoking and the use of any tobacco product in all college-owned, leased, or rented vehicles.
- The sale of tobacco products on campus.
- The free distribution of tobacco products on campus.
- Tobacco advertisements in college-produced or run publications.



Organizers and attendees at events, such as conferences, meetings, public lectures, social, and sporting events will be required to abide by the College's Smoke/Tobacco Free-Policy. Organizers of such events are responsible for communicating and enforcing this policy.

Success of the Smoke/Tobacco-Free Policy depends upon the courtesy, respect, thoughtfulness, consideration, and cooperation of all smoking and non-smoking members of the Union community. All members of the community are responsible for implementation and enforcement of this policy. All members of the community are encouraged to advise other employees, students, and visitors about the policy, suggest to anyone smoking that they not smoke on the campus or on college-owned properties, and, when appropriate, direct smokers off the campus.

Individuals violating this policy will be subject to appropriate disciplinary action and should be reported to an appropriate authority (supervisor, manager, Campus Safety, Human Resources, or Student Affairs administration). ↑

## **608. PET DOGS ON CAMPUS**

*Substantive revisions to this policy require consultation with the Faculty Executive Committee.*

Employees may have their pet dog on the Union campus in accordance with this policy. Other than dogs, the College does not permit employees to have any other pets on campus. If you choose to bring your dog to campus, you are responsible for your dog's care and behavior. You must also remain aware of and respond appropriately to any sensitivities and vulnerabilities of your fellow community members, including students, staff and faculty colleagues, and visitors, who may suffer from allergies or who may have serious apprehensions about dogs.

### **608.01. SERVICE ANIMALS**

If you need to have a service animal with you while on campus to perform the essential functions of your job, refer to [205. ACCESSIBILITY AND WORKPLACE ACCOMMODATIONS](#) for guidance on requesting a workplace accommodation. Such a workplace accommodation, if approved, may permit you to have a service animal with you in areas of the campus where pet dogs are normally not permitted as noted below. Without an approved accommodation, your dog is considered a pet and not a service animal, and you must follow all guidelines in this policy.

### **608.02. WHERE DOGS ARE PERMITTED**

The College allows pet dogs to be on Union College property, including inside its buildings, except in these designated areas: dining halls, residence halls, Minerva houses, Grant Hall and the O'Brien Center, indoor athletic facilities (other than private offices in those facilities), the spectator seating and competition fields for outdoor athletic events, and other buildings and open spaces as specifically posted. Research animals, certified guide animals, the College's mascot animal, and other service animals are exceptions to this restriction.

### **608.03. DOG OWNER RESPONSIBILITIES**

You must be in full control of your dog at all times. Supervisors must never ask staff members to take control or care of their dog.

You are fully responsible for any cleaning or damage to college or others' property caused by your dog, which may include reimbursing the College for any expenses incurred for cleaning or repairs.

Under no circumstances will the College indemnify or hold a dog owner harmless from claims arising from injuries or damages caused by their dog.

Except in accordance with the following guidelines, you must leash your dog and maintain personal control of the leash at all times, which must not be any longer than eight feet:

- In private offices, your dog may be unleashed. While you are in your office, you may leave your office door open if you have a gate or other restraint in place that prevents your dog from leaving your office.
- In office suites (group of offices or workspaces with entrances and exits that can be closed), your dog may be unleashed if everyone in the office suite agrees and does not feel in any way pressured to agree. Your dog must be leashed and in your personal control or restrained in your private office when any office suite doors are open or when visitors may enter or are in the office suite.
- When you have a dog in your private office or in an office suite, you must place a prominent sign outside of the office door indicating that a dog is inside.

#### **608.04. ADDRESSING CONCERNS ABOUT DOGS ON CAMPUS**

Members of the community who have a concern about an employee's dog on campus should first speak to the dog owner if they are comfortable doing so.

If a member of the community comes to you with a concern about your dog, you must respond respectfully and take immediate and appropriate actions, including leashing your dog, removing your dog from the area, or taking your dog away from campus.

If a member of the community is not comfortable speaking to the dog owner, or if they have spoken to the dog owner and believe their concern has not been addressed, they may report their concern to Campus Safety or Human Resources. The dog owner may also seek assistance from Campus Safety or Human Resources in addressing a concern that has been raised.

Determinations made by the Director of Campus Safety and the Chief Human Resources Officer to address concerns raised about a particular dog on campus are final, up to and including barring the dog from being on campus.

If a concern has been raised about a dog on campus that is an employee's approved service animal, you should seek assistance from Human Resources to address the concern. [↑](#)

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## 700. JOB PERFORMANCE AND STANDARDS OF CONDUCT

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### 701. JOB PERFORMANCE AND CAREER PROGRESSION

As is stated in the introduction of this handbook, it is Union’s vision to develop every student to lead with wisdom, empathy, and courage, in ways large and small, now and across multiple tomorrows. Our [strategic plan](#) lays out how we will achieve our goals. For us to succeed and thrive in the face of evolving challenges and opportunities, we are counting on the contributions of you, your team, and your department.

#### 701.01. PERFORMANCE PLANNING FOR STAFF MEMBERS

**Position Descriptions:** Effective performance planning begins with having a written position description that accurately and clearly summarizes a role’s purpose, essential job duties, and qualification requirements. To ensure ongoing role clarity as job duties evolve, it may become necessary from time to time to update your position description. Human Resources is available as a resource in reviewing and updating position descriptions.

**Performance Plans:** Union expects each regular staff member to have a written performance plan. While the format and details of performance plans will vary based on job function and duties, these plans should contain these basic elements:

- **Accomplishments:** Contributions made and lessons learned.
- **Challenges:** Calling attention to what gets in the way of performing work successfully. Examples of challenges may include: lack of role clarity, ineffective policies or guidelines, broken processes or inefficient workflows, inadequate resources, breakdowns in communication or cooperation, insufficient knowledge or skill, personal life distractions or problems, need for a workplace accommodation, and/or lack of commitment.
- **Goals and/or priorities:** Current and future work goals and/or priorities, including how progress will be evaluated, how challenges will be dealt with, and what resources and support may be needed. This support may include training, professional development, and/or career progression goals and/or priorities.

You and your supervisor should jointly create your written performance plan soon after you are hired or start a new role. The current and future priorities articulated in your plan must advance or align with your department’s and your team’s goals and priorities.

**One-on-One Progress Meetings:** The College expects supervisors to meet regularly with each of their team members to discuss their progress, any challenges or setbacks, and any resources or support that may be needed. The frequency of these meetings may vary to ensure staff members receive timely and actionable feedback. In these discussions, supervisors should also invite their team members to give feedback about their supervision, the direction and progress of the team and the department, and institutional news and developments.

**Annual Performance Plan Updates:** At least once per year, typically by the start of each academic year, staff members should formally update their written performance plans. Supervisors are expected to provide a written response and then submit their team’s annual performance plan updates to Human Resources.

**Performance Development Plans:** If a supervisor determines that a team member requires additional guidance and support to deal with challenges that are getting in the way of performing their work successfully, a performance development plan may be warranted. Whether the plan is written by the team member, the supervisor, or jointly, the plan should provide a roadmap for the team member to get back on track with meeting their work priorities. While a development plan is in progress, it may be appropriate to delay completion and submission of an annual performance plan update.

Such a plan should not be used as a disciplinary action to address incidents of misconduct. Refer to [702.02. MISCONDUCT AND DISCIPLINARY ACTION](#).

Human Resources is available as a resource for both staff members and supervisors throughout the performance planning process.

## **701.02. CAREER PROGRESSION**

Union encourages employees to pursue positions or assignments for which they are interested and believe they are qualified. If you become aware of an opportunity that interests you, Human Resources can explain and guide you through the process to be considered for a particular position or assignment, including the appropriate time to discuss your interest with your current supervisor.

Your current supervisor must serve as a job performance reference, unless the hiring manager, in consultation with the Chief Human Resources Officer or their designee, waives this requirement due to extenuating circumstances, such as if the current supervisor is new to their position and has only supervised you for a short time. ↑

## **702. COMMUNITY VALUES AND STANDARDS OF CONDUCT**

### **702.01. COMMUNITY VALUES**

Union expects employees to act in accordance with our community values, which are:

- **Mission-driven:** We act with wisdom and intentionality to ensure that every member of our community achieves their full potential, and that as a college, we achieve our mission.

Our mission is to provide a rigorous, holistic, and immersive residential liberal education that emphasizes integration, innovation, inclusion, and reflection for every student. Our [strategic plan](#) lays out how we will achieve our mission and goals. Familiarize yourself with Union's mission and strategic plan. Put the community's interests above your department's or your own.

- **Accountability:** We are individually and jointly accountable for the success of Union. We are empowered to achieve that success.

Do your work diligently and conscientiously. Follow through on your commitments. Seek out and give feedback graciously. Acknowledge and learn from both successes and setbacks. Call out challenges that get in the way of progress and potential paths forward.

- **Innovation:** We act with courage. We are open to change and not afraid to fail. We respond creatively to the challenges and opportunities facing the College today, and those we anticipate facing in the future.

Seek out opportunities for continuous improvement. Pay attention to emerging trends and share ideas. Anticipate and point out blind spots during planning efforts. Embrace change and win over others to do the same.

- **Respect:** We act with empathy and demonstrate a commitment to inclusion. We assume positive intentions. We treat one another with respect, regardless of our seniority, role, or place in the College.

Be responsive, on time, and collegial. Seek out and consider all perspectives, including those you disagree with. Do not make baseless or unfounded conclusions. Invite others to explain their intentions or reasoning. Do not avoid conflict; ask for help if you are unsure of how to resolve an issue. Pitch-in to help others. Express gratitude to those who help you.

## 702.02. MISCONDUCT AND DISCIPLINARY ACTION

As you make choices in how you act, we suggest you ask yourself what will best serve our students and your fellow colleagues. Following this advice will help you succeed and thrive here.

Unfortunately, there may be times when an employee may act against the interests of the College or behave in ways that are inconsistent with our community values. Accordingly, it is necessary to make clear the consequences for certain acts and behaviors that are not acceptable.

In addition to violating any of the policies specifically mentioned in this handbook or otherwise established by the College, the following acts of misconduct may result in disciplinary action, up to and including termination of employment. Disciplinary procedures for faculty members are covered in the [Faculty Manual](#). For staff members, disciplinary action is determined by their supervisor in consultation with their department leadership, as well as the Chief Human Resources Officer or their designee.

Staff members who disagree with or have concerns about a disciplinary action that has been taken may seek guidance and support from Human Resources, your supervisor's supervisor, or the [Employee Assistance Program](#).

1. **Unexcused or excessive lateness or absences**, including noncompliance with late/absent notification guidelines, using time away from work benefits without approval or authorization, or absences that exceed time away from work limits or interfere with their ability to fulfill the accountabilities of their position.

If your department has no specific late/absent notification guidelines, the College's default is to notify your supervisor by phone call, text, or email at least one hour before your scheduled start time. If calling, texting, or emailing is not possible at least one hour before your scheduled start time, you must do so as soon as you are able and explain the reason. Your supervisor will determine if your reason is acceptable.

2. **Insubordination:** Disregarding or refusing to comply with a clear, reasonable, ethical, and lawful instruction from your supervisor, a manager, or a college official who has the authority to give you such an instruction.

If you believe an instruction is unclear, unreasonable (which may include an instruction that seems to contradict a previous instruction or an instruction given by another manager or college official), unethical, unlawful, or given by someone without the authority to do so, it is your responsibility to take prompt action to make your belief known. You should

seek assistance from Human Resources or from another college resource if you are unsure of what action to take.

3. **Inattentive, deliberately incomplete, or careless work**, including failure to complete required training, repeatedly making preventable errors, missing reasonably set deadlines, excessive time spent doing other things instead of working, or failure to successfully complete a written performance development plan.

4. **Disrespect and incivility**: Behavior that is perceived by students, colleagues, and others with whom you engage as rude, offensive, or malicious.

If you are treated disrespectfully or uncivilly, this does not mean you have an excuse to react in the same manner. If you are unable to react in a respectful or civil manner, or if you are unsure what to do, you should remove yourself from the situation and seek help from your supervisor, another manager, Human Resources, or another college resource.

5. **Misuse of college records**, including falsification, theft, or unauthorized disclosure, alteration, or destruction. College records include timekeeping and expense reports.

If you realize you may have inadvertently disclosed, altered, or destroyed college records without authorization, you must inform your supervisor or the appropriate college official who is responsible for those records.

6. **Theft or misuse of college property or property belonging to a student or colleague**, including non-accidental damage, misappropriation, or removal of abandoned property without proper authorization.

If you accidentally damage others' property, you must inform your supervisor, the college official who is responsible for that property, or the owner of the property.

7. **Misuse of college equipment, materials, facilities, or other resources**, including misappropriation of college finances, incurring unauthorized expenses, using college resources for personal financial gain, or unauthorized or inappropriate use of the College's technology resources and social media platforms.

8. **Negligent or careless acts that endanger the life or safety of others.**

9. **Illegal, unethical, fraudulent, or deceitful conduct.**

10. **Violation of any of the policies or guidelines specifically mentioned in this handbook or otherwise established by the College or your department.**

If you are unsure if an act may be considered misconduct, it is your responsibility to ask your supervisor, a manager, Human Resources, or an appropriate college official or resource. In addition, it is your responsibility to report incidents of misconduct you have observed or believe has occurred. ↑

## 703. BUSINESS EXPENSES

Refer to college [finance policies](#) for information and guidelines pertaining to business expenses, including for travel and entertainment expenses.

If you have questions about reimbursement of expenses you have incurred during the course of your work, including damage to your personal property, please ask your supervisor or a finance team member. ↑

## 704. CONFIDENTIALITY

*Substantive revisions to this policy require consultation with the Faculty Executive Committee.*

Employees may have access to academic, personnel, financial, or other information that is designated by the College as confidential. Confidential information is information that is not generally known to persons who are not employees, officers, trustees, or agents of the College, or that has been designated as confidential by the College, including:

- personal information pertaining to prospective, current, or former students or their parents; current or former employees, and alumni or donors, including personal identifying information (Social Security numbers, birthdates, home addresses, personal phone numbers, personal email addresses, etc.), financial information, and health information;
- information about methods and procedures for pricing of educational offerings that has not been announced;
- information regarding marketing and communication strategies;
- budget and financial information that has not been announced;
- changes in college leadership that have not been announced; and
- any other information designated as confidential by the College.

As an educational institution in receipt of federal funds, the College and its employees are also required by the Family Educational Rights and Privacy Act (FERPA) to protect the privacy of student records. More information can be found at the [Registrar's website](#). Employees must protect the confidentiality of this information.

Employees who are unsure if information has been designated as confidential must consult with the appropriate college officials before disclosing such information. Human Resources can help employees with identifying and contacting the appropriate college officials.

Employees must not disclose confidential information to anyone who does not have a legitimate need to know such information. Confidential information must not be accessed, copied, distributed, discussed with others, or moved without authorization to do so. Employees are required to report suspected misuse of confidential information to the appropriate college officials.

This policy does not limit an employee's right to engage in activity protected under the National Labor Relations Act (NLRA) including, but not limited to, discussing wages, hours, and benefits, or the names, wages, hours, benefits, or contact information of colleagues. It also does not prevent an employee from speaking with law enforcement, the Equal Employment Opportunity Commission, the New York State Division of Human Rights, or any other state or local commission on human rights or an attorney retained by an employee related to any future claims of discrimination.

Upon separation from employment, employees must return all college property, including confidential information, in their possession or under their control and without deleting, copying, or summarizing.

Employees may also be asked to sign a *Confidentiality and Non-Disclosure Agreement* as a condition of employment. ↑

## 705. CONFLICT OF INTEREST

*Substantive revisions to this policy require consultation with the Faculty Executive Committee.*

Union does not generally enter into contracts for goods or services with its employees, students, or their immediate family members. In addition, the College requires employees who have decision-making authority or influence in contracting for goods or services to disclose any significant financial interest in a business that is providing or is seeking to provide goods or services to the College. Significant financial interest means anything of monetary value, including, but not necessarily limited to, salary or other payments for services, equity interests, and/or intellectual property rights exceeding \$5,000 or five percent ownership.

You must disclose any significant financial interest as soon as you become aware that such an interest exists, as well as at any time when the College may survey its employees. Failure to disclose a significant financial interest may result in disciplinary action, as well as cancellation of the pertinent contract.

When the College becomes aware of an actual or potential conflict of interest, the President will appoint two vice presidents to serve as contract reviewers. One of these vice presidents will be either the Vice President for Academic Affairs and Dean of the Faculty, or the Vice President for Administration and Finance. As a result of this review, the College may impose restrictions or conditions to manage, reduce, or eliminate actual or potential conflicts of interest.

These restrictions and conditions may include:

- public disclosure of significant financial interests;
- modification of the contract;
- disqualification from participation in negotiations, decisions, or other activities affected by the significant financial interests;
- monitoring of contract activities by designated reviewers;
- divestiture of significant financial interests;
- severance of the relationship that creates actual or potential conflicts; and/or
- any other action deemed appropriate by the College.

If the review determines that (a) imposing restrictions or conditions would be either ineffective or inequitable, and/or (b) the potential negative effects that may arise from the conflict of interest are outweighed by interests of overall benefit to the College, the contract may be allowed to proceed.

Contractors must be notified that an actual or potential conflict of interest exists along with the rationale for allowing the contract to proceed.

Pertinent records of the actual or potential conflict of interest must be maintained by the College until the latter of three years after the contract has expired or the resolution of any legal or government action involving those records.

Refer to the [Faculty Manual](#) for guidelines for outside work. ↑



## **706. EMPLOYMENT OF RELATIVES**

Union welcomes relatives of current employees to seek job opportunities at the College. However, a staff member must not participate in the hiring or supervision of a relative, or hold a job function that has access to protected information about or internal control responsibilities over a relative. Permitting these relationships may result in actual or perceived inequitable treatment, abuse of authority or influence, or disregard for inclusivity and belonging in our community.

If the status of staff members who are related changes such that the working relationship would become prohibited, it is the responsibility of the more senior employee to promptly disclose the relationship to their supervisor and the Chief Human Resources Officer so remedies can be considered and put in place.

Failure to promptly report a relationship prohibited by this policy may result in disciplinary action for the staff member responsible for disclosing the relationship in accordance with this policy.

## **707. INTELLECTUAL PROPERTY**

Refer to the [Faculty Manual](#). <sup>†</sup>

## **708. SEXUAL, INTIMATE, AND ROMANTIC RELATIONSHIPS**

*Substantive revisions to this policy require consultation with the Faculty Executive Committee.*

Union prohibits sexual, intimate, and romantic relationships between students and employees, between supervisors and supervisees, and between employees when one employee has a job function that has access to protected information about or internal control responsibilities over the other employee. The inherent power differential or potential conflict of interest in these relationships may result in actual or perceived inequitable treatment, abuse of authority or influence, or disregard for inclusivity and belonging in our community.

Except in the circumstances prohibited by this policy, sexual, intimate, or romantic relationships are not prohibited between employees. If a sexual, intimate, or romantic relationship begins between two individuals that is not prohibited by this policy, and then the status of the individuals changes such that the relationship would become prohibited, it is the responsibility of the more senior employee (if both individuals are employees) or the employee (if the other individual is a student) to promptly disclose the relationship to their supervisor and the Chief Human Resources Officer so remedies can be considered and put in place.

Failure to promptly report a relationship prohibited by this policy may result in disciplinary action for the employee responsible for disclosing the relationship in accordance with this policy. <sup>†</sup>

## **709. SOCIAL MEDIA**

*Substantive revisions to this policy require consultation with the Faculty Executive Committee.*

The College encourages its employees to use social media to promote the College and its educational, employment, and other offerings and services. To ensure appropriate use of social media when employees are acting or perceived by others as acting on behalf of the College, you must adhere to the following guidelines.

Employees must remain aware of the implications of engaging in forms of social media that refer to the College and recognize when the College may be held responsible for employees' online behavior. If you refer to the College's offerings and services on social media, you must disclose that you are a college employee.

Appropriate use of social media includes:

- Announcing public college events;
- Inviting friends to connect with the College on its social media platforms;
- Contributing material for posting on the College's social media platforms; and
- Sharing social media from the College with your personal social media networks.

Inappropriate use of social media includes:

- Unauthorized public discussions about the College's students, parents, alumni, suppliers, or vendors, regardless of whether or not the information is confidential;
- Disclosure of confidential information or any other proprietary or nonpublic information to which employees have access;
- Disparaging comments about the College's offerings and services, or the offerings and services of peer institutions; or
- Expressing opinions or making statements that could be perceived as an official statement by the College or conveying the College's official position on a particular matter.

When expressing such an opinion or making statements, you must make clear that you are doing so personally and not on behalf of the College.

In addition, supervisors must not post comments on social media about current or former employees' job performance.

Non-supervisory employees who post comments about current or former colleagues' job performance must make clear that they are doing so personally and not as a college supervisor or as a representative of the College.

Inappropriate use of social media does not include postings or discussions regarding your or your colleagues' wages, benefits, or other terms and conditions of employment protected by Section 7 of the National Labor Relations Act. ↑

## **710. SOLICITATIONS FOR ORGANIZATIONS OR CAUSES**

Approaching fellow employees in the workplace about outside activities, organizations, or causes, regardless of how worthwhile, important, or benevolent, may create unnecessary apprehension, discomfort, distraction, or alienation for your fellow colleagues. Accordingly, you should avoid soliciting colleagues, advocating support, or distributing materials for any unauthorized cause or organization during your working time or during your colleagues' working time.

Solicitations for organizations or causes may be made using the College's [social listserv](#) and in accordance with listserv guidelines. ↑

## 711. WHISTLEBLOWER POLICY

Union is committed to upholding the highest standards of ethical, legal, and moral business conduct, and transparency through open communication. Furthermore, the College and its trustees, officers, employees, independent contractors, and volunteers (“Covered Persons”) are required to comply with applicable federal, state, and local statutes, including New York Not-For-Profit Corporation Law Section 715-b, New York State Labor Law Section 740, ordinances, executive orders, rules, regulations, judicial or administrative decisions, and other rulings and orders, and must faithfully implement and adhere to the College’s own policies and procedures in conducting their duties and responsibilities.

This policy provides an avenue for trustees, officers, current and former employees, independent contractors, employees of independent contractors, and volunteers to report any suspected or actual conduct contrary to these requirements and standards (“Covered Conduct”) without the fear of intimidation, harassment, discrimination, or retaliation. In most cases, concerns raised by employees, independent contractors, consultants, and volunteers can be addressed by college officials in accordance with applicable policies and procedures. As such, this policy is not intended and may not be used for general complaints and employment grievances. Such concerns should be pursued in accordance with applicable policies and procedures articulated in this handbook, the [Faculty Manual](#), or as otherwise promulgated by the College from time to time. For example, you should refer to [202. PROHIBITED DISCRIMINATION, HARASSMENT, BIAS, AND RETALIATION IN EMPLOYMENT](#) for these types of complaints.

### 711.01. GENERAL POLICY PROVISIONS

1. **Whistleblower Protection.** No individual, including current and former employees and independent contractors, employees of independent contractors, trustees, officers, and volunteers, will suffer intimidation, harassment, discrimination, retaliation, or adverse employment consequences for making a report of Covered Conduct reasonably or otherwise in good faith (whether pursuant to this policy or otherwise in a manner which is protected under Section 740 of the New York State Labor Law) or for their participation in any internal or governmental investigation of a report of Covered Conduct.

Retaliation against any person on one or both of these bases is a violation of this policy, and anyone who so retaliates is subject to disciplinary action, up to and including termination of employment.

New York law includes among prohibited retaliatory actions the following, without limitation: (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms or conditions of employment, including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee’s current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee’s suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee’s family or household member, as defined in subdivision two of section 459-a of the social services law, to a federal, state, or local agency.

2. **Duty to Report.** Each Covered Person who has engaged in, or who reasonably suspects any other Covered Person of engaging in Covered Conduct has an obligation to report such

activity in accordance with the procedures described in [711.03 REPORTING PROCEDURES](#) as soon as possible.

3. **Distribution of Policy.** This policy is accessible to Covered Persons in the Employee Handbook, which is posted on the College’s Human Resources website. Notification regarding the rights provided under Section 740 of the New York State Labor Law (effective January 26, 2022), is also posted on the College’s [Human Resources website](#) and conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment at the College. In the event Labor Law Section 740 is amended, supplemented, or replaced at any time or from time to time, this policy will automatically be deemed amended to refer to such amendments, supplements, or replacements without any need for an amendment to this policy.
4. **Discipline for Retaliatory Conduct.** Retaliation should be reported immediately to the Compliance Officer who is named in [711.02 OVERSIGHT](#). Depending on the nature and seriousness of the offense, the College will impose appropriate discipline against any Covered Person found to have engaged in any form of retaliatory conduct against an individual reporting actual or suspected Covered Conduct in accordance with this policy, up to and including termination of employment or affiliation. Volunteers that engage in any such conduct will not be permitted to volunteer in college activities.
5. **Good Faith Reporting.** Any individual who files a report concerning actual or suspected Covered Conduct must do so in good faith and have reasonable grounds for believing the information in the report indicates a violation under this policy. The College will impose appropriate discipline against any Covered Person found to have knowingly made a report in bad faith, up to and including termination of employment or affiliation. This includes, but is not limited to, giving false information. Volunteers that engage in any such conduct will not be permitted to volunteer in college activities.

## 711.02 OVERSIGHT

1. **Compliance Committee.** The College’s Board of Trustees Audit Committee serves as the “Compliance Committee” to oversee the adoption of, implementation of, and compliance with this policy in accordance with the procedures described in [711.03 REPORTING PROCEDURES](#). If at any time such Audit Committee does not exist, the Board of Trustees (the “Board”) will either assign this oversight responsibility to another committee or to the Board itself, provided that no trustee who is a college employee may deliberate or vote on matters relating to the administration of this policy. Unless otherwise indicated, any reference in this policy to the “Compliance Committee” refers to the Audit Committee, other committee assigned this oversight responsibility, or the Board itself.
2. **Compliance Officer.** The Compliance Officer is responsible for administering this policy and annually reporting compliance activity to the Compliance Committee and to the Board. The Vice President for Administration and Finance serves as the Compliance Officer. Should the Compliance Officer be the subject of the report, then the Compliance Committee will appoint one of its members to serve as the Compliance Officer for that particular report.
3. **College Employees Excluded from Oversight.** Trustees who are employees of the College may not participate in any Compliance Committee or Board deliberations or voting relating to the administration of this Whistleblower Policy.

## 711.03 REPORTING PROCEDURES

### 1. Reporting Violations or Suspected Violations.

**Manner of Reporting.** A report of actual or suspected Covered Conduct should, except as otherwise provided in Labor Law Section 740, be reported using one of the following methods, as applicable:

- With respect to any employee, by speaking or writing to the employee’s supervisor.
- By speaking or writing to the Compliance Officer:

**Scott Jones, Vice President for Administration and Finance**

807 Union Street, Schenectady, NY 12308

518-388-6104 / [jones2@union.edu](mailto:jones2@union.edu)

- Any report related to conduct of the Compliance Officer, or which might for any other reason not appropriately be made to the Compliance Officer, should be directed to the President of the College:

**David Harris, President**

807 Union Street, Schenectady, NY 12308

518-388-6101 / [president@union.edu](mailto:president@union.edu)

The person receiving a report under this Policy is referred to as the “Recipient.”

**Form of Report.** A report may be provided in person, in writing, or by email. Written reports by mail or email should be made using the *Whistleblower Disclosure Statement*, which is available on the College’s [Human Resources website](#). For reports made in person, the Recipient will record the information reported using the *Whistleblower Disclosure Statement*. Except when a person reports their own violation, the reporter is not required to provide their name in their statement. However, anonymous reports must include sufficient information so that an investigation can be conducted or other appropriate can be taken, including the name of the person against whom the report is being made, the date of the incident, the names of any potential witnesses, and a description of the incident.

- Confidentiality.** All reports of suspected or actual Covered Conduct may be submitted on a confidential or anonymous basis. Reports are kept confidential to the extent possible, consistent with applicable laws, the need to conduct an adequate investigation, and to prevent or correct suspected or actual Covered Conduct. Information relating to a report is provided only to those with a need to know so that an adequate investigation or other action can be taken. In appropriate cases, and without limitation, the investigation documents will be shared with law enforcement personnel. Disclosure of reports to individuals not involved in an investigation is a serious disciplinary offense and may result in discipline, up to and including dismissal, termination, or civil lawsuits.
- Handling Reports.** If the identity of the person making the report is known, the Recipient will provide the reporter timely acknowledgement of receipt of the report, regardless of how the report was received by the Recipient. The report will be reviewed by the Recipient with appropriate college officials, the Compliance Officer, and/or the Compliance Committee (the “Reviewing Authorities”) and legal counsel, as appropriate. Generally, the composition of the Reviewing Authorities will be determined by the nature of the reported Covered Conduct and the individuals involved. The Reviewing Authorities will undertake

or cause to be undertaken such investigation as they deem appropriate, taking into consideration all relevant facts and circumstances.

The subject(s) of the report may be notified of the investigation, if the Reviewing Authorities deem it appropriate, unless prohibited by law.

The College expects full cooperation by all individuals in the investigation of a report. An employee's failure to participate or otherwise cooperate in an investigation may result in disciplinary action, up to and including termination of employment.

- 4. Results of Investigation.** When the investigation is concluded, the Reviewing Authorities will determine if any disciplinary actions, up to and including termination of employment, and/or other corrective measures are required or otherwise warranted, which may include reporting the findings of the investigation to appropriate law enforcement or governmental authorities. Any person who is the subject of a report under this policy must not be present at or participate in any deliberation, voting, or other decision-making on any matter relating to such report. However, the Reviewing Authorities may request that the person who is the subject of the report present information as background or answer questions prior to such decision-making.

If, when the investigation is concluded, it is not established that Covered Conduct has occurred, the investigation will be closed. Any reports of Covered Conduct that are made in bad faith may result in disciplinary action, up to and including termination of employment and/or other appropriate corrective measures.

If the identity of the person making the report is known, the Reviewing Authorities may inform them of the resolution, if the Reviewing Authorities deem it appropriate. If the Reviewing Authorities deem it appropriate and/or if circumstances require, the subject(s) of the report may be notified of the resolution.

- 5. Documentation.** The Reviewing Authorities will document any investigation or other action carried out under this policy, including the rationale for any recommended resolution and/or corrective action. All documentation relating to the investigation, including the *Whistleblower Disclosure Statement*, and the resolution and/or corrective action taken must be kept in the Compliance Committee records for at least five years. ↑

## 712. WORK ATTIRE

Union relies on staff members' good judgment regarding their work attire. Business casual is the default, meaning casual clothing that allows staff members to feel comfortable while working and appears neat, clean, and professional. More casual clothing may be appropriate for certain roles, such as in athletics or student affairs, depending upon the day's activities.

At the discretion of department leadership, staff members may at times be expected to dress in more formal business attire for certain functions or meetings. During unusually hot or cold weather or for certain events, staff members may dress more casually than is normally expected.

Certain staff members may be required to wear uniforms or protective clothing, depending on the nature of their job, which will be provided by the College.

If you are seeking a work attire accommodation for reasons based on religion, disability, or other grounds protected by federal, state, or local laws, please contact Human Resources. ↑