



Lackawanna College

Employee Handbook

**Original Release date:
April, 30, 2009
Including Amendments through:
December 31, 2014**

Welcome to Lackawanna College

Thank you for joining Lackawanna College! We hope you agree that you have a great contribution to make to our College, and that you will find your employment here a rewarding experience.

You have joined an organization that has established an outstanding reputation for quality. Credit for this goes to everyone in the organization. We hope you, too, will find satisfaction and take pride in your work here. As a member of the Lackawanna College team, you will be expected to contribute your talents and energies to further improve the environment and quality of this organization.

This Employee Handbook may provide answers to most of the questions you may have about the College's programs, policies and procedures. You are responsible for reading and understanding this Employee Handbook. If anything is unclear, please discuss the matter with the Director of Human Resources.

I extend to you my personal best wishes for your success and happiness at Lackawanna College.

Sincerely,

Mark Volk
President
Lackawanna College

Notice

This Employee Handbook has been prepared to inform you of Lackawanna College's mission, employment practices, and policies, as well as the benefits provided to you as a valued employee.

Some Things You Must Understand

The policies in this Employee Handbook are to be considered as guidelines.

- Lackawanna College, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this Employee Handbook at any time without prior notice as business, employment legislation, and economic conditions dictate.
- Any such action shall apply to existing as well as to future employees.
- Employees may not accrue eligibility for monetary benefits that they have not become eligible for through actual time spent at work.
- Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked.
- No one other than an executive officer of Lackawanna College may alter or modify any of the policies in this Employee Handbook. Any alteration or modification of the policies in this Employee Handbook must be in writing.
- No statement or promise by a supervisor or department head, past or present, may be interpreted as a change in policy nor will it constitute an agreement with an employee.

This Employee Handbook replaces (supersedes) any and all other or previous Lackawanna College Employee Handbooks, or policies whether those policies are written or oral.

This Employee Handbook is only one source of information about your job with Lackawanna College. The College also promulgates policies, work rules, etc. It is your responsibility to read those when issued or revised and to abide by them. Also, some faculty members are in a "bargaining unit" represented by the Lackawanna College Educational Association and are therefore covered by a collective bargaining agreement between the College and the union. Both this Handbook and the collective bargaining agreement generally apply to "bargaining unit" employees; however, if a provision of the collective bargaining agreement differs from or is contrary to any provision in this Handbook, the specific provision in the collective bargaining agreement controls. There may also be some benefits differences for "bargaining unit" faculty. If you are a "bargaining unit" faculty employee and are not sure what applies to you regarding a particular issue, it is your responsibility to check with Human Resources, the Vice President for Academic Affairs, or you may consult your union representative.

Receipt and Acknowledgment of Lackawanna College Employee Handbook

Please read the following statements, sign below and return to the Director of Human Resources.

Understanding and Acknowledging Receipt of Lackawanna College's Employee Handbook

I acknowledge that I have received a copy of Lackawanna College's Employee Handbook, and I do commit to read and follow these policies.

I am aware that if, at any time, I have questions regarding Lackawanna College's policies, I should direct them to my direct supervisor or the Human Resources Department.

I know that Lackawanna College's policies and other related documents do not form a contract of employment and are not a guarantee by the College of continuing employment, or of the conditions and benefits that are described within them. Nevertheless, the provisions of such policies are incorporated into the acknowledgment, and I agree that I shall abide by its provisions.

I understand that the policies and benefits described in this Handbook are subject to change at the sole discretion of Lackawanna College at any time.

At-Will Employment

I further understand that my employment is at will, and neither Lackawanna College nor I have entered into a contract regarding the duration of my employment. No employee of Lackawanna College can enter into an employment contract for a specified period of time, or make any agreement contrary to this policy without the written approval from the president or executive vice president of the college.

Employee's Printed Name

Position

Employee's Signature

Date

Contents

An Overview of Lackawanna College	008
About Lackawanna College	008
Background.....	008
Concept	008
What You Can Expect From Lackawanna College	008
What Lackawanna College Expects From You.....	009
Open Communication Policy.....	009
Outside Employment	009
Suggestions	010
Employment.....	010
At-Will Employment	010
Confidential Information.....	010
Background Clearances.....	011
Employment Relations.....	011
Equal Employment Opportunity	012
Americans With Disabilities Act Policy.....	012
Discriminatory Harassment Policy	013
Prohibition of Unlawful Discriminatory Harassing Conduct.....	013
Sexual Harassment	014
Verbal Harassment	014
Physical Harassment	014
Visual/Non-Verbal Harassment.....	015
Other Forms of Discriminatory Harassment.....	015
Harassment Reporting Procedures.....	016
Harassment Investigation Procedures	017
Standards of Conduct	018
Unacceptable Activities.....	019
Grievance Procedures	021
Whistleblower Policy.....	023
Employment Status.....	023
Introductory Period	023
Regular Employees.....	024
Temporary Employees.....	024
Part Time Employees	024
Non-Exempt Employees	025
Exempt Employees.....	025
Disciplinary Actions	025
Work Schedule	027
Business Hours.....	027
Attendance.....	028
Overtime	028
Tardiness	028
Absences.....	028

Reporting an Absence or Lateness.....	028
Meal and Break Periods	029
Severe Weather and Emergency Conditions.....	029
Essential Personnel	030
Personnel Records and Administration.....	030
Your Personnel File	030
Your Medical Records File.....	031
Compensation	031
Wage and Salary Policies.....	031
Pay Period and Pay Cycle	031
Hours Worked.....	031
Paycheck Distribution	031
Direct Payroll Deposit	032
Error in Pay.....	032
Overtime Pay	032
Time Records	032
Performance and Compensation Reviews.....	032
Performance Reviews.....	032
Compensation Reviews	033
Benefits.....	033
Eligibility for Benefits.....	034
Health insurance	034
Continuation of Health Care Coverage (COBRA)	035
Group Life Insurance and Accidental Death & Dismemberment Insurance.....	035
Total Disability Benefits	035
Tuition Remission and Professional Support.....	036
Government Required Coverage.....	0038
Workers' Compensation	038
Unemployment Compensation	039
Social Security	039
Retirement Plan	039
Statement Of Employee Retirement Income Security Act (ERISA) Rights	040
Leaves.....	040
Paid Leaves	040
Holidays	040
Vacations	042
Sick Leave	044
Bereavement	045
Jury Duty.....	045
Unpaid Leaves	046
Family / Medical Leave of Absence – Notice of Rights and Responsibilities	046
Family / Medical Leave of Absence – General Information	049

Military Leave of Absence.....	051
Personal Leave of Absence.....	051
Safety	052
General Employee Safety.....	052
Reporting Safety Issues.....	052
Report Injuries	053
Ask Questions.....	053
Weapons	053
Security.....	053
Smoking.....	054
Separation of Employment	054
Termination.....	054
Insurance Conversion Privileges	054
Exit Interviews.....	055
Return of College Property	055
Former Employees	055
Post-Employment Inquiries	055
Workplace Policies	055
Communications	055
College and Department Meetings	056
Computer Software (Unauthorized Copying)	056
Use of Communications Equipment Policy	057
Use of College Vehicles.....	058
Use and Return of Library Materials	058
Dress Code and Personal Appearance	059
Drug-Free Workplace Policy.....	059
Violence in the Workplace Policy.....	060
Conflict of Interest & Conflicts of Commitment Policy.....	061

An Overview of Lackawanna College

Lackawanna College is an accredited, private, non-profit educational institution providing opportunities for career and personal development within selected degree, certificate, and continuing education programs primarily to residents of Northeastern Pennsylvania. Lackawanna College takes pride both in its reputation for preparing individuals for successful careers in a variety of fields and disciplines, as well as in its ability to satisfy the evolving educational needs of a regional community influenced by social, technological and economic changes.

Committed to an open admissions policy, Lackawanna College distinguishes itself by offering higher education opportunities to all persons who seek to improve their lives regardless of their socio-economic status, past achievements, gender, national origin, age, race, color, creed, or disability. In doing so, Lackawanna College recognizes its responsibility to maintain a comprehensive program of services to support students aspiring to transfer to four-year institutions, seek employment, upgrade their job skills, or develop themselves.

What You Can Expect From Lackawanna College

Lackawanna College believes in creating a harmonious working relationship between all employees. In pursuit of this goal, Lackawanna College has created the following employee relations objectives:

1. Provide an exciting, challenging, and rewarding workplace and experience.
2. Select people on the basis of skill, training, ability, attitude, and character without discrimination with regard to age, sex, color, race, creed, national origin, religious persuasion, marital status, or disability.
3. Compensate all employees fairly.
4. Review wages, employee benefits and working conditions regularly with the objective of being competitive in these areas consistent with sound business practices.
5. Assure employees, after talking with their supervisor, an opportunity to discuss any issue or problem with officers of Lackawanna College.
6. Take prompt and fair action of any written complaint that may arise in the everyday conduct of our business, to the extent that is practicable. Grievance Procedures will ordinarily be followed except in circumstances where discriminatory harassment is alleged (see p.21 for Grievance Procedures).

What Lackawanna College Expects From You

Lackawanna College needs your help in making each working day productive and rewarding. Your first responsibility is to know your own duties and how to perform them promptly, correctly and pleasantly. Second, you are expected to cooperate with students, parents, Administration, faculty, and your fellow employees and to maintain a positive team attitude.

How you interact with fellow employees and those whom Lackawanna College serves, and how you accept direction can affect the success of your department. In turn, the performance of one department can impact the entire service offered by Lackawanna College. Consequently, whatever your position, you have an important assignment: perform every task to the very best of your ability.

You are encouraged to grasp opportunities for personal development offered to you. This Handbook offers insight on how you can perform positively and to the best of your ability to meet and exceed Lackawanna College's expectations.

We strongly believe you should have the right to make your own choices in matters that concern and control your life. We believe in direct access to Administration. We are dedicated to making Lackawanna College an organization where you can approach your supervisor, or any member of the Administration, to discuss problems or questions. We expect you to voice your opinions and contribute your suggestions to improve the quality of Lackawanna College. We also expect you to enthusiastically support and carry out College policies once decisions have been made.

Open Communication Policy

Please arrange a meeting with a member of your Human Resources Department to discuss any concern, problem, or issue that arises during the course of your employment. Retaliation against any employee for appropriate usage of Open Communication channels is unacceptable. Please remember it is counterproductive to a harmonious workplace for employees to create or repeat rumors or office gossip. It is more constructive for an employee to consult his/her supervisor immediately with any questions.

Outside Employment

Although employees are not prohibited from taking an outside job, Lackawanna College reserves the right to terminate an employee if such outside employment negatively affects your performance, the business or other interests of Lackawanna College. Employees may not accept outside employment that creates a conflict of interest for Lackawanna College. The determination of whether an outside job negatively affects Lackawanna College shall remain entirely within the discretion of Lackawanna College.

If your situation requires you to hold a second job, part-time or full-time, or if you intend to engage in a business enterprise of your own, Lackawanna College needs to know about it. Before accepting any outside employment you are required to discuss the matter with a representative of Human Resources.

Suggestions

We encourage all employees to bring forward their suggestions and good ideas about how our College can be made a better place to work and our service to students and the greater community can be enhanced. When you see an opportunity for improvement, please talk it over with your supervisor. He or she can help you bring your idea to the attention of the people in the organization who will be responsible for possibly implementing it.

Employment

At-Will Employment

Your employment with Lackawanna College is at-will. This means that neither you nor Lackawanna College has entered into a contract regarding the duration of your employment. You are free to terminate your employment with Lackawanna College at any time, with or without reason. Likewise, Lackawanna College has the right to terminate your employment, with or without reason, at the sole discretion of Lackawanna College.

No employee of Lackawanna College can enter into an employment contract for a specified period of time, or make any agreement contrary to this policy without written approval from the President of the College.

Confidential Information

We sincerely hope that our relationship will be long-term and mutually rewarding. However, your employment with Lackawanna College assumes an obligation to maintain confidentiality, even after you leave our employ.

Additionally, our students entrust Lackawanna College with important information relating to their educational experience. The nature of this relationship requires maintenance of confidentiality. In safeguarding the information received, Lackawanna College earns the respect and further trust of our students.

If you are questioned by someone outside the College or your department and you are concerned about the appropriateness of giving them certain information, you are not required to answer. Instead, as politely as possible, refer the request to your supervisor.

No one is permitted to remove or make copies of any Lackawanna College records, reports or documents without prior management approval. Disclosure of confidential information could lead to termination, as well as other possible legal action.

Background Clearances

All employees with a start date on or after January 1, 2011 will be responsible for completing, providing payment for, and submitting their Child Abuse History Clearances to the Department of Public Welfare. The Human Resources Office will provide these forms to all employees.

After being processed, the Department of Public Welfare mails the results directly to the address provided by the employee on the clearance form. When an employee receives the processed clearance in the mail at his/her home address, as a condition of employment, he/she must present it to the Human Resources Director. When an employee presents the clearance to the HR Office, he/she will be reimbursed for the cost of the clearance (\$10).

Allowing the standard three (3) week turnaround time as indicated by the Department of Public Welfare, employees will be given six (6) weeks from their hire date to submit the Child Abuse History Clearance results to the Human Resources Office for documentation purposes. Failure to submit the Child Abuse History Clearance within six (6) weeks will result in immediate suspension without pay. The employee will then be given an additional ten (10) days to present the required documentation. An employee failing to provide the required documentation within the next ten (10) days will be terminated from employment with the College and not subject to rehire.

Criminal Record Checks will be submitted to the Pennsylvania State Police on the employee's behalf, by the Human Resources Office, with payment provided by the College.

Employment Relations

The success of Lackawanna College depends upon the quality of the relationships between Lackawanna College, our employees, students, and the general public. The Community's impression of Lackawanna College and its interest and willingness to support us is greatly formed by the College's employees. Regardless of your position, you are an ambassador for Lackawanna College. The more goodwill you promote the more our students and the community will respect, appreciate and support the services we provide.

Below are several things you must do to help give students and the general public a good impression of Lackawanna College. These are the building blocks for our continued success:

1. Act competently and deal with others in a courteous and respectful manner.
2. Communicate pleasantly and respectfully with other employees at all times.
3. Follow up on questions and requests promptly and perform all duties in an orderly manner.
4. Take great pride in your work and enjoy doing your very best.

Equal Employment Opportunity

Lackawanna College is an equal employment opportunity employer. Employment decisions are based on merit and business needs, and not on race, color, citizenship status, national origin, ancestry, gender, age, sexual orientation, religion, creed, physical or mental disability, marital status, veteran status, or any other factor protected by law.

Equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.

The Administration is primarily responsible for seeing that Lackawanna College's equal employment opportunity policies are implemented, but all members of the staff share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

Any employees, including supervisors, involved in discriminatory practices will be subject to discipline up to and including termination.

Americans With Disabilities Act Policy

Lackawanna College is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is the College's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the individual can perform the essential functions of the job with or without a reasonable accommodation.

The College will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified individual (as those terms are defined in the ADA) unless an undue hardship will result. If you have a disability that requires an accommodation, you must request reasonable accommodation so

that the College can work with you in an effort to assist you to perform the essential functions of your job effectively.

Discriminatory Harassment Policy

Lackawanna College is committed to providing a work environment for its employees that is free from all forms of unlawful discriminatory harassment. *Unlawful discriminatory harassment* is severe or pervasive harassment which creates a hostile working environment, and which is based on an individual's sex, race, religion, creed, age, national origin, disability, or certain other traits that are deemed "protected" under applicable federal, state and municipal fair employment practices laws. Discriminatory harassment based upon such protected traits subjects the person who is the recipient or object of it to adverse employment conditions on the basis of his/her protected trait, and therefore violates the referenced anti-discrimination laws.

The College prohibits supervisors, administrators or other decision-makers from making tangible employment decisions (hiring, firing, promotion, wage adjustments, etc.) based upon an employee's sex, race, religion, age, national origin, disability, or other protected traits, or upon an employee's response to sexual advances, sexual harassment or any other form of unlawful discriminatory harassment.

The College does not tolerate any conduct that causes or contributes to discriminatory harassment. In addition, the College does not tolerate retaliation or reprisals by its supervisors or administrators against any employee who reasonably and in good faith opposes discriminatory harassment in the workplace and/or who in good faith uses the College's harassment complaint procedures to deal with such issues.

All College employees, including but not limited to supervisors and administrators, who violate this policy will be subject to disciplinary action, up to and including discharge.

Prohibition of Unlawful Discriminatory Harassing Conduct

Unlawful discriminatory harassment, as defined above, which is sufficiently severe or pervasive to alter the conditions of employment of the person who is being harassed creates a discriminatory hostile working environment. The College prohibits all forms of harassing conduct that might cause or contribute to such an environment. Harassing conduct includes, but is not limited to, derogatory sexual, racial, ethnic, religious, age-based, disability-related or other remarks, slurs, jokes, materials, or conduct which are inappropriate and tend to create such an environment. Harassing conduct is prohibited and will not be tolerated at the College.

Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, and other harassing conduct based upon the victim's sex when submission to the particular conduct is, either implicitly or explicitly, made a term or condition of employment or where the conduct is sufficiently severe or pervasive to alter the conditions of employment of the person who is subjected to it and creates a hostile working environment.

Whether specific conduct will constitute *discriminatory sexual harassment* as defined by law, and as applied under this policy, depends upon the actual facts and particular circumstances of each situation. However, as a guide, the following conduct is typically found to cause or contribute to a sexually hostile working environment and will not be tolerated at the College. Any employee, supervisor or administrator who engages in such conduct will be subject to disciplinary action, up to and including discharge:

Verbal Harassment

- * Derogatory or vulgar comments regarding a person's gender
- * Sexually suggestive language or innuendo
- * Sexually vulgar language
- * Jokes of a sexual nature
- * Remarks about a person's gender-related physical anatomy or characteristics
- * Sexual propositions or intimidation
- * Threats of physical harm for a sexual purpose
- * Use of inappropriate or sexually offensive words
- * Severe verbal harassment directed at an individual because of that person's gender
- * Any other inappropriate, offensive communication of a sexual nature, including noises, catcalls or slang

Physical Harassment

- * Unwelcome touching of another person
- * Touching another person in a sexually suggestive way
- * Slapping, pinching or grabbing another's breasts, genital areas or buttocks
- * Sexual assault
- * Physical conduct directed at an individual because of that person's gender
- * Intimidating conduct, such as blocking a person's movements or invading their personal space (directed at an individual because of that person's gender)

Visual/Non-Verbal Harassment

- * Distributing or displaying sexually derogatory posters, cartoons or drawings, including nude pictures, posters, cartoons or drawings
- * Distributing or displaying, reading or viewing written or graphic sexual materials in the workplace
- * Distributing, displaying, reading or viewing sexually-oriented magazines in the workplace
- * Distributing or displaying nudity or sexually-oriented graphics on computer terminals
- * Distributing or displaying sexually offensive or inappropriate e-mail messages or written materials
- * Presence of sexually suggestive objects, pictures or graphics in the workplace
- * Sexually offensive leering
- * Obscene sexual gestures

Sexual harassment may be directed towards males or females. It may be committed by supervisors, administrators, co-workers, students, suppliers, customers, vendors and others. Acts and verbal communications that are typically considered non-offensive or acceptable by most people, such as compliments which are of a socially acceptable nature, are not considered to be sexual harassment. Rather, sexual harassment refers to forms and types of behaviors that are not welcome because they are personally offensive to a reasonable person and fail to respect their, or others' rights. It is recognized that sometimes actions or communications that seem to be and which are intended to be harmless or amusing to some employees may be offensive to others. Likewise, actions or communications that might normally be overlooked outside of work may be offensive to people on the job that are the recipients of such actions or communications, and therefore can cause sexual harassment complaints. Recognizing the imprecise nature, at times, of determining whether or when conduct (including acts or communications) constitute, or rise to the level of being, discriminatory sexual harassment, we urge all our employees to conduct themselves professionally and to be considerate of their co-workers.

Other Forms of Discriminatory Harassment

Harassment of any kind towards employees based upon race, religion, age, national origin, disability or other protected traits is completely unacceptable conduct and will not be tolerated by the College. The College prohibits all forms of harassing conduct that might cause or contribute to discriminatory harassment, including, but not limited to, the following:

- * Using racial, religious, or ethnic slurs or epithets
- * Using language that would reasonably offend members of a given race, religion, age, national origin, disability or any other group

- protected against discrimination under federal and state fair employment practices laws
- * Distributing or displaying any materials that would reasonably offend members of a given race, religion, age, national origin, or disability, or members of any other group protected against discrimination
 - * Displaying written or graphic materials on computer terminals that would reasonably offend members of a given race, religion, age, national origin, or disability, or members of any other group protected against discrimination
 - * Displaying symbols, pictures or other cartoons, posters or graphic materials that would reasonably offend members of a given race, religion, age, national origin, or disability, or members of any other group protected against discrimination
 - * Subjecting any individual to verbal or physical harassment due to that individual's race, religion, age, national origin, disability or other protected characteristics under federal and state fair employment practices laws

It is the intent of the College, through this policy, to ensure that the workplace be free from the effects of illegal discriminatory conduct based upon race, religion, age, national origin, disability and other protected traits and characteristics recognized as 'protected' under applicable federal, state and/or municipal fair employment practices laws. Such conduct is not acceptable in any form in the College's workplaces or while an employee is conducting business on behalf of the College.

Harassment Reporting Procedures

The College is committed to taking prudent and reasonable measures to eliminate discriminatory harassment from its workplace. However, if the Administration is not aware of an incident of harassment when it takes place, that situation obviously cannot be addressed. Accordingly, all employees, supervisors and administrators have the duty to report harassing conduct in the workplace to the Administration, and must follow these reporting procedures. Any employee who believes that he or she is being subjected to harassing conduct in the workplace is instructed to promptly take the following actions:

- 1a. If the inappropriate conduct is not severe or pervasive and if you are comfortable doing so, you may wish to politely but firmly confront the harasser. If so, indicate that his/her conduct is not welcome and ask him or her to stop. If you are not comfortable following this course of action in the first place, or if you do follow it but the behavior persists even after you have advised the harasser to stop, then you should;

- b Immediately report the harassing conduct to any one (or more) of the following individuals:
 - (1) The supervisor of your department;
 - (2) The supervisor of the harasser's department;
 - (3) The Human Resources Department

- 2. Cooperate with the individual(s) who is/are investigating your complaint of harassment by providing him/her/them with detailed information regarding the situation(s) which gave rise to your complaint, including the identity of the harasser, the date(s) of each of the relevant incidents, the specific conduct being complained of, all witnesses to the conduct, and any other pertinent information. This type of information is necessary in order to conduct a proper investigation and also to determine and take prompt remedial action to bring the conduct to an end. If you do not cooperate with the College in investigating any situations that potentially constitute harassing conduct, the College may be unable to properly address the situation.

You may be asked to sign an acknowledgment of complaint form and provide written information concerning the harassment.

All complaints will be handled in a timely manner. Information concerning your complaint will be treated with the appropriate confidentiality. Of course, management personnel needed to participate in the investigation, the alleged harasser, and possible witnesses may be contacted and thereby learn of the complaint. It is strongly suggested that no person discuss the complaint or the results of the investigation, except for discussions necessary to conduct the investigation, to take any appropriate remedial measures, and/or to administer and manage the College's policy against discriminatory harassment.

Individuals accused of harassing conduct must not engage in any form of retaliation or reprisal taken against the person(s) who has (have) complained of the harassment. No employee will suffer any form of retaliation or reprisal for making a good faith report of discriminatory harassment.

Harassment Investigation Procedures

Investigation of harassment complaints by the appropriate Administrator and/or Human Resources officials of the College will be prompt. The supervisor to whom the harassment is reported, together with the Human Resources Department and/or one of the College's Affirmative Action Officers will be responsible for conducting the harassment investigation. Any supervisor or administrator who receives an employee complaint of harassment, or who otherwise becomes aware of possible harassment in the workplace, must immediately report that harassment complaint to the Human Resources

Department and/or one of the College's Affirmative Action Officers so that a prompt investigation can be conducted. If the harassment has occurred within the chain of command of the individual who would otherwise have had responsibility for conducting the investigation, arrangements must be made to designate someone else determined appropriate to conduct a neutral investigation.

In conducting an investigation, the investigator will inform the alleged harasser that a complaint has been made against him/her, and will generally relate the nature of that complaint, attempting, where possible, to withhold disclosing the identity of the individual who has made the complaint. The investigator will obtain the alleged harasser's version of the incident(s) complained of and any other information determined relevant or which the alleged harasser wishes to present. The investigator will determine the specific procedure and methods for questioning an alleged harasser, or others, in the course of investigating a complaint. Investigatory interviews will be done privately, and at all times outside the presence of both the complaining employee and the individual who is alleged to have committed the harassment. The alleged harasser, and others as appropriate, will be informed that, regardless of the results of the investigation, any retaliation or reprisal against the complaining employee, then or in the future, is strictly forbidden.

The investigator will obtain evidence or facts as he/she determines necessary from others, including co-workers, who he/she has reason to believe may have observed the harassment or other relevant facts, or who have experienced similar harassment. The investigator may determine it necessary, during the investigation, to disclose certain facts, including the identity of the complainant or the identity of the alleged harasser, to those being interviewed, although substantial efforts will be made to limit such disclosures and to ensure as much as is reasonably possible that such disclosed facts are not published or discussed outside the context of the investigation.

Once the investigator has obtained sufficient relevant information, a determination as to whether discriminatory harassment has occurred will be made. If it is determined that prohibited harassment has occurred, discipline and/or discharge will be imposed as determined appropriate, and remedial measures determined necessary will be taken to promptly bring the harassment to an end. In all circumstances, the complaining employee and the alleged harasser will be informed whether a finding of prohibited harassment has been made.

Standards of Conduct

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and harmoniously. By accepting employment with us, you have a responsibility to Lackawanna

College and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these rules is to be certain that you understand what conduct is expected and necessary. When each person is aware that he or she can fully depend upon fellow workers to follow the rules of conduct, our organization will be a better place to work in for everyone.

Unacceptable Activities

We expect each person to act in a mature, professional and responsible way at all times. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed below, please see your supervisor for an explanation.

Nothing in the following list of Unacceptable Activities alters the at-will nature of your employment; either you or Lackawanna College may terminate the employment relationship with or without reason, and in the absence of any violation of these rules.

The following list of Unacceptable Activities is not exhaustive, and does not include all types of conduct that can result in disciplinary action, up to and including termination:

1. Violation of any College rule; any action that is detrimental to Lackawanna College's efforts to operate effectively.
2. Violation of security or safety rules, or failure to observe safety rules or Lackawanna College's safety practices; failure to wear required safety equipment; tampering with Lackawanna College equipment or safety equipment.
3. Negligence or any careless action that endangers the life or safety of another person.
4. Violation of the College's Drug Free Workplace policy or Drug Testing Policy.
5. Unauthorized possession of dangerous or illegal firearms, weapons or explosives on College property or while on duty.
6. Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on College premises or when representing Lackawanna College; fighting, or provoking a fight on College property, or negligent damage of property.
7. Insubordination or refusing to obey instructions properly issued by your supervisor pertaining to your work; refusal to help out on a special assignment.

8. Threatening, intimidating or coercing fellow employees on or off the premises at any time, for any purpose.
9. Engaging in an act of sabotage; negligently causing the destruction or damage of College property, or the property of fellow employees, students, suppliers, or visitors in any manner.
10. Theft or unauthorized possession of College property or the property of fellow employees; unauthorized possession or removal of any College property, including documents, from the premises without prior permission from management; unauthorized use of College equipment or property for personal reasons; using College equipment for profit.
11. Dishonesty; falsification or misrepresentation on your application for employment or other work records; falsifying reason for a leave of absence or other data requested by Lackawanna College; alteration of College records or other College documents.
12. Giving confidential or proprietary Lackawanna College information to third parties or to unauthorized Lackawanna College employees; breach of confidentiality of personnel information.
13. Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and lack of harmony; interfering with another employee on the job; restricting work output or encouraging others to do the same.
14. Immoral conduct or indecency on College property.
15. Unsatisfactory or careless work; failure to meet production or quality standards as explained to you by your supervisor.
16. Any act of harassment as defined in the Discriminatory Harassment Policy.
17. Leaving work before the end of a workday or not being ready to work at the start of a workday without advance notice to and approval of your supervisor; stopping work before time specified for such purposes.
18. Sleeping or loitering/loafing during working hours.
19. Inappropriate usage of the College's Communication Systems as defined in the Communications policy.
20. Smoking outside of the designated areas, as specified by department rules.
21. Creating or contributing to unsanitary conditions.

22. The unauthorized posting, removing or altering of notices on any bulletin board on College property.
23. Failure to properly report an absence or late arrival; excessive absence or lateness.
24. Obscene or abusive language toward any supervisor, employee or student; indifference or rudeness towards a student or fellow employee; any disorderly/antagonistic conduct on College premises.
25. Speeding or careless driving of College vehicles.
26. Failure to immediately report damage to, or an accident involving, College equipment.
27. Participation in gambling, lotteries or other games of chance while on College property or during work hours.
28. Possession of cameras and/or electronic recording/surveillance equipment on College property unless authorized.

Grievance Procedures

A grievance is any dispute involving the meaning, interpretation, or application of any of the provisions of the College's policies or procedures.

An employee who wishes to process a grievance shall first discuss the matter informally with his or her immediate supervisor. If the grievance cannot be informally resolved, it shall be reduced to writing not later than thirty (30) days after the occurrence giving rise to the grievance. Each written grievance shall be provided to the supervisor and shall contain:

1. A statement of the specific facts involved in the grievance;
2. The dates of the occurrence;
3. A list of all policies and procedures involved;
4. The names of the individuals affected;
5. The interpretation or remedy sought;

If the grievance cannot be resolved with the supervisor within a reasonable period of time, not to exceed one (1) week after it is reduced to writing, it may be appealed to a Cabinet Member.

A. Appeal to Cabinet Member

The individuals processing the grievance shall submit a written appeal to the cabinet member in charge of their area within five (5) working days after the written response of the supervisor. The appeal shall set forth any reason why the disposition of the supervisor was not deemed correct or acceptable. A written decision shall be rendered within ten (10) working days by the cabinet member.

B. Appeal to the President or Executive Vice President

A grievance not resolved with the cabinet member may be appealed in writing to the President or Executive Vice President of Lackawanna College within ten (10) days after the cabinet member's response. The appeal shall fully set forth the position and reasoning of the grievant. The President, Executive Vice President and/or his designee shall confer with the grievant and such other persons as are deemed necessary, and shall attempt to resolve the grievance. The President's or Executive Vice President's written decision shall be final unless a decision is made by the President to refer the matter to the Board of Trustees; in which case the decision of the Board of Trustees will be final.

General Procedures

1. If a grievance is not appealed to the next step of the procedure within the time permitted, the decision rendered at the lower step shall be deemed accepted and final. If a written decision is not rendered within the time allotted, the grievance may be appealed to the next step.
2. By mutual agreement, extensions may be granted to any time period or limit in this procedure.
3. Respect individual rights, and treat all employees with courtesy and consideration.
4. Maintain mutual respect in our working relationship.
5. Provide buildings and offices that are comfortable, orderly and safe.
6. Promote employees on the basis of their ability and merit.
7. Make promotions or fill vacancies from within Lackawanna College whenever practical.

8. Promote an atmosphere in keeping with Lackawanna College's vision, mission, and goals.

Whistleblower Policy

Lackawanna College is committed to protecting employees from interference with making a protected disclosure or from retaliation for having made a protected disclosure as defined in this policy. The College will neither: (1) retaliate against an employee who has made a protected disclosure; nor (2) retaliate against an employee who is requested by an appropriate authority to participate in an investigation or other proceeding. It is the intention of the College to take whatever action may be needed to prevent and correct activities that violate this policy.

- A. Whistleblowers have no authority to, nor the responsibility of, investigating any suspect activity, or for determining fault or any potential corrective measures; the appropriate members of the College management team are charged with these responsibilities.
- B. If an employee of the College has knowledge or a concern of illegal activities, fraudulent financial reporting, dishonesty or any conduct that is violative of the College's policies, the employee is to contact Human Resources, the Executive Vice President or the President immediately. The employee must exercise sound judgment to avoid baseless allegations.
- C. Any College employee who intentionally files a false report of wrongdoing will be subject to discipline, up to and including termination.
- D. Whistleblower protections, including confidentiality and protection against retaliation, will be provided as allowed for in state and federal law.
- E. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged, investigated and verified.

Employment Status

Probationary Employees – Introductory Period

Your first six (6) months of employment at Lackawanna College are considered an Introductory Period during which you will be considered a probationary employee. During that period you will not be eligible for benefits described in this Employee Handbook unless otherwise stated in the Handbook or required by

law. This Introductory Period will be a time for getting to know your fellow employees, your supervisor, and the tasks involved in your job position, as well as becoming familiar with Lackawanna College's services and mission. Your supervisor will work closely with you to help you understand the needs and processes of your job.

This Introductory Period is a "getting acquainted" time for both you, as an employee, and Lackawanna College, as an employer. During this Introductory Period, Lackawanna College will evaluate your suitability for employment, and you can evaluate Lackawanna College as well. If the requirements of the position are not met during the introductory period, it may be extended by the President or the employee may be terminated. Following the successful completion of the Introductory period, your status will change from a probationary employee to a regular employee. Please understand, however, that completion of the Introductory Period does not guarantee your continued employment, as employment is always at-will.

Regular Employees

Those employees who regularly work at least thirty-five (35) hours per week, and who maintain continuous regular employment status, shall be considered full-time "regular" employees. Regular employees shall accrue the employee benefits outlined in the Employee Benefits section of this Employee Handbook. The status of regular employee shall not change the at-will nature of employment.

Temporary Employees

Temporary employees are those who are hired for a specific period or to complete a specific work task (usually for a period of less than five (5) months). A temporary employee is not subject to progressive discipline and may be terminated prior to the designated expiration date of the assignment after at least two work days notification prior to the effective date of termination.

Temporary employees interested in regular employment will be included among applicants for regular full-time openings only when they request in writing that Human Resources consider their resume/application for a specific regular open position. Temporary employees are not eligible for benefits other than paid holidays (during a minimum four (4) weeks assignment), all state and federally mandated benefits, and bereavement pay.

Part Time Employees

Part-Time employees are those who regularly work less than thirty-five (35) hours per week on a continuous basis. Part time employees are only eligible for benefits as specifically referenced in this handbook and on a pro-rated basis.

Non-Exempt Employees

Non-Exempt Employees are those who are not exempt from minimum wage, overtime and other provisions of the Fair Labor Standards Act, as amended. These employees must keep track of and be paid for all hours worked. In addition, non-exempt employees will receive overtime pay in the amount of 1 and ½ times their regular hourly rate for hours worked in excess of 40 hours per week.

Exempt Employees

Exempt employees are those who are exempt from the minimum wage and other provisions of the Fair Labor Standards Act, as amended. These executive, administrative, and supervisory employees are paid on a salary basis and do not receive overtime pay.

Disciplinary Actions

This Disciplinary Actions Policy applies to all regular employees who have completed the Introductory Period.

This policy pertains to matters of conduct as well as the employee's performance. However, an employee who does not display satisfactory performance and accomplishment on the job may be dismissed, in certain cases, without resorting to the steps set forth in this policy.

Under normal circumstances, supervisors may follow the procedure outlined below. There are often situations, however, in which the seriousness of the offense or particular circumstance justifies the omission of one or more of the steps in the procedure. Likewise, there may be times when the College may decide to repeat a disciplinary step. Lackawanna College reserves the right to alter, amend, or deviate from the following disciplinary procedure as it sees fit.

The provision of this disciplinary procedure does not in any way alter or abolish employment-at-will status.

Discipline Procedure

To insure that Lackawanna College business is conducted properly and efficiently, you must conform to certain standards of attendance, conduct, work performance and other work rules and regulations. When a problem in these areas does arise, your supervisor will coach and counsel you in mutually developing an effective solution. If, however, you fail to respond to coaching or counseling, or an incident occurs requiring formal discipline, the following procedures occur.

Unacceptable behavior that does not lead to immediate dismissal may be dealt with in the following manner:

1. Verbal Warning
2. Written Warning
3. Suspension with or without pay
4. Termination

Step One: Verbal Warning

Your supervisor will meet with you to discuss the problem or violation, making sure that you understand the nature of the problem or violation and the expected remedy. The purpose of this conversation is to educate you and remind you of exactly what the rule or performance expectation is and also to remind you that it is your responsibility to meet Lackawanna College's expectations.

You will be informed that the Verbal Warning is the first step of the discipline procedure. Your supervisor will fully document the Verbal Warning. Documentation of the incident will be placed in your personnel record. You must sign this Verbal Warning. Refusing to sign the warning (only for the purpose of acknowledging that the employee has received it) will result in additional disciplinary action, up to and including dismissal.

Step Two: Written Warning

If the situation warrants, if your performance does not improve or if you are again in violation of Lackawanna College practices, rules or standards of conduct, your supervisor will discuss the problem with you, emphasizing the seriousness of the issue and the need for you to immediately remedy the problem. Your supervisor will advise you that you are now at the second formal level of disciplinary action. Your supervisor will fully document the Written Warning. Documentation of the incident will be placed in your personnel record. You must sign this Written Warning. Refusing to sign the warning (only for the purpose of acknowledging that the employee has received it) will result in additional disciplinary action, up to and including dismissal.

Step Three: Paid or Unpaid Suspension

If the situation warrants, if your performance does not improve or if you are again in violation of Lackawanna College practices, rules or standards of conduct, you will be placed on Paid or Unpaid Suspension. The Suspension is the third and final step of Lackawanna College's disciplinary process. Your supervisor will fully document the Suspension. Documentation of the incident will be placed in your

personnel record. You must sign this documentation of Suspension. Refusing to sign the document (only for the purpose of acknowledging that the employee has received it) will result in additional disciplinary action, up to and including dismissal.

Employees on a Suspension will spend the time away from work deciding whether to commit to correcting the immediate problem and to conform to all of the College's practices, rules and standards of conduct, or to quit and terminate their employment with Lackawanna College.

If your decision following the Suspension is to return to work and abide by Lackawanna College's practices, rules and standards of conduct, your supervisor will document the College's expectations, your commitment and the consequences of failing to meet this commitment. You will be required to sign the documentation to acknowledge receipt and agreement of this form. Refusal to sign the document that you are in agreement of this form will result in additional disciplinary action, up to and including dismissal. A copy will be placed in your personnel file.

You will be allowed to return to work with the understanding that immediately and for the next three months if a positive change in behavior does not occur, or if another disciplinary problem occurs, your employment will be terminated.

A Paid or Unpaid Suspension, depending upon the circumstances, is also warranted if you commit or are suspected of having committed a serious violation of College rules as determined by the College. Under such circumstances you will be suspended with or without pay pending an investigation of the situation. Following the investigation you may be terminated without any previous disciplinary action having been taken.

The provision of this Disciplinary Policy is not a guarantee of its use. Lackawanna College reserves the right to terminate employment at any time, with or without reason.

Work Schedule

Business Hours

Our regular office hours are from 8:00 a.m. to 4:00 p.m., although each department of Lackawanna College has its own special requirements.

Your particular hours of work and the scheduling of your meal period, if applicable, will be determined and assigned by your supervisor. Most employees are assigned to work at least a thirty-five (35) hour workweek. Should you have any questions concerning your work schedule, please ask your supervisor.

Attendance

Lackawanna College requires you to be ready to work at the beginning of your assigned daily work hours, and to reasonably complete your projects by the end of your assigned work hours. Please let your supervisor know if you will be away from your workstation for an extended period of time and when you expect to return.

Overtime

Overtime for Non-Exempt employees is defined as time worked in excess of 40 hours per week. "Time worked" is defined as actual hours worked. It does not include hours for which an employee received pay but was not performing his or her duties (e.g., vacations, holidays, personal time, etc.). Overtime must have the specific pre-approval of the department director.

Tardiness

Each employee will be at his or her place of work during regular office hours or when otherwise scheduled. Excessive lateness or leaving early without letting your supervisor know will result in discipline up to and including termination from employment.

Absences

Personal situations may arise which require an employee's absence from scheduled work. All absences will be considered either authorized or unauthorized. Authorized absences are those where the employee has given proper notice of the absence and has appropriate paid or unpaid leave time available as described in this handbook. Unauthorized absences are those for which leave is not appropriate or available and/or where the employee has not given proper notice. Unauthorized absences will result in discipline up to and including termination from employment.

All absences, regardless of duration, must be recorded, utilizing the College's Human Resources Information System (HRIS).

Reporting an Absence or Lateness

If you are unable to report to work, or if you will arrive late, you must contact your supervisor by the start of business (or by the start of your scheduled work hours, if they are outside of normal business hours). If you know in advance that you will need to be absent, you must request this time off directly from your supervisor.

When you call in to inform Lackawanna College of an unexpected absence or late arrival, simply ask for your supervisor. If you're arriving to work late, please

let your supervisor know when you expect to arrive for work. You are expected to call in and personally speak to your supervisor. Failure to properly notify your supervisor of an absence or lateness will result in discipline up to and including termination from employment.

Meal and Break Periods

Full-time employees are entitled to one 60-minute lunch break, one 10-minute break during the morning hours, and one 10-minute break in the afternoon hours. Part-time employees who work a four-hour shift receive one 10-minute break.

Severe Weather and Emergency Conditions

The Department of Public Safety is the Office of Primary Responsibility (OPR) for cancellation or delay of college activities due to inclement weather. A decision to cancel or delay activities will be made not later than 6:00 AM for day classes and 3:00 PM for evening sessions. Call 570-504-7935 for cancellation/delay message.

College Closed - No one reports. Designated Personnel responsible for maintenance and snow removal will report to their respective work stations.

Classes Cancelled - Students & Faculty DO NOT report. Lackawanna College staff members will report to their functional areas at normal starting times.

*Compressed Schedule - Mon./Wed/Fri. – Classes begin at 9:30 AM
Tues./Thurs. – Classes begin at 9:50 AM*

During compressed schedule periods, students, employees and faculty are requested to arrive on campus no earlier than 10 minutes prior to class starting times. This will enable snow removal personnel to adequately and safely clear campus parking areas and walkways.

Inclement weather notification actions will be provided to the following radio and television stations:

WARM (590AM), WGGY (101FM), WILK (980AM), WKRZ (98.5), MAGIC 93 (92.9 FM), 97BHT (97.1 FM), WICK (1400 AM), WEJL (630AM), WNEP (Channel 16), WYOU (channel 22), WBRE (Channel 28)

Employees may also receive delay and/or closing alerts via e-mail or mobile phone (text message) by registering with the WENS Emergency Notification System which can be found by visiting <https://portal.lackawanna.edu>.

If an employee feels that attempting to drive to work in severe weather will compromise his/her welfare, he/she may choose to utilize either a half or full vacation day. The time taken must be reported on the HRIS system the day the employee returns to work.

Essential Personnel and Holidays/Closings

Personnel determined by the College to be "essential" will be informed of that status and may be required to report to work on days designated as Holidays or days where the College is otherwise closed for business (e.g. due to inclement weather).

Personnel Records and Administration

The task of handling personnel records and related personnel administration functions at Lackawanna College has been assigned to the Human Resources Department. Questions regarding insurance, wages, and interpretation of policies may be directed to that department.

Your Personnel File

Lackawanna College permits current employees to inspect their own personnel file.

Your personnel file will be available for inspection during Lackawanna College's regular business hours. Any inspection of records must be conducted during your free time. Prior to such an inspection, you must fill out a written form requesting access to your personnel file. To assist Lackawanna College in providing the correct records to meet your need, your written request must also indicate either the purpose for which the inspection is requested, or the particular parts of your personnel record which you wish to inspect or have inspected by your agent.

Your personnel file is, and remains the property of, Lackawanna College. You may not remove your file, or any part thereof, from the Human Resources Department. You may not copy the contents of your file, although you will be permitted to take notes as to the file's contents. To ensure compliance with the above rules, Lackawanna College may require that you inspect your file in the presence of a staff member of the Human Resources Department.

Keeping your personnel file up-to-date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the items listed below, please be sure to notify your supervisor as soon as possible.

1. Legal name
2. Home address

3. Home telephone number
4. Person to call in case of emergency
5. Number of dependents
6. Marital status
7. Change of beneficiary
8. Driving record or status of driver's license, if you operate any Lackawanna College vehicles
9. Military or draft status
10. Exemptions on your W-4 tax form
11. Training Certificates
12. Professional License(s)
13. Proof of educational degrees

Upon experiencing a family status change, please notify supervisor within 31 days for benefit modifications, if necessary.

Your Medical Records File

All medical records, if any, will be kept in a separate confidential file. Lackawanna College maintains this information in the strictest confidence.

Compensation

Wage and Salary Policies

Pay Period and Pay Cycle

The pay period for Lackawanna College employees is bi-weekly and begins on a Friday and ends, 14 days later, on a Thursday.

Hours Worked

The work week for Lackawanna College is for a period of 35 hours. Employees are entitled to an hour for lunch which is not included in hours worked and is unpaid.

Paycheck Distribution

Wages that are not electronically deposited may be picked up in the business office in the form of a paper check after 2:00 PM on the Wednesday prior to the bi-weekly pay date. No checks will be distributed prior to this time. No exceptions.

Direct Payroll Deposit

Full-time employees are encouraged to take advantage of electronic payroll deposit. To have your pay deposited in this manner, please notify the payroll supervisor who will give you the instructions to accomplish this.

Error in Pay

From time to time, an error may occur in an employee's check. If this occurs, please notify your supervisor immediately. Every error will be corrected as soon as an investigation occurs and it is found that the error can be documented. Payroll advances are not customary. As a matter of policy, errors in wages will be corrected in the next pay period. If hardship is claimed, a payroll advance will be determined on a case-by-case basis.

Overtime Pay

All non-exempt employees will be paid overtime for any time worked over 40 hours in one work week. These hours must have prior approval by the Department Director, and a time card, signed by the employee and the Department Director must be turned in to the payroll department by Noon on Friday after the pay period ends.

Time Records

It is the responsibility of each employee paid by a time card to calculate all hours worked and place them on the proper time card. This card must be signed by the employee and the supervisor of that employee and it is the responsibility of that employee to document that the card has been sent to the payroll department no later than Noon on the Friday after the prior payroll ends.

Performance and Compensation Reviews

Performance Reviews

Because we want you to grow and succeed in your job, Lackawanna College conducts an annual performance review. New employees may be reviewed during or near the end of their Introductory Period. A review may also be conducted in the event of a promotion or change in duties and responsibilities or in the event that a supervisor believes that a review will be beneficial or is warranted.

During a formal performance review your supervisor may cover the following areas:

- * The quality and quantity of your work.

- * Strengths and areas for improvement.
- * Attitude and willingness to work.
- * Initiative and teamwork.
- * Attendance.
- * Ongoing professional growth and development.
- * Disciplinary record

Additional areas may also be reviewed as they relate to your specific job.

Your review provides a golden opportunity for collaborative, two-way communication between you and your supervisor. The performance review will outline the areas of your performance that need improvement and it is also a good time to discuss your interests and future goals. Your supervisor is interested in helping you to progress and grow in order to achieve personal as well as work-related goals and he/she can recommend further training or additional opportunities for you. The performance review gives your supervisor an opportunity to suggest ways for you to advance and make your job at Lackawanna College more fulfilling.

Your supervisor can answer any questions you may have about the performance review process.

Compensation Reviews

Lackawanna College's compensation reviews are usually given following a performance review. Any applicable compensation increase will appear in the pay period ending after the date granted. Having your compensation reviewed does not necessarily mean that you will be given an increase due to individual and/or College performance. All wage adjustments require the written approval of the President and/or his designee.

Benefits

Lackawanna College is committed to sponsoring a comprehensive benefits program for all eligible employees. In addition to receiving an equitable salary and having an equal opportunity for professional development and advancement, you may be eligible to enjoy other benefits that will enhance your job satisfaction. We are certain you will agree the benefits program described in this Employee Handbook represents a very large investment by Lackawanna College.

A good benefits program is a solid investment in Lackawanna College's employees. Lackawanna College will periodically review the benefits program and will make modifications as appropriate to the College's condition. Lackawanna College reserves the right to modify, add or delete the benefits it offers.

Eligibility for Benefits

If you are a full-time regular employee, you will enjoy all of the benefits described in this Employee Handbook after you have satisfactorily completed your probationary period and any other applicable waiting periods or eligibility criteria as specified in this handbook, plan descriptions or as otherwise provided by law. Coverage is available for eligible employees and dependents as defined in specific benefit summary plan descriptions.

BenefitsVIP

Lackawanna College has partnered with Benefits VIP, through Corporate Synergies, to provide the employees with a resource regarding questions pertaining to their benefits including, but not limited to, obtaining new ID cards, learning whether a physician is in or out of network, determining if the employee is responsible for a bill received, determining if a test will be covered, etc. The team at BenefitsVIP dedicated to Lackawanna College employees can be contacted by calling 866-293-9736 or emailing solutions@benefitsvip.com.

Health Insurance

All full-time employees are eligible to participate in a health benefits program. The programs offered are currently Geisinger Choice PPO Without Referral and Geisinger Solutions Extra HMO. Coverage begins 30 days after the date of hire. All employees enrolled in health and/or dental insurance will be required to notify the Human Resources Office in writing within thirty (30) days of learning that a spouse or dependent who receives health or dental insurance coverage through the College's group plan(s) is no longer eligible for such coverage (i.e., due to entry of a divorce decree, a child completing full-time education, etc.) Employees who fail to notify the Human Resources Office within the mandated thirty (30) days will thereafter be required to pay the difference between their existing premium cost and the premium that would have been appropriate had the college received timely notice of the spouse or dependent's change in status. Employees will be required to make up the difference for each month beyond the thirty (30) day grace period in which they fail to provide appropriate notification. Employees may provide this payment via personal check or payroll deduction.

The College recognizes that unusual situations may arise in which an employee may not be aware of events which lead to a spouse or dependent becoming

ineligible for health insurance coverage. These rare cases will be addressed on a case-by-case basis.

Continuation of Health Care Coverage (COBRA)

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) is a Federal law requiring Lackawanna College to offer employees and their families the opportunity for a temporary extension of health coverage (called “continuation coverage”) at group rates in certain instances where coverage under the plan would otherwise end.

The Director of Human Resources can advise on eligibility when an employee or family member loses coverage under any of Lackawanna College’s health plans.

Group Life Insurance

All full-time regular employees are currently covered by employer-paid Group Life Insurance amounting to two times the individual’s base annual salary rounded to the next higher \$1,000, if not an even multiple thereof, subject to a maximum of \$200,000. This Group Life Insurance Plan also provides the employee with an Accidental Death and Dismemberment Benefit. Further information is available in the policy brochure or at the Department of Human Resources.

Lackawanna College will provide group life insurance for an employee age 65 or older with an age-based benefit reduction. Retired employees are not eligible for continuation of Group Life or Accidental Death and Dismemberment benefits.

Total Disability Benefits

Any employee hired on a full-time regular basis is entitled to participate in the Disability Insurance Program. Employees are eligible for Short Term Disability after 90 days of employment, and Long Term Disability after one full year of employment. Lackawanna College currently pays the entire premium for this insurance.

Health and dental insurance coverage for all currently enrolled full-time employees on short term and/or long term disability is subject to the following schedule:

<u>Length of Service</u>	<u>Short Term Disability</u>	<u>Long Term Disability</u>
Less Than Five Years	3 months	3 months
Five to Ten Years	3 months	6 months
Ten+ Years	3 months	9 months

Tuition Remission and Professional Support

Tuition Remission

Any full-time regular employee of Lackawanna College is eligible to take regularly scheduled credit courses, non-credit courses, certificate programs, and camps offered by Lackawanna College on a tuition-free, seat available basis. The Act 120 Police Academy is excluded from this policy.

These courses must be taken by an employee at a time that will not interfere with regular work assignments and only with written approval of his or her immediate supervisor, department director and the Director of Human Resources. Such written approval will be based on a variety of factors including record or discipline and performance.

Each employee is responsible for laboratory fees, registration fees, and any additional costs above tuition for all courses.

A dependent child or dependent spouse (as defined by the Internal Revenue Service) of a full-time regular employee or Board of Trustee Member is eligible to take regularly scheduled credit courses offered by Lackawanna College on a tuition-free, seat available basis. These courses must have the written approval of the department director of the employee and the Director of Human Resources. Each student is responsible for laboratory fees, registration fees, and any additional costs above tuition for all courses.

The employee, or the employee's dependent spouse or child, must apply for financial aid using the current FASFA. Eligibility for grants and scholarships from other sources will be deducted from tuition charges. The balance will be covered by tuition remission.

If more than three Lackawanna College courses are taken in any fiscal year, the approval of the President is necessary.

If an employee resigns employment, tuition remission will cease to apply to the employee or any eligible dependents and the employee and/or dependent/s will be responsible for making a tuition payment to the College. If an employee's service is involuntarily terminated for any reason, tuition remission will cease to apply to the employee and the employee and will be responsible for making a tuition payment to the College. In the case of an involuntary termination of employment, a dependent child or dependent spouse who was enrolled at Lackawanna College during the time the employee was full-time may continue to receive tuition remission for his or her education only to complete the semester in which he or she is enrolled and only if he or she shows academic progress

and is working toward a degree. The President may make an exception to this if determined to be warranted.

The Director of Human Resources is responsible for the operation of this policy. A tuition remission application is available in the Human Resources Office and should be obtained when a candidate is applying for such support. This form must be completed and approved in advance of the beginning of the classes in which the individual wishes to enroll.

Professional Support

Each full-time regular employee is eligible to apply for professional support grants to pursue advanced studies in subjects pertinent to his or her professional responsibilities. The College has complete discretion whether to grant or deny any grant application, based on financial/budget considerations and other relevant business factors. A professional support grant will be valid only if all requirements of this policy are satisfied and the grant applicant applies for and is given specific approval in advance. Degrees and courses taken must relate to the employee applicant's job function, unless specific prior approval is given by the President of the College. Additionally, there will be no salary increase for employees who obtain multiple/additional degrees at the same (or lesser) level (as, for example, where an employee with a Bachelor's degree obtains a second Bachelor's degree, or an employee with a Master's degree obtains an Associate's degree, or any combination thereof).

Under this policy, Lackawanna College may, in its discretion, approve a professional support grant up to the full amount (or a portion) of the tuition cost associated with one traditional (in-classroom) college credit course per semester. Exceptions may be made on a case-by-case basis by the President of the College. Other requirements of this policy include:

1. No applicant will be approved for professional support in connection with more than two courses taken in any fiscal year.
2. On-line course work reimbursement will be considered on a case-by-case basis.
3. To apply, an employee must complete a "Request for Professional Support Grant" form and secure the required signatures (division head and President) and submit it to the Director of Human Resources. (The required form is available in the Human Resources Office and on the college's website). For a professional support grant to be valid and effective, the applicant must submit a completed form, and approval by the department director and the President must be given, in advance, before the class in which the individual wishes to enroll begins.

4. Each and every approved grant is subject to the specific understanding and requirement that the employee will remain employed by Lackawanna College, in good standing, during and throughout the academic year immediately following the year in which the grant is used. If the employee resigns at any time prior to the end of the academic year immediately following the year in which the grant is used, then the amount of the grant will be a loan that the employee/applicant is obligated to repay to Lackawanna College. The President may, in his/her sole discretion, grant an exception to this policy if it is in the best interest of Lackawanna College to do so.

5. Full-time regular employees are encouraged to submit any grant request in advance of the preparation of the next fiscal year's budget. Consideration and approval of any grant request is at all times within the sole and complete discretion of the College, and approvals to this policy will be subject to relevant business factors, including, without limitation, economic and financial factors, budget considerations and approval, and availability of resources and funding.

6. The employee must receive a passing grade (C or better) in order to qualify for payment by the College. Employees receiving failing grades for courses taken will be responsible for payment for providing payment-in-full to the institution where the course was taken.

Upon the attainment of an advanced degree, the following amounts will be applied to an employee's base salary once proof of completion is submitted to the Human Resources Office.

Associates Degree	\$ 500
Bachelors Degree	\$1,000
Masters Degree	\$1,500
Doctoral Degree	\$2,000

Government Required Coverage

Workers' Compensation

The College currently provides workers compensation coverage to full-time and part-time employees through Traveler's Insurance. A list of panel physicians is provided to every employee through the orientation process and again when a workplace injury is sustained. Additional lists are available by contacting the Human Resources Office. Upon experiencing an injury in the workplace, the injured employee must contact their immediate supervisor and the Human Resources Office immediately in order to provide the necessary information to establish a claim. In the instance where an injury requires immediate medical attention, an injured employee may seek treatment at the emergency room of any hospital. Once a claim has been established, the employee should keep the

Human Resources Office apprised of all future physician appointments. In the event that an employee is unable to work due to a workplace injury, a release from his/her physician will be required to return to work. FMLA will be run concurrently with all workers compensation claims.

Unemployment Compensation

Depending upon the circumstances, employees may be eligible for Unemployment Compensation upon termination of employment with Lackawanna College. Eligibility for Unemployment Compensation is determined by the Division of Unemployment Insurance of the State Department of Labor. Lackawanna College pays the entire cost of this insurance program.

Unemployment compensation is designed to provide you with a temporary income when you are out of work through no fault of your own. For your claim to be valid, you must have a minimum amount of earnings determined by the State, and you must be willing and able to work. You should apply for benefits through the local UC Service Call Center.

Social Security

The United States Government operates a system of mandated insurance known as Social Security. As a wage earner, you are required by law to contribute a set amount of your weekly wages to the trust fund from which benefits are paid. As your employer, Lackawanna College is required to deduct this amount from each paycheck you receive. In addition, Lackawanna College matches your contribution dollar for dollar, thereby paying one-half of the cost of your Social Security benefits.

Your Social Security number is used to record your earnings. Employees are encouraged to protect your Social Security record by ensuring your name and Social Security number on your pay stub and W-2 Form are correct. You may also want to make sure your earnings statement is accurate each year by requesting a Personal Earnings and Benefit Estimate Statement from the U.S. Social Security Administration by calling 1-800-772-1213 or you may even access them on-line at www.ssa.gov

Retirement Plan

The retirement plan offered to employees of Lackawanna College is known as the Teachers Insurance Annuity Association and College Retirement Equities Fund (TIAA/CREF). Employees who meet the eligibility requirements may begin participation in the retirement plan on a voluntary basis on the first pay period following employment at Lackawanna College. Contributions under this retirement plan will be made on a bi-weekly basis during years of participation.

A full-time employee will contribute a minimum of 4% of his or her annual salary, and Lackawanna College will contribute 6% on the employee's behalf. Also, any part-time employee who wishes to participate in the plan and completes 1,000 or more hours of service during a twelve month period is also eligible for a 6% match. Part-time employees who work less than 1,000 hours during a twelve month period are not eligible for a match from the College but may designate a specific dollar amount per pay to be contributed toward retirement.

Statement Of Employee Retirement Income Security Act (ERISA) Rights

The Employee Retirement Income Security Act of 1974 (ERISA) is a federal law that sets minimum standards for most voluntarily established pension and health plans in private industry to provide protection for individuals in these plans.

ERISA requires plans to provide participants with plan information including important information about plan features and funding; sets minimum standards for participation, vesting, benefit accrual and funding; provides fiduciary responsibilities for those who manage and control plan assets; requires plans to establish a grievance and appeals process for participants to get benefits from their plans; gives participants the right to sue for benefits and breaches of fiduciary duty; and, if a defined benefit plan is terminated, guarantees payment of certain benefits through a federally chartered corporation, known as the Pension Benefit Guaranty Corporation (PBGC).

Leaves

Both paid (vacation time and holidays) and unpaid time off may be granted to eligible employees, according to the following leave policies. Please consult Human Resources for further information.

Paid Leaves

Holidays

A holiday is a calendar twenty-four hour period recognized by Lackawanna College as a normal day off, with holiday pay. Designated Holidays may be changed from year to year at the discretion of the College.

Eligibility

To be eligible for holiday pay, the employee must be employed full-time for at least three months and must have been either actively working or on a properly authorized excused absence on the last regular workday immediately preceding and the first regular workday immediately following the observed holiday. This also applies to part-time employees, except that they must be employed for a

minimum of five months to be eligible for pro-rata holiday pay. Holiday pay will not be granted when:

- (1) A paid holiday occurs during the employee's leave of absence.
- (2) A paid holiday occurs during an employee's vacation period. The vacation will be extended one day.

Currently Recognized holidays:

Lackawanna College observes the following holidays:

- Columbus Day
- Christmas Eve
- Christmas Day
- New Year's Eve
- New Year's Day
- President's Day
- Spring Recess
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving

Personnel determined by the College to be "essential" will be informed of that status and may be required to report to work on days designated as Holidays or days where the College is otherwise closed for business (e.g. due to inclement weather).

Procedures

When a recognized holiday falls on a Sunday, it will ordinarily be observed on the following Monday. When a recognized holiday falls on a Saturday, it will ordinarily be observed on the preceding Friday. Holiday observance will coincide with the recognition designated by the State and Federal Government observance calendar.

Holiday time is not cumulative and must be taken in the period stated.

Payment

Any employee not required to work on a scheduled holiday will receive a holiday allowance of seven (7.0) hours pay at his or her regular base rate. Pay will be prorated for part-time employees who meet the minimum requirements (those employed for a minimum of 5 months).

Vacations

1. Policy

Vacation accrual and eligibility will be based on each fiscal year, July 1 to June 30, inclusive.

2. Eligibility

a. All regular full time employees, and part time employees who are regularly scheduled to work at least twenty (20) hours per week for 50 weeks (or 1,000 hours annually), are eligible to receive vacation with pay after six months of employment. Part time employees who meet this criterion will earn one half the amount of vacation with pay that would normally be earned by a full time employee with the same seniority. **Temporary employees are not eligible for vacation.**

b. With respect to new employees, no vacation will be earned until after six months of continuous service *and* the “introductory period” (if extended) are completed.

c. Vacation eligibility is determined from the date of hire or rehire, except that:

(1) Temporary unpaid absences (leave of absence, layoff, etc.), in some cases, effect a change in the employee’s date of hire and, therefore, may affect vacation eligibility date.

(2) Excused paid absences (jury duty, sick days, etc.) do not affect vacation eligibility date.

(3) Change of status from part-time to full-time will affect vacation eligibility date. (Only applies if part time was at least 20 hours per week - Then the original part time effective date will be used.)

3. Annual Vacation Allowance

a. The vacation days an eligible employee is entitled to on July 1st, and which he or she may take during the current year are as follows:

1 month – 6 months	None
6 months - 1 year	1 day/month of employment up to 6 days per vacation year
1 year - 3 years	1 day/month of employment up to 12 days per vacation year
3 years - 10 years	1.25 day/month of employment up to 15 days per vacation year
10 years - 15 years	1.67 days/month of employment up to 20 days per vacation year
Over 15 years	2.25 days/month of employment up to 27 days per vacation year

b. Illness falling during vacation time will not extend the vacation year nor will sick leave be paid for the period of time the employee is ill unless the illness extends beyond the vacation time allotted. In this instance the procedure for payment of sick leave must be followed.

c. The occurrence of a paid holiday during a vacation will add a day to the vacation period.

4. Vacation Usage

a. Vacation allowance may be taken in accordance with these requirements and restrictions. All requests for vacation must be submitted on the College's Human Resources Information System (HRIS) for approval by the employee's immediate supervisor.

b. Vacation allowance may be taken at any time, subject to approval at least two (2) weeks in advance by the department director.

c. Vacation allowance must be utilized within the fiscal year (July 1 through June 30). Vacation time will not be carried over into the next fiscal year.

d. Employees having exhausted all of their vacation and sick time, and in need of additional time off must provide a written request to their immediate supervisor, secure the approval of their supervisor, and forward the request to the Human Resources Office. Any days beyond the employee's total bank of days available will be given without pay.

5. Payment in Lieu of Vacation

a. Vacations are intended to be a period of rest and relaxation to improve the efficiency and mental attitude of the employee. Pay in lieu of vacation is not permitted.

b. Vacation pay will be computed at the current rate in effect at the time the vacation is taken. One day's pay is found by multiplying the hourly rate times the hours of a normal workday.

c. Employees will be issued a payroll check for time worked plus vacation allowance during the normal pay sequence.

d. Employees who are discharged by the College are not entitled to pay for unused vacation time. Employees who voluntarily resign their employment may be paid for accrued but

unused vacation time provided that the employee gives at least two (2) weeks' notice prior to voluntary termination, shows acceptable job performance up to the last day worked, and returns all college property on or before the last scheduled day of work.

e. Vacation time may not be accumulated. If any employee has used more than his or her accrued vacation allowance during the year of termination, this overpayment will be deducted from the employee's final paycheck.

Sick Leave

Definitions

Personal Illness – A non-work related illness or injury.

Personal Illness Allowance – Six (6) days, prorated annually.

Sick Pay – Pay during absence due to Personal Illness.

General

Sick leave is a benefit available to regular full-time employees to use for their own personal illness. Personal Illness days may not be used to extend holidays or vacations. Sick leave extending beyond three (3) consecutive working days must be supported by a doctor's note indicating the reason for sick leave and the expected duration of the leave. When sick leave cannot be anticipated, proper notice must be given to the employee's supervisor and a doctor's note supporting the leave must be provided as soon as possible. Within two days of returning from having taken Personal Illness time, employees must enter their time off on the College's Human Resources Information System (HRIS) for approval by their supervisor.

Payment

Computation of one day of Sick Pay will be equal to a scheduled day of work at the employee's base hourly rate, not to exceed seven (7.0) hours per day.

Personal Illness Allowance may be carried over from year to year for a maximum accumulation of Fifteen (15) days. Sick days may not be "cashed out".

Sick pay will not be granted when an employee:

1. Is receiving vacation pay.
2. Is on a leave of absence, layoff, vacation, or on a paid holiday.

Terminating employees *will not be paid* for any unused accrued sick leave.

Reporting

1. Employees are to notify their supervisor, or department director, prior to start of the work day stating the reason and anticipated length of absence. Failure to do so will result in non-authorization for Sick Pay and could result in discipline for failure to give proper notice.
2. Failure by an employee to give notification for (2) consecutive workdays will result in termination.

Illness During Working Hours

1. An employee who becomes ill during working hours must report to his or her immediate supervisor.
2. Utilization of partial days (less than 7.0 hours) is discouraged, except in cases of emergency or where otherwise required by law.

Bereavement Leave

Policy and Procedure

Time off at the regular rate of pay shall be granted for a period of up to three (3) days for a death in the immediate family, to attend a funeral (and/or related services) that takes place on a working day. The immediate family is defined as the employee's parents, spouse or life mate, children, brother, sister, stepchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, step parent, grandparent, grandchild, daughter-in-law, and son-in-law.

Payment

Computation of one day of bereavement leave pay will be equal to a scheduled day of work at the employee's base hourly rate, not to exceed seven (7.0) hours per day.

Reporting

Employees must notify their supervisors, or department heads, prior to the start of the workday stating the reason and anticipated length of absence. Failure to do so will result in no authorization to pay for the absence. Within two days of return, employees must enter their length of absence on the College's Human Resources Information System (HRIS).

Jury Duty

It is your civic duty as a citizen to report for jury duty whenever called. If you are called for jury duty, you must notify your supervisor within forty-eight (48) hours of receipt of the jury summons. Pennsylvania Law prohibits an employer from

terminating or otherwise penalizing an employee because that employee serves as a juror.

Supervisors must champion Lackawanna College's commitment to supporting our employee's civic duty and responsibility to serve on a jury. Time off for Employees serving on a jury is considered an excused absence and employees are not required to utilize vacation time. Employees will receive full pay from the College for the time served, and may keep the compensatory stipend given them.

On any day or half-day you are not required to serve, you will be expected to return to work.

Unpaid Leaves

Family / Medical Leave of Absence: Notice of Rights and Responsibilities

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

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

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

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

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

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

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. Then 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include 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, or Circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

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

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

This policy shall be administered in a manner consistent with the terms of the Family and Medical Leave Act of 1993. The College reserves the right to impose any conditions or limitations upon any leave of absence as may be deemed consistent with the provisions of the Act. Any questions concerning this policy should be directed to the Human Resources Department who is the administrator of the College's FMLA policy.

Family / Medical Leave of Absence – General Information

Employees who have been employed by the College for at least 12 months, who have completed at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave, and who work at a worksite employing 50 or more employees (within a 75 mile radius of that worksite) may be eligible for an unpaid family or medical leave pursuant to this policy. Eligible employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period in the following situations:

Family Leave - A child is born, adopted or taken into the employee's immediate family for foster care and leave is needed for the employee to care for the child.

Personal Medical Leave - The employee becomes unable to perform his or her job functions due to a serious health condition; or

Medical Leave for Family Care - The employee is needed to care for a spouse, child or parent of the employee who has a serious health condition.

Military Related Leave – On an annual basis, an eligible employee who is the spouse, son, daughter, or parent of a service member called to active duty is entitled to a total of twelve (12) weeks of leave due to a qualifying exigency arising out of the fact that the spouse, or a 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 Armed Forces in support of a contingency operation.

Once during the course of an employee's employment, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of twenty-six (26) workweeks of Service member Family Leave during a twelve (12) month period to care for a service member who has suffered a serious injury or illness.

An employee who qualifies for leave under *both* of the above-referenced provisions is only eligible for a total of twenty-six (26) weeks leave during any single twelve (12) month period.

Health insurance will be maintained for any eligible employee on a family or medical leave under this policy on the same terms as would apply if the employee were on active duty (i.e., employees are responsible for paying their portion of health care premiums during leave). Any employee who fails to return to work upon completion of a family or medical leave shall be required to reimburse the College for all benefit premiums paid by it on the employee's behalf during such leave provided the employee's failure to return is not due to circumstances beyond the employee's control.

For purposes of this policy, "serious health condition" means an illness, injury, impairment or physical or mental condition that involves (1) inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with inpatient care; or (2) continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider may include:

1. A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition which also involves: (1) treatment on at least two occasions by a health care provider; or (2) treatment on one occasion by a health care provider which results in a continuing regimen of treatment;
2. Any period of incapacity due to pregnancy or for prenatal care;
3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
4. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective;
5. Any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of treatment.

In cases where the College employs both spouses, family leave may be limited to a combined total of 12 weeks between them. Family leave must be taken within twelve (12) months of the birth or placement of the child.

Eligible employees are limited to a total of 12 workweeks of leave during a 12-month period. The College will calculate this 12-month period by measuring forward from the date of an employee's first FMLA leave usage (i.e. leave is limited to the balance of 12 weeks not used during the past 12 months). All employees taking a personal medical leave of absence must substitute any accrued sick leave, and, if exhausted, any accrued vacation leave as part of a family or medical leave of absence. Employees taking a family leave of absence or a medical leave for family care must substitute any accrued vacation days as part of a family or medical leave of absence. Employees eligible for Workers Compensation will exhaust FMLA leave concurrently.

Requests for a family or medical leave must be submitted to your supervisor. An employee who can anticipate the need for a family or medical leave of absence must provide the College with at least thirty days notice if practicable or as early as possible thereafter. Employees requesting leave for treatment of a serious

health condition must make reasonable efforts to schedule the treatment so as not to disrupt the College's operations.

Employees who are on leave pursuant to this policy shall be restored to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. Highly salaried "key" employees may have limited reinstatement rights. Any "key" employees shall be notified of their specific rights and obligations prior to beginning a family or medical leave.

An employee requesting a medical leave for personal or family care under this policy must submit a certification by his or her health care provider regarding the need for such leave. Certification forms may be obtained from the Human Resources Department. The College reserves the right to require second and third opinions at its own expense relating to an employee's medical certification. Any employee returning to work from a personal medical leave shall be required to submit a fitness-for-duty certification from his or her health care provider, stating that he or she is able to resume work. The College also reserves the right to require an employee on family or medical leave to report periodically on the employee's status and intent to return to work.

Military Leave of Absence

If you are inducted into the U.S. Armed Forces or serve in the Military Reserves or National Guard, please see your supervisor for details of the College's Military Leave policy and your re-employment rights.

Personal Leave of Absence

Lackawanna College may, at its sole discretion, grant a leave of absence without pay to full-time regular employees in good standing (as defined by the College) who have attained six (6) months of continuous service and who are otherwise not eligible for a Family or Medical Leave of Absence.

The employee shall request a leave of absence in writing to his or her department director at least two weeks in advance, except in the case of unexpected emergencies. The request must be in writing and state the reason for the leave and the expected duration.

A maximum of one (1) month is allowed for a personal leave of absence. The absence must be non-work related and must not interfere with the operations of the department. The request is subject to initial approval by the director of the department, who will submit the request to the President for final approval.

Safety

General Employee Safety

Lackawanna College is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees.

If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your supervisor for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with these safety rules is considered a condition of employment. Therefore, it is a requirement that each supervisor make the safety of employees an integral part of her or his regular management functions. It is the responsibility of each employee to accept and follow established safety regulations and procedures.

Lackawanna College strongly encourages you to communicate with your supervisor regarding safety issues.

Reporting Safety Issues

All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to your supervisor. If you or another employee is injured, you should contact outside emergency response agencies, if needed. If an injury does not require medical attention, a Supervisor and Employee Report of Accident Form must still be completed in case medical treatment is later needed and to insure that any existing safety hazards are corrected. The Employee's Claim for Worker's Compensation Benefits Form must be completed in all cases in which an injury requiring medical attention has occurred.

Federal law (formulated by the Occupational Safety and Health Administration, or OSHA) requires that we keep records of all illnesses and accidents that occur during the workday. The Pennsylvania State Workers' Compensation Act also requires that you report any workplace illness or injury, no matter how slight. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits. OSHA also provides for your right to know about any health hazards that might be present on the job. Should you have any questions or concerns, contact your supervisor for more information.

You should consult the College's panel of approved physicians prior to seeking treatment for a work-related injury. If you fail to treat with a physician listed on the panel, you may not be eligible for reimbursement of payments to that physician.

Report Injuries

Immediately report all injuries, no matter how slight, to your supervisor and the Director of Human Resources.

Ask Questions

If you are ever in doubt regarding the safe way to perform a task, please do not proceed until you have consulted a supervisor. Employees will not be asked to perform any task that may be dangerous to their health, safety or security. If you feel a task may be dangerous, inform your supervisor at once.

We strongly encourage employee participation and your input on health and safety matters. Employees may report potential hazards and make suggestions about safety without fear of retaliation. We appreciate, encourage and expect this type of involvement! The success of the safety program relies on the participation of all employees. Though it is Lackawanna College's responsibility to provide for the safety, health and security of its workers during working hours, it is the responsibility of each employee to abide by the rules, regulations and guidelines set forth.

Remember, failure to adhere to these rules will be considered serious infractions of safety rules and will result in disciplinary actions.

Weapons

Lackawanna College prohibits all persons who enter College property from carrying a handgun, firearm, knife, or other prohibited weapon of any kind regardless of whether the person is licensed to carry the weapon or not. You are allowed to carry tools used in the daily execution of your job description.

The only exception to this policy will be police officers, security guards or other persons who have been given written consent by Lackawanna College to carry a weapon on the property. Any employee who disregards this policy will be subject to immediate termination.

Security

Maintaining the security of Lackawanna College buildings and vehicles is every employee's responsibility. Develop habits that insure security as a matter of course. For example:

- * Always keep cash properly secured. If you are aware that cash is insecurely stored, immediately inform the person responsible.

- * Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise.
- * When you leave Lackawanna College's premises make sure that all entrances are properly locked and secured.

Smoking

Smoking is permitted only in outside designated smoking areas and only during approved breaks and lunch periods. The designated smoking areas are building specific and will be marked with signs. Please be courteous and concerned about the needs of your fellow employees and others. Please do not smoke in restricted areas. Smoking in restricted areas or during non-approved times may result in disciplinary action up to and including dismissal.

All employees are expected to abide by this policy while at work.

Separation of Employment

Termination

Lackawanna College operates under the principle of at-will employment. This means that neither you nor Lackawanna College has entered into a contract regarding the duration of your employment. You are free to terminate your employment with Lackawanna College at any time, with or without reason. Likewise, Lackawanna College has the right to terminate your employment, or otherwise discipline, transfer, or demote you at any time, with or without reason, at the discretion of Lackawanna College.

Lackawanna College hopes and expects that you will give at least two (2) weeks notice in the event of your resignation. Accrued but unused vacation will be paid out upon resignation if, and only if, proper notice is given.

Insurance Conversion Privileges

According to the federal Consolidated Omnibus Budget Reconciliated Act (COBRA) of 1985, in the event of your termination of employment with Lackawanna College or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under our health insurance program for a limited period of time at your own expense.

At your exit interview or upon termination, you will learn how you can continue your insurance coverage and any other benefits you currently have as an

employee who is eligible for continuation. Consult Human Resources for additional details.

Exit Interviews

In a voluntary termination situation, the Director of Human Resources will conduct an exit interview to discuss your reasons for leaving and any other impressions that you may have about Lackawanna College. During the exit interview, you can provide insights into areas for improvement that Lackawanna College can make. Every attempt will be made to keep all information confidential.

Return of College Property

Any Lackawanna College property issued to you, such as keys, computer equipment, or parking passes must be returned to Lackawanna College at the time of your termination. You will be responsible for any lost or damaged items. The value of any property issued and not returned may be deducted from your paycheck, and you may be required to sign a wage deduction authorization form for this purpose.

Former Employees

Former employees of Lackawanna College should refrain from visiting College property without prior coordination with the Public Safety Office. In certain instances, this coordination will be required.

Post-Employment Inquiries

Former employees of Lackawanna College with post-employment inquiries must contact the Human Resources Office.

Workplace Policies

This Employee Handbook is designed to answer many of your questions about the practices and policies of Lackawanna College. Feel free to consult with your supervisor or with Human Resources for help concerning anything you don't understand.

Communications

Successful working conditions and relationships depend upon successful communication. Not only do you need to stay aware of changes in procedures, policies and general information, you also need to communicate your ideas, suggestions, personal goals or problems as they affect your work.

In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and utilize all Lackawanna College methods of communication, including this Employee Handbook, bulletin boards, discussions with your supervisor, memoranda, staff meetings, newsletters, training sessions, and College e-mail and intranet.

You may receive other information booklets, such as your insurance booklets, from time to time. You may take these booklets home so that your family may know more about your job and your benefits.

In addition, you may receive letters from Lackawanna College. There is no regular schedule for distribution of this information. The function of each letter is to provide you and your family with interesting news and helpful information that will keep you up-to-date on the events here at Lackawanna College.

College and Department Meetings

On occasion, Lackawanna College may require that you attend a College-sponsored meeting. **Attendance at such meetings is mandatory unless otherwise specified.**

Computer Software (Unauthorized Copying)

Lackawanna College does not condone the illegal duplication of software.

1. Lackawanna College licenses the use of computer software from a variety of outside companies. Lackawanna College does not own this software or its related documentation and, unless authorized by the software manufacturer, does not have the right to reproduce it.
2. With regard to use on local area networks or on multiple machines, Lackawanna College employees shall use the software only in accordance with the software publisher's license agreement.
3. Lackawanna College employees learning of any misuse of software or related documentation within the College must notify their supervisor immediately.
4. According to the U.S. Copyright Law, illegal reproduction of software can be subject to civil damages and criminal penalties, including fines and imprisonment. Lackawanna College employees who make, acquire or use unauthorized copies of computer software shall be disciplined as appropriate under the circumstances. Such discipline may include termination.

Use of Communications Equipment

Lackawanna College communications systems, including electronic mail, mailboxes, voice-mail, telephone, Intranet and Internet and the contents created or stored on any College computer or communications related equipment, are the sole property of the College and may be monitored at any time for legitimate business reasons. Such services and equipment are provided to assist employees in the completion of their job duties and to support the College's daily operations and long term goals. Such equipment is intended for business use only. The College reserves the right to monitor telephone, and computer communications, including Intranet and Internet access, e-mail, and voice mail at its discretion for legitimate business purposes. Legitimate business purposes may include: periodic systems checks, review of employee productivity, inappropriate or excessive personal use of College equipment, investigations into claims of wrongdoing, locating information stored in files required for the conduct of business, quality control, and other similar business reasons at the discretion of management.

You should expect that your e-mail or voice-mail messages, even those marked personal or those which must be accessed with personal identification or passwords will be reviewed by the College for business purposes. The College reserves the right to access all messages in its communications systems within its sole discretion.

The primary use of telephones and computers must be related to the College's business and to the employee's job functions within the College. Incidental and occasional personal use is permitted provided that such use:

- * Does not affect productivity, quality or service to customers and guests
- * Does not result in cost to the College
- * Does not interfere with the user's job responsibilities or other obligations to the College
- * Does not create a conflict of interest or contribute to personal financial gain
- * Does not directly or indirectly interfere with the College's operation of electronic mail services, computing capacity or network capacity
- * Does not violate any of the guidelines and procedures contained in this and other applicable laws or policies including the College's equal employment opportunity policy and its policy on harassment.

Employees are prohibited from using telephones and/or computers to:

- * Run a personal business
- * Transmit material that is offensive, derogatory (regarding the College, its operations or employees), or pornographic.
- * Download, view, or “bookmark” offensive, derogatory or pornographic material from the Internet
- * Initiate or forward electronic chain letters or "letter bombs"

Of course, as an institution of higher education, we recognize and respect the notion of academic freedom. Any suspected violation of this policy by an educator will be viewed in light of whether the accessed material furthered a legitimate educational goal.

When drafting e-mail messages, we urge you to use restraint. Employees should use the same caution in drafting and transmitting e-mail messages as they would when writing a formal memorandum. Always assume that your messages will be saved and reviewed by someone other than the original addressee.

Employees are advised that continued use of the College’s communications systems constitutes consent to monitoring of telephone, e-mail, voice-mail, Intranet or Internet communications and is conditioned upon strict adherence to College policy. Failure to adhere to this policy will result in discipline up to and including termination.

Use of College Vehicles

Employees requesting use of a college vehicle must have an updated driver’s record on file with the Public Safety Office. This authorization must be completed by the employee/driver and sent to the Pennsylvania Department of Transportation each year, or when driving privileges are requested for the first time, modified or changed. The forms can be obtained from the Director of Public Safety. These forms must be completed and returned to the Director of Public Safety before an employee/driver can use a college vehicle. Employees/drivers lacking the required authorization will be denied access to a college vehicle. All college vehicles must be picked up and returned to a member of the Public Safety Department.

Use and Return of Library Materials

Lackawanna College’s employees may use the resources at our own Seeley Memorial Library located on the ground floor of the Library Building, 406 N. Washington St.. Hours are generally 8:00am – 4:00pm, with evening and Sunday hours during the fall and spring semesters. Check the library’s website for exact hours <http://library.lackawanna.edu>.

The library has a computer lab, coin-operated photocopier, study room, periodicals, audio-visual items, reference books, circulating books, and library staff for assistance. Items may be checked out of the library with the employee identification card. All materials borrowed with the employee ID become the employee's responsibility. Items may be borrowed for up to two weeks and renewed as needed.

Although Seeley Memorial Library does not charge overdue fines for current College employees, library privileges may be revoked if abused. In the event that any library item is lost and/or damaged beyond normal wear, the replacement cost for the item will be assessed and billed to the employee directly. In addition, if an employee is taking Lackawanna College courses, a hold on grades, transcripts and registration will be placed on his/her student account for non-returned materials. Employees who leave the College will be assessed the replacement cost for any non-returned items as of the date of separation from employment and will not be considered eligible for re-hire or to have left the College in good standing until all items are returned and/or assessments paid in full.

Dress Code and Personal Appearance

Lackawanna College has established job-specific rules relating to dress and personal appearance. Your supervisor will instruct you as to what is acceptable for your position. You are expected to dress and groom yourself in accordance with accepted social and business standards, particularly if your job involves dealing with students or visitors in person.

A neat, tasteful appearance contributes to the positive impression you make on our students and the public. You are expected to be suitably attired and groomed during working hours or when representing Lackawanna College. A good, clean appearance bolsters your own poise and self-confidence and greatly enhances our College image.

Personal appearance should be a matter of concern for each employee. If your supervisor feels your attire and/or grooming is out of place, you may be asked to leave your workplace until you are properly attired and/or groomed. Employees who violate dress code standards may be subject to appropriate disciplinary action.

Keep in mind the discomfort your supervisor would feel if she or he had to address this issue with you.

Drug-Free Workplace Policy

Lackawanna College is a drug free workplace. The unlawful manufacture, distribution, dispensing, possession or consumption of a controlled substance is

prohibited in the workplace and compliance with this requirement is a condition of employment for all employees. We would like to address something here about alcohol and if an employee is suspected of having consumed alcohol either during or prior to work, we have the right to send the employee for testing. A positive test result may result in termination.

Violence in the Workplace Policy

Lackawanna College has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect Lackawanna College or which occur on Lackawanna College property will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at Lackawanna College, or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

1. All threats or acts of violence occurring on Lackawanna College's premises, regardless of the relationship between Lackawanna College and the parties involved.
2. All threats or acts of violence occurring off Lackawanna College's premises involving someone who is acting in the capacity of a representative of Lackawanna College.

Specific examples of conduct that may be considered threats or acts of violence include, but are not limited to, the following:

1. Hitting or shoving an individual.
2. Threatening an individual or his/her family, friends, employees, or property with harm.
3. Intentional destruction or threatening to destroy Lackawanna College's property.
4. Making harassing or threatening phone calls.
5. Harassing surveillance or stalking (following or watching someone).
6. Unauthorized possession or inappropriate use of firearms or weapons.

Lackawanna College's prohibition against threats and acts of violence applies to all persons involved in Lackawanna College's operation, including but not limited

to personnel, contract, and temporary workers and anyone else on Lackawanna College property. Violations of this policy by any individual on Lackawanna College property will lead to disciplinary action, up to and including termination and/or legal action as appropriate.

Every employee is encouraged to report incidents of threats or acts of physical violence of which he/she is aware. The report should be made to your supervisor.

Conflict of Interest and Conflicts of Commitment

A *conflict of interest* occurs when you are in a position to influence a decision on policy or purchases or other transactions that may directly or indirectly result in a personal gain to you or to a “relative.” For this purpose, a “relative” is any person who is related to you by blood or marriage, or with whom you are cohabitating.

It is imperative that you disclose to the Director of Human Resources as soon as possible the existence of any actual or potential conflict of interest so that a determination can be made as to whether safeguards can be established to protect all parties.

If you or a relative receives any payment, gift or other consideration as a result of any transaction or business dealing involving the College you will have violated this policy.

A *conflict of commitment* occurs when your involvements in outside activities substantially interfere with your primary commitments to the College. It is your responsibility to report any actual or potential conflict of commitment to the Director of Human Resources. The College reserves the right to ask you to discontinue any outside activity that is substantially interfering with your commitment to the College as a condition of continued employment.