

Hourly Employee Handbook



ST. BONAVENTURE
UNIVERSITY
Founded 1858

Updated and amended
November 1, 2008

THE HOURLY EMPLOYEE HANDBOOK

St. Bonaventure University is an educational community and this publication is intended to serve the mutual interests of the members of that community. The spirit of this publication is broadly familial and the document seeks to be helpful and instructive. While its purpose is to provide clear descriptions and procedures, it affords, where possible, the flexibility appropriate to individuals acting to achieve professional growth and to promote the welfare of the institution.

The Hourly Employee Handbook is designed to acquaint hourly employees with St. Bonaventure University and provide them with information about employment and benefits. This Handbook represents a part of the Governing Documents of St. Bonaventure University. In addition to policies outlined in this handbook, an hourly employee is responsible for following all institutional policies. The Governing Documents are available in the Office of Human Resources or via [My SBU - Web Portal](#). This Handbook is a broad statement of internal policy guidelines and is not to be viewed as a contract of employment; it likewise does not constitute an express or implied contract of employment for any definite period of time in any respect; nor is it a statement designed to place any limitation on the discretion of management concerning wages, hours, and conditions of employment. Hourly employees are employees at will. This means that either the employee or the University can terminate the employment relationship at any time for any reason.

The University's Executive Administration, in conjunction with the Board of Trustees, reserves the right to revise, supplement, or rescind any policies or portion of this Handbook as it deems appropriate or as circumstances may warrant.

TABLE OF CONTENTS

A. INTRODUCTION	5
History	5
Mission Statement	5
Values Statement	5
Statement of Distinction	6
B. EMPLOYEE AND JOB CLASSIFICATION	7
Employee Classification	7
Hourly Staff Position Classification Policy	7
C. STAFF AFFAIRS COMMITTEE	8
D. POLICIES AND PROCEDURES	9
Human Resource Policy	9
Employment Eligibility	9
Equal Employment Opportunity	10
Absence or Tardiness	10
Benefit Eligibility and Orientation and Training Period	10
Bulletin Board	10
Problem Resolution Procedure	11
Health and Safety	11
Injuries & Illnesses – Work related	12
Job Announcements	12
Performance Appraisal	12
Personnel Records	12
Protection and Theft	13
Smoking Policy	13
Telephone	14
Termination of Employment	15
University Service	15
Work Rules and Regulations	15
E. WAGES AND HOURS OF EMPLOYMENT	18
Direct Deposit	18
Hours and Overtime Pay	18
Payday	18
Rest Periods	19
Wage Policies	19
F. HOURLY EMPLOYEE BENEFITS	20
Computer Acquisition	20
Disability Insurance	20
Employee Assistance Program	20
Employee Discounts	20
Flexible Spending Accounts	20
Health Insurance Plans	21
Holidays	21
Personal Days	21
Identification Cards	22
Library Privileges	22
Life Insurance & Accidental Death and Dismemberment	22
Long Term Disability Insurance	22

Parking	23
Recreational and Campus Activities Privileges	23
Retirement Plan	23
Social Security	23
Tax Deferred Annuity	23
Travel Insurance	24
Tuition Exchange for Dependent Eligible Children	24
Tuition Remission	24
Unemployment Insurance	24
Vacation	24
Workers' Compensation	25
G. LEAVES	27
Sick Leave	27
Jury Duty	27
Bereavement Leave	28
Military Leave and Reemployment Policy	28
Family and Medical Leave	30
Leave of Absence for Military Spouses	35
Personal Leave	36

SELECTED UNIVERSITY POLICIES & PROCEDURES – refer to Governing Documents section on Selected University policies and procedures ([click here](#)).

A. INTRODUCTION

History

St. Bonaventure University was founded through the initiative and dedicated efforts of Nicholas Devereux, a large landholder and financier from Utica, New York, with the cooperation and support of John Timon, Bishop of Buffalo, and members of the Franciscan Order. Their dream of almost a century and a half ago has flourished, and St. Bonaventure University has expanded greatly during its existence. In 1854 the two promoters persuaded a group of friars from Italy to venture to America and establish a Catholic college and seminary in Western New York. Principal among these Franciscans was Fr. Pamphilus da Magliano, who later became the College's first President. On October 4, 1858, the feast of St. Francis, the formal dedication of the new school was held on the tract of land donated by Devereux. It was then that the College was named after St. Bonaventure of Bagnoregio, the Patron of Franciscan Studies and Learning. St. Bonaventure College held its first Commencement Exercise in June 1860, graduating a class of fifteen students. Since then, the University has grown to more than 2,500 students.

The College was provisionally chartered on March 1, 1875, by an Act of the Regents of the State of New York "For the instruction... in the learned languages and in the liberal and useful arts and sciences." In the 1920's the College developed a full-time graduate program which has continually expanded since that time. Early in this century St. Bonaventure also became home to the School of Franciscan Studies and the Franciscan Institute. The permanent Charter of Incorporation of the College was granted by the State in 1883, and in 1950, after almost a century of operation, St. Bonaventure was named a University by the Board of Regents. A 15-month celebration marking the University's 150th Anniversary was inaugurated on April 1, 2008.

Mission Statement

Founded in 1858, St. Bonaventure is a Catholic university dedicated to educational excellence in the Franciscan tradition. We are committed to the constant pursuit of distinction in our undergraduate and graduate programs, our innovative liberal arts core and all of our courses of study. At St. Bonaventure University, we come to know our students on an individual basis and become their mentors. We strive to bring out the best in every individual. As an academic and spiritual community, we endeavor to prepare our students for the challenges they will face in their professional careers as well as in their personal lives. True to our Franciscan heritage, we encourage students to manifest our values through lives of citizenship and service.

Values Statement

As a Catholic university in the Franciscan tradition, we dedicate ourselves to the following Core Values and to making them live and thrive at St. Bonaventure:

Discovery

We steadfastly pursue intellectual, spiritual and personal growth in a way that reflects our belief in the wonder, excitement and joy of discovery along life's good journey. Central to that journey is an appreciation for the best that has been thought, written and discovered. It is our firm intent that our faculty and students add to this body of knowledge, sharing the adventure of inquiry in an atmosphere of academic freedom, both within and outside the classroom.

Community

We believe in an inclusive community that values diversity as a strength. We foster and celebrate practices that nurture living and learning in an atmosphere of caring, respect and mutual accountability. We seek to enhance the quality of life in the world around us, particularly by reaching out to the poor, the less fortunate and the disadvantaged. We not only demonstrate this spirit of community on our campus; we manifest it wherever we go.

Individual Worth

At the core of our identity is a strong belief in the goodness of life and the God-given worth of every individual. We treat all members of our community with dignity and strive to help them reach their full potential. We commit ourselves to actions that empower all members of the St. Bonaventure community and encourage their full participation in creating our future.

Statement of Distinction

At St. Bonaventure University, we strive to foster the development of knowledgeable, skilled, compassionate and ethical individuals by mentoring students within vitally engaging learning environments, ever mindful of such Franciscan values as individual dignity, community inclusiveness, and service to others.

B. EMPLOYEE AND JOB CLASSIFICATION

Employee Classification

Employee: - One who is paid a salary or wage and employed directly by St. Bonaventure University.

Regular Full-time Employee: - One who is regularly scheduled to work a 40-hour workweek and who has successfully completed the orientation and training period.

Part-time Employee: - One who is employed for less than a 40-hour workweek or is not qualified as a full-time employee as defined hereinabove. No benefits are provided, except those required by law.

New Employee: - One who is newly hired for a regular full-time position and is still in the orientation and training period. Upon successful completion, the employee is reclassified as a regular full-time employee.

Temporary/Casual Employee: - One who is employed for limited periods of time, and/or to cover special service needs. No benefits are provided, except those required by law.

Student Employee: - One who is primarily a student of the University and whose employment is normally of a part-time, temporary nature, and incidental to the individual's educational program at the institution.

Note: The provisions of this Handbook do not apply to student employees in any manner. Regular employees who are working primarily for self or family support and who attend University classes part-time are not classified as student employees.

Hourly Staff Position Classification Policy

As a Catholic institution of higher education in the Franciscan Tradition and consistent with the University's Mission, St. Bonaventure University establishes pay grades for the various positions and corresponding equitable compensation relative to the responsibilities for each position within the pay grade. Complete job descriptions including title and pay grade are available in the office of human resources. The pay ranges are established utilizing market data and when appropriate outside consultants. The goal of the University is to maintain a competitive salary range for each position and to consistently and fairly review the administration of the policy.

This policy is evaluated periodically to ensure fairness in practice and accuracy in description relative to position and pay grade. Hourly Staff Position compensation is evaluated consistent with the performance appraisal policy.

C. STAFF AFFAIRS COMMITTEE

The Staff Affairs committee is responsible for reviewing University policies and procedures which affect the lives and working conditions of the University's hourly staff, and for making appropriate recommendations to the Director of Human Resources. The Director of Human Resources will present recommendations to the Senior Vice President for Finance & Administration who brings them to the attention of the President and Executive staff for consideration.

The Staff Affairs Committee meets regularly to discuss issues of mutual interest and concern to the staff and to the University as such issues arise. The committee may also be involved in planning for the overall well-being and future of the University. Committee members are advised of general campus information and policies by the Director of Human Resources or invited members of the Community. The committee follows all University policies and procedures and refers individuals with concerns to seek resolution through the appropriate channels.

Membership on the Committee consists of individuals from eight areas: Student Enrollment, University Relations, Athletics, University Support, Student Support, Education, Ministries, and General Support, with the Director of Human Resources serving on the Committee *ex officio*. More than one employee in an area may serve on the Committee if the area contains more than 10% of the total number of hourly employees. The total committee size should not exceed 10% of the entire hourly staff. A list of current Committee members can be obtained from the office of human resources. Recommendations for changes in Committee members, or any other substantive changes in Committee policy and procedure, will be forwarded to the President for final approval. The Staff Affairs Committee defines its own rules of operation as a standing committee. The University encourages suggestions, recommendations, or requests from employees for improvements which affect the work place. Suggestions, recommendations, or requests can be communicated to supervisors, to members of the Staff Affairs Committee, or directly to the office of human resources.

D. POLICIES AND PROCEDURES

Human Resource Policy

St. Bonaventure's success as an outstanding University over the years has been directly related to the dedication and involvement of every employee. The University has always been committed to a "people policy" based on fairness, mutual trust, and respect for the dignity of the individual and allows for the opportunity of self-expression and personal development.

It has always been University policy to provide fair wages, meaningful employee benefits, good working conditions, and an equal employment opportunity for all.

St. Bonaventure, therefore, pledges to be guided by the following principles:

1. Actions and decisions which affect employees should be based on logic, common sense, facts, and a sense of fair play.
2. The rights and dignity of every employee will always be respected.
3. Employees have a right to know what is expected of them; and rewards will be based on demonstrated competence in job performance.
4. Managers at all levels should respond thoughtfully to employee concerns and suggestions to ensure that those concerns and suggestions are addressed and that constructive change is encouraged.
5. Managers, department heads, and supervisors should foster a work environment which encourages employees' interest, involvement, and contribution of their best efforts to achieve improved personal productivity and growth.
6. There should be open and honest communication between various levels of management and employees.
7. The University will encourage and endeavor to provide educational and training opportunities; however, self-development on the job will always be essential for individual success.
8. Work rules and regulations should be reasonable and fair to ensure that each employee is treated in a manner conducive to the University's mission and its Franciscan heritage and tradition.

Employment Eligibility

St. Bonaventure University complies with the Immigration Reform and Control Act of 1986, employing only those persons who are legally eligible to work in the United States (U.S. citizens and non-citizens who are authorized to work in the United States). All employees are asked on their first day of employment to provide original documents verifying the right to work in the United States and to sign a verification form required by federal law (INS Form I-9). If an individual cannot verify his/her right to work within three days of hire, St. Bonaventure University must terminate his/her employment.

St. Bonaventure University occasionally employs minors for temporary summer work. St. Bonaventure University complies with all Federal and State Laws regarding the employment

of minors. Full detail on these laws and restrictions can be obtained from the office of human resources.

An employment certificate (also known as working papers) is required for all employees under 18 years of age and must be provided to the office of human resources by the first day of work. Minors can obtain employment certificates from the school they attend or from the superintendent of schools in that area.

Equal Employment Opportunity

St. Bonaventure provides equal opportunity without regard to race, creed, color, gender, age, national or ethnic origin, marital status, veteran status, disability, sexual orientation or any other status protected by law in admission, employment; and in all of its educational programs and activities. Any grievances pertaining to discrimination should be directed to the Advocacy Officers or the Ombuds Officer.

Absence or Tardiness

Planned Personal Absence

If you plan to be absent from work for a compelling personal reason, please notify your department head or supervisor well in advance of the date you want to be excused from work. Your department head or supervisor will cooperate with you whenever possible, considering the demands of the department.

Unexpected Absence/Tardiness

If, because of an illness, emergency or some other valid reason, you are going to be absent from work, please report the situation to your department head or supervisor at least 1/2 hour before your normal starting time each day you are absent. If tardy, call as soon as possible.

- (1) Repeated absence for illness or an accident will lead to a demand for a medical certificate. Any absence of illness for three or more consecutive days must be substantiated by a medical certificate.
- (2) Excessive absence or tardiness will result in termination of employment.

Benefit Eligibility and Orientation and Training Period

During the first three months of employment with the University, newly hired full-time employees are provided an opportunity to acquaint themselves with their job and what is expected of them, while their supervisor has an opportunity to evaluate their work, work habits, dependability, quality and quantity of work and other related items surrounding the employee's position. No benefits, as set forth in Section F - Employee Benefits, are provided until the employee is reclassified as a regular full-time employee.

Those individuals (full and part-time) whose work requires a uniform will be provided one as soon as possible.

Bulletin Board

The office of human resources will maintain a bulletin board outside its office which will

display important employee information, such as job openings, policy changes, etc. When appropriate, information will be sent to each department head to post or notify employees of the information. It is expected that employees will read these postings.

Problem Resolution Procedure

Employees shall have the right to resolve problems related to conditions of employment in the following manner:

- a) An employee shall document their concern in writing within five business days of the occurrence or events forming the basis of the concern. The written concern shall be promptly filed with the department head or supervisor within the five-business day period. The supervisor will review the concern and make a written determination of it. A copy of the written determination shall be filed in the department and a copy provided to the employee.
- b) If the employee disagrees with the determination of the department head or supervisor, he or she shall, within three business days of receipt of the department head's written determination, file a written statement outlining the disagreement with the determination to the Director of Human Resources. The Director of Human Resources will then have five business days to review all information pertaining to the concern, including the right to conduct an independent review and discussion with all involved parties and make a determination.
- c) If the supervisor, department head or employee is dissatisfied with the determination of the Director of Human Resources, they may request in writing a full review of the matter by the Senior Vice President for Finance & Administration. This request shall be made within three business days of the determination of the Director of Human Resources and shall be in writing setting forth the reasons for the request with reasonable clarity. The Senior Vice President for Finance & Administration, upon review, shall conduct such reviews, as he or she deems appropriate. A final determination by the Senior Vice President for Finance & Administration will be made within seven business days after receipt of the written statement of dissatisfaction with the Director of Human Resources determination.

Any complaints pertaining to harassment and/or discrimination should be directed to the Advocacy Officers or the Ombuds Officer.

Health and Safety

St. Bonaventure University endeavors to provide a healthy and safe atmosphere in which to work. If an employee feels, during the course of work, that he or she is being subjected to an unsafe condition, please report it to a supervisor or the Director of Human Resources. Employees are expected to adhere to all safety and fire regulations.

St. Bonaventure University's Health Services (located on the first floor of Doyle Hall) is available to provide emergency first aid for accidents that occur on the job. If an injury occurs, an employee should notify his or her supervisor, if possible, before reporting to Health Services. In any event, an employee should report any accident or incident, no matter how minor, to his or

her supervisor before the end of the shift on the day of the accident. All incidents should be followed with a written report submitted to the office of human resources by the injured employee and supervisor as soon as practical.

Injuries & Illnesses – Work Related

All work-related injuries and illnesses should be reported immediately to your supervisor or the office of human resources, even if you are not sure whether it is truly work-related. Even small, insignificant injuries left untreated can result in more serious conditions. You and your supervisor will each complete an Accident Report as soon as practical after the incident. When injuries are reported immediately, accidents can quickly be investigated and corrective action taken to prevent another injury.

If you see any potential hazards that need attention, notify the Associate Vice President for Facilities immediately.

Job Announcements

All new or vacant hourly staff positions are posted internally through the department where the vacancy exists and through listings posted at the office of human resources. New or vacant hourly staff positions may also be advertised SBU.edu - Employment, or in local newspapers and job service agencies.

Performance Appraisals

During the normal orientation and training period, full-time employees can expect to be evaluated at the completion of approximately the 1st, 2nd, and 3rd month of service. A successful 3 month performance report is required before employees move into regular status.

After the initial evaluations, employees are evaluated yearly (completion usually by March 1). Heavy emphasis is given to satisfactory performance of assigned duties and the maintenance of harmonious relationships with co-workers, all members of the Bonaventure community, and the general public.

All evaluations are kept in the employee's personnel file and may serve as the basis for references, promotion, transfers, dismissal, or other administrative actions.

The supervisor evaluating performance will discuss with the employee the results of the evaluation and over-all job performance. After this discussion, both the employee and the supervisor will sign the performance evaluation, with the employee receiving a copy. The employee's signature does not mean agreement with the evaluation, but only that it has been seen and reviewed with the supervisor.

Employees who feel they were rated unfairly should inform the Director of Human Resources in writing of their objection, and this will be added to the performance report. The employee's supervisor will have the right to read such an objection and to respond to it in writing; the supervisor's reply will also become part of the performance report.

Personnel Records

Personnel records are kept in the office of human resources. An employee may examine his or her personnel record in the office of human resources at any time during regular office hours.

An employee may obtain copies of their personnel file and the office of human resources can make a reasonable charge for the service. Information relative to employment history contained in the personnel file of a current or former employee may be released by the office of human resources when appropriate.

Protection and Theft

Safety and Security personnel are employed to help safeguard the property of the University and its employees, students and visitors. The employee's cooperation is requested in helping to prevent theft by reporting anyone acting in a suspicious manner to a supervisor or to the Director of Safety and Security.

The University is not responsible for the loss of an employee's personal property (e.g., rings, watches, radios, clothing, etc.), and asks that each employee exercise care in safeguarding valuable items.

Work rules and procedures regarding inspection and investigation into theft, possession of drugs, possession of alcohol, possession of weapons, possession of explosives or possession of other dangerous materials include the following:

- A. The University reserves the right to search before, during, and after working hours any and all areas on University premises, including, but not limited to employee lockers and storage areas, when it has reason to believe that illicit drugs or controlled substances, alcohol, stolen property, explosives, weapons, or other dangerous materials may be present. The University reserves the right to seize and retain all such discovered contraband.
- B. The University reserves the right to search before, during, and after working hours, all employees entering University premises, present on the premises, and leaving the premises when it has reason to believe that the person may possess illicit drugs or controlled substances, alcohol, stolen property, explosives, weapons, or other dangerous materials. The University reserves the right to seize and retain all such discovered contraband.
- C. Any employee found to have in his or her possession any of the above stated contraband will be subject to immediate disciplinary action in accordance with the work rules.
- D. Any employee who fails or refuses to cooperate with the University in the search for such contraband, including the person being searched or investigated, will be subject to disciplinary action up to and including immediate discharge.

Smoking Policy

To protect nonsmokers from involuntary exposure to secondhand tobacco smoke in indoor areas open to the public, and to preserve the health, comfort and environment of the people of New York, the Legislature has enacted a law regulating smoking in certain public areas including private educational institutions.

St. Bonaventure University, as an educational community and consistent with the Franciscan values which recognize the sanctity of human life, complies with this New York State mandated health policy.

In compliance with State Law, then, and faithful to the core values of St. Bonaventure University, the following smoking regulations have been adopted:

1. **Smoke-free Workplace:** St. Bonaventure University guarantees its employees and students a Smoke-free Workplace.
 - a) Smoking is prohibited in **All** indoor areas of the University, including University vehicles.
 - b) Smoking is not permitted in any residence facility, at any time.
 - c) Smoking is prohibited within 30 feet or less distance from all entrances to all University buildings.
2. **Tobacco Products:** Sale of Tobacco products will be restricted on campus.
3. **Posting of Signs:** No-smoking signs will be prominently displayed where smoking is prohibited under this policy. Additionally, copies of this policy will be posted on the University Web site, in the Student Handbook and Employee handbooks and available to all employees and prospective employees upon request.
4. **Enforcement:** Failure to comply with this policy places both the smoker and the University at risk of substantial civil penalty.
 - a) Sanctions

1st Violation	Warning
2nd Violation	Reprimand
3rd Violation	\$25.00 Fine
4th and Subsequent Violation	\$50.00 Fine
 - b) Flagrant repeated violations of this policy may be cause for further disciplinary action up to and including dismissal (for employees) or expulsion (for students). These sanctions will be assessed through already existing University Procedures.
5. **Responsible Person:** Complaints may be directed to the Director of Safety and Security, the University's agent responsible for enforcing this policy.

Telephone

Office telephones are basic business tools. The impression employees make on the telephone is often the first and, quite possibly, the only impression the caller will have of the University as well as of the employee. Every effort should be made to assist the caller in the most efficient and polite manner possible.

When using the telephone, remember these telephone courtesies: answer promptly (preferably after the first ring, no later than the third ring), identify yourself and your department, e.g., "Good morning (afternoon)! St. Bonaventure University, your department name and your name."

Some helpful hints:

- Promptly transfer the call to the person who is being called.
- Get accurate and complete information for a message or to announce the call.
- Return to callers on HOLD for over a minute to explain delay.
- Terminate calls pleasantly.
- Smile when talking on the telephone; it works wonders on voice quality.

Use of the telephone for personal reasons is discouraged and should be limited to cases of extreme importance or emergency. St. Bonaventure University technology services can be called for telephone support and assistance.

Note: These same principles of friendliness should govern everyone's response to visitors on campus and in written correspondence (email, memo, etc) as well.

Termination of Employment

An individual's employment may be terminated at any time at the discretion of the University or the employee. Employees are requested to schedule an exit interview to discuss their termination of employment with the Director of Human Resources. Many of the employee's University benefits extend beyond the termination date and other benefits required by law are likewise extended upon such termination. In order to provide a convenient way to discuss these matters an interview is encouraged.

The University requires that all employees provide at least two weeks notice of their intent to terminate employment. In the event of an employee's separation of employment for any reason including termination, resignation, or lay off, an employee will be paid for any accrued but unused vacation provided at least two weeks notice was given in the event of voluntary resignation from employment.

Unused accumulated sick leave and personal leave shall be forfeited upon voluntary or involuntary termination of employment.

Any employee who voluntarily terminates employment and applies for rehire, if eligible for reemployment, will be hired as a new hire. Wages and benefits will be commensurate with the entry-level position.

University Service

The number of consecutive years worked as well as hours worked in each year at St. Bonaventure University as a regular full-time or regular part-time employee is used to determine retirement benefit eligibility.

Employees who terminate their employment with the University and are subsequently rehired will be considered new employees for service-related purposes. Eligibility will therefore be computed from the new date of hire. (Vacation, sick leave, or personal leaves of absence are not considered as breaks in service.)

For the purposes of recognizing University Service at the Annual Recognition Ceremony and Dinner, the University will consider all consecutive years of full-time service.

Work Rules and Regulations

It is in the best interest of all parties that St. Bonaventure University formulate a code of conduct to ensure a harmonious employee-employer working relationship. The work rules listed here will be applied in a non-discriminatory manner, and are not intended to be all-inclusive. Any prior past practices shall be considered void and consequently, shall not excuse noncompliance with the work rules contained herein.

An employee who fails to abide by the established rules of conduct set forth in administrative notices, the *Hourly Employee Handbook*, or verbally by a supervisor or department head will be subject to certain disciplinary action, including dismissal.

The procedure for disciplinary action may, at the University's discretion, involve some or all

of the following steps:

1. Coaching, Counseling, Oral Reprimand: The work-related problem affecting the smooth operation of the unit and a plan of action to correct the problem will be clearly outlined for the employee.
2. Written Warning: The rule violation and/or employee's poor record of performance, and the consequences should another violation occur or the poor performance continues, will be noted.
3. Dismissal

The University reserves its right to skip steps and/or terminate an employee immediately in any circumstances it deems appropriate.

The type of conduct which, at the discretion of the University, may subject the employee to a warning, suspension without pay, or immediate discharge without prior warning includes, but is not limited to:

1. Falsification of any employment or work-related records.
2. Insubordination or refusal to follow instructions; disrespect toward management, fellow employees, members of the University Community, or guests.
3. Excessive tardiness or unreported or chronic absenteeism.
4. Disorderly conduct, fighting on the job, rough "horseplay."
5. All forms of dishonesty.
6. Gambling on premises; possession of gambling material; and/or soliciting others to gamble.
7. Destruction of property.
8. The unlawful manufacture, distribution, dispensing, possession or use of controlled substances while on the job or on University property (see Drug Free School and Workplace policy).
9. Any act(s) of negligence or misconduct.
10. Immoral, indecent or criminal behavior on or off the job.
11. Possession of any weapon or explosive on University premises or while conducting University business.
12. Sleeping on the job.
13. Failure to punch one's own time card; not punching in or out properly when scheduled; and/or punching the time card of another employee. Submission of fraudulent time sheets or on line time entry.

14. Violating safety or fire regulations, including but not limited to failure to wear required safety equipment.
15. Refusing to work scheduled requirements, including but not limited to overtime, weekends during emergencies, transfer to different job, change in hours, etc.
16. Failure to report any accident to management before the end of the shift on day of accident.
17. Failure to report to management knowledge of or suspicion of someone's dishonesty.
18. Unsatisfactory work performance.
19. Conduct detrimental to the University or its reputation.

E. WAGES AND HOURS OF EMPLOYMENT

Direct Deposit

The University's preferred method of payment is direct deposit and can accommodate direct deposit with any financial institution that accepts ACH electronic fund transfer. Your paycheck can be split among different financial institutions. Please contact your financial institution to see if they accept electronic funds transfer. Direct deposit authorization agreements are available from the office of human resources and payroll office. If direct deposit is not elected, paychecks will be available for pickup in the business office between the hours of 11:00 a.m. and 4:00 p.m. beginning the day of scheduled payroll, unless otherwise notified.

Hours and Overtime Pay

Work Week

The normal workweek for regular full-time employees shall be based upon forty (40) hours during a seven (7) calendar day period. Part-time employees work schedule is established by the Department Supervisor.

The workweek begins Saturday and ends Friday. **Time Sheets (online or paper) or Time Cards are due in the payroll office on Monday before noon, unless otherwise notified.** Late time cards or time sheets will be processed with the next scheduled payroll – **NO Exceptions!** Paychecks are then dated the following Friday.

Employees are expected to work all scheduled hours, including necessary overtime. Most offices are staffed Monday through Friday from 8:30 a.m. to 5:00 p.m. (summer hours are 8:00 a.m. to 4:30 p.m. -effective dates announced annually through the office of human resources). The work week includes an unpaid daily half hour lunch. Those desiring a one-hour lunch may, with Supervisor permission, work 8:00 a.m. to 5:00 p.m. each day.

Work schedules and hours in some departments may vary according to job requirements (e.g. maintenance, housekeeping, and security). These special work schedules are administered through departmental policies. All employees are expected to observe their schedule of working hours, and supervisory approval is always necessary for any adjustment to regularly scheduled working hours. In order to be properly compensated, all hours worked during a pay period must be recorded on the time sheet covering that pay period or on a time clock.

Nothing herein shall be construed as a guarantee of hours of work per day or per week. St. Bonaventure University reserves the right to alter the work schedule.

Overtime

Authorized overtime work for employees shall be compensated at 1-1/2 times the employee's regular straight-time hourly rate on the number of hours actually worked in excess of forty (40) hours in one week. The decision to afford overtime work shall be at the sole discretion of the University. Employees are required to work overtime necessary for the well-being of the University.

If an emergency arises, employees may be called back to work after they have left the campus. When this situation occurs, employees will be guaranteed a minimum payment of two hours according to the employee's regular pay rate unless these hours qualify for overtime. Regular full-time employees who are called upon to work on a scheduled Holiday will receive two times the employee's regular straight-time hourly rate for hours worked on the Holiday plus 8 hours of Holiday pay. Regular full-time employees whose regular work schedule is Monday through Friday (except departments that are regularly staffed 7 days per week) and are called upon to work on Sunday, in addition to their normal work week will be compensated two times

the employee's regular straight-time hourly rate for hours worked on Sunday. Regular full-time employees who are scheduled to work on Sunday or a scheduled Holiday for a work assignment outside their regular full-time assignment are not eligible for double time for hours worked in that additional position. In order to be eligible for double-time pay, the employee must work the scheduled workday before and after the Holiday or Sunday, or be on scheduled vacation, personal day, bereavement, or sick leave.

Payday

Payroll checks/advices are issued for all staff employees on scheduled pay dates. The payroll schedule is available via my.sbu.edu, human resources online, schedules link. Employees receiving actual checks must pick up and sign for their check at the business office between 11:00 a.m. and 4:00 p.m. Monday through Friday beginning on the scheduled pay date unless otherwise notified. Direct deposit statements will be available electronically and can be viewed anytime by accessing my.sbu.edu, my pay advice link. Errors on paychecks should be reported to your department head and will be adjusted or corrected on the next payday unless an extreme case of hardship exists.

Rest Periods

Employees are permitted two fifteen minute breaks during the course of an eight-hour shift. The scheduling of breaks may vary and will be designated by the supervisor or department head.

Wage Policies

Staff employees are non-exempt as defined by the Wage and Hour Law, and are paid on an hourly basis. Wage rates are established on the basis of position grade and the experience and competency of the individual.

Attendance, punctuality, attitude, and performance evaluation are among the factors that will be considered in salary increases consistent with University policy governing merit raises or bonuses.

The President and Cabinet, with Board of Trustees approval, determine annual salary increases and the effective date (usually between June 1st and December 1st of each fiscal year). Increases may be recommended by the department head or supervisor and become effective upon approval by the divisional executive officer, Director of Human Resources and Senior Vice President for Finance and Administration.

F. HOURLY EMPLOYEE BENEFITS

Computer Acquisition

A regular full-time employee may be eligible to purchase a personal computer with a St. Bonaventure University interest free loan. For more details contact the payroll office or via my.sbu.edu - human resources on line.

Disability Insurance

Employees on sick leave for more than seven (7) consecutive days are entitled to apply for New York State disability benefits. New York State disability insurance provides temporary weekly cash benefits to eligible wage earners when disabled by an off-the-job injury or illness (including disability due to pregnancy). Such benefits are paid under New York State Law beginning with the eighth day of disability and amount to ½ of the employee's average weekly wages (based on last eight (8) weeks employment) up to a maximum benefit established by the New York State Department of Labor. If the employee becomes disabled, he or she should notify the office of human resources promptly so that the necessary paperwork can be processed. An employee contributes to this insurance plan and the University pays the balance of the premium. This leave will run concurrently with Family Medical Leave if applicable. Per legal regulation, an employee may not draw accrued sick or other paid benefit time while on concurrent FMLA and short term disability.

Employee Assistance Program

An Employee Assistance Program (EAP) is provided to all full-time University employees. This plan provides confidential counseling for employees, their spouse, and dependent children on a variety of matters. The employee and their family members can access EAP on a 24-hour a day basis. For current information please call the Office of Human Resources or [My SBU - Web Portal](#); (user ID and password; lifebalance)

Employee Discounts

The office of human resources has compiled a list of local businesses offering discounts to St. Bonaventure University employees. This list is updated periodically and is available in the office of human resources or via [My SBU - Web Portal](#).

Flexible Spending Accounts

Flexible spending accounts give an eligible employee the option of contributing pre-tax income to pay for unreimbursed health care expenses; qualified dependent child care and adult day care expenses; and/or adoption assistance. By using pre-tax income, eligible employees reduce their health and/or dependent care costs by the amount they save in taxes. Use of the accounts is voluntary and is subject to IRS regulations. Each calendar year, eligible employees decide whether, and how much, to contribute to each of the accounts for the following year. New full time employees may begin to participate on date of hire. Further information may be obtained in the office of human resources or via [MY - SBU - Web Portal](#).

Health Insurance Plans

The first of the month following successful completion of the orientation and training period, all full-time hourly employees are eligible to participate in a health insurance plan sponsored by St. Bonaventure University. Details about the University's health insurance plan may be obtained from the office of human resource or via [MY SBU - Web Portal](#). The University reserves the right to change the plan, carrier, benefits offered, and/or level of contribution.

Annually during Open Enrollment and following a qualified event (marriage, birth of a child, etc) employees may join the group plan or change their plan election.

To prevent an eligible employee's health insurance coverage from lapsing during unpaid leaves of absence for any reason which exceeds 30 days, employees must make arrangements to continue to pay their premiums.

Pre-Tax Premium Plan: as per Internal Revenue Service Code - Section 125, the employee contribution for health insurance is paid for with their pre-tax dollars. This means tax savings for the employee. Health Insurance Premium contributions are not subject to Federal Income Tax, New York State Income Tax, and Social Security Taxes. Should you wish to pay for your premiums on an after-tax basis, please submit your request in writing to the office of human resources.

Holidays

Regular full-time staff employees, upon completion of the orientation and training period, shall be eligible to receive Holiday Pay based on the following schedule in which most University offices are scheduled to be closed.

FALL

- A. Fall Break (October date to be determined by Administration – 8 hours of pay)
- B. Thanksgiving (Wednesday, Thursday and Friday – 24 hours of pay)

WINTER

- A. December 24 through January 1 (*regular business days Monday through Friday – number of hours of pay to be determined annually by Administration*)

SPRING

- A. Holy Thursday, Good Friday and Easter Monday (24 hours of pay)
- B. Memorial Day (National Observation – 8 hours of pay)

SUMMER

- A. The Fourth of July and one adjacent day to be determined annually by the administration (16 hours of pay).

The University holiday schedule is published annually or [MY SBU - Web Portal](#).

If the regular full-time hourly employee is called in to work on the Holiday, he or she shall receive double-time pay for hours worked plus the holiday pay. In order to be eligible for holiday pay, the employee must be scheduled to work before and after the holiday, or be on scheduled vacation or other paid leave. Holidays falling within a period of vacation will not be counted as vacation.

Employees on unpaid sick leave or leave of absence at the time the holiday occurs are not eligible for Holiday pay.

Personal Days

All regular full-time staff are entitled to three personal days, based on the approval of their

supervisor. Personal Days will not accumulate from one year to another (June-May). Unused personal days will not be paid in the case of termination. For employees who have been employed for less than one year, personal days will be prorated. In the event the same personal day is requested by two (2) employees of the same department, the employee with the earlier date of hire will be granted the personal day.

Identification Cards

All employees are encouraged to obtain photo-identification cards from the ID office in room 202 Reilly Center. Pictures are taken during the normal hours of operation. Please call extension #2675 to arrange a convenient time. Please note that an ID card is issued initially at no charge. A faulty ID or an ID in need of a name change may be replaced at no charge. A lost or stolen ID can be replaced for \$10.

Library Privileges

Employees are invited to take full advantage of the Library. Pleasant, quiet areas provide a nice environment in which to spend part of a lunch break or other free time.

All books, periodicals, newspapers, and other materials can be used on the premises and professional help is available from the Librarians. A St. Bonaventure University ID card must be presented in order to borrow library books and all loan rules, including the payment of overdue fines, must be followed.

Life Insurance and Accidental Death and Dismemberment Plan

Each regular full-time employee of the University may enroll in the group life insurance plan on the first of the month following successful completion of the orientation and training period. Details of this life insurance plan are described in the various documents provided to each eligible employee electronically and are available [here](#). Generally, the plan will insure an employee's life to the amount equal to 1-1/2 times the employee's regular annual salary, rounded to the next higher \$1,000 if not already an even number, to a maximum of \$300,000. An accelerated death benefit can be provided if you have a terminal illness. Accidental death and dismemberment coverage provides additional benefits for an accidental death, and for an accidental dismemberment, as defined in the schedule of benefits. The University pays the full cost of this insurance. Eligibility for this benefit, limitations on the amount, and terms and conditions of this benefit are governed by the applicable insurance contracts and plan documents. Please note that the IRS requires taxation of any benefit in excess of \$50,000.

Long Term Disability Insurance

Each regular full-time employee of the University may enroll in the long term disability insurance (LTD) plan on the first of the month following successful completion of the orientation and training period. Details of the LTD plan are described in the various documents which are provided to each eligible employee electronically and are available on [here](#). Eligibility for this benefit, limitations on the amount, and terms and conditions of this benefit are governed by the applicable insurance contracts and plan documents. The University pays the full cost of the insurance premium.

Parking

Employees are required to register motor vehicles with the safety and security services department. Employees are asked to park in the assigned lot and to display the parking decal as directed. Traffic regulations and regulatory information are published periodically and all community members are expected to comply with these regulations. Information relative to parking regulations may be obtained from the safety and security services department or [click here](#).

Recreational and Campus Activities Privileges

University recreational facilities may be used by all full-time employees with no or reduced charges as determined by the University in accordance with University policies. All full-time and part-time employees may receive access to the Richter Center. Details regarding practices and procedures for employee use as well as information on family days and spousal membership are available at the Richter Center or [click here](#). Access to campus activities, viz., all campus athletic events sponsored by the University as well as University sponsored lectures, concerts, movies and plays may be available to full-time employees with no or reduced charges as determined by the University in accordance with University policies. Each full-time hourly employee is entitled to two season basketball tickets at half price (please note this is a taxable benefit).

Retirement Plan

The University provides all eligible hourly employees with a defined contribution retirement plan. Upon successful completion of two years of full-time employment, the University contributes 10% of compensation as defined under the plan for each hourly employee to TIAA-CREF. The employee determines investment of the funds. Specific detail of the plan is available in the office of human resources.

Social Security

The University participates in the federal government's Social Security and Medicare Programs. An hourly employee's participation is compulsory and rates, benefits, and other details of the program are prescribed by Congress and are subject to legislative change. Please note that student employment and some foreign employees are exempt from Social Security withholding.

Tax Deferred Annuity

A tax-deferred annuity is available to all employees through a salary reduction agreement. An employee may reduce a portion of salary, currently subject to tax, and purchase with it TIAA-CREF supplemental retirement annuities (SRA). Contributions to a tax-deferred annuity are not matched by the University. Further information may be obtained from the office of human resources.

Travel Insurance

The University carries a Travel Accident Insurance Policy on eligible employees who are traveling on official University business. This policy provides a loss benefit of \$200,000 per person with a maximum liability of \$1,500,000 per occurrence. This benefit is effective with date of hire at no cost to the employee. Details are available in the office of human resources or [click here](#). It is important to report any business travel related incidents to the office of the Sr. Vice President for Finance and Administration as soon as is practical.

Tuition Exchange for Dependent Eligible Children

The University is a member of four undergraduate tuition exchange programs for which dependent children of St. Bonaventure University employees may be eligible. Requirements and eligibility guidelines are available from the Director of Financial Aid or [click here](#) and [click here](#).

Tuition Remission Policy

All full-time employees of St. Bonaventure University, their spouses, and dependent children are eligible for undergraduate tuition remission. This benefit is extended at the start of the first academic semester following the employee's date of hire. All employees must apply first for Federal, State, or Local tuition assistance, scholarships, or awards. After the application for the aforementioned aid has been processed and/or is awarded, the University will grant remission of all remaining tuition. The University reserves the right to charge for travel, food, lodging, and other costs borne by the tuition fee for certain courses where the tuition fee has been set to include these or other extraordinary charges. In addition, all full-time employees and their spouses are eligible for graduate tuition remission. This remission may be subject to tax as per IRS guidelines. Complete information is available from the Director of Financial Aid or Director of Human Resources. The tuition remission form is available in the office of human resources or [click here](#).

Unemployment Insurance

Unemployment Insurance benefits are provided by the University for personnel in a program administered by the New York State Department of Labor. The cost of Unemployment Insurance is totally paid by the University. Students in regular attendance at St. Bonaventure University and employed through work study programs are excluded from Unemployment Insurance coverage. The employment and earnings of the student worker through this program cannot be used to qualify for Unemployment Insurance benefits.

Vacation

Regular full-time employees are eligible for vacation benefits based on the number of fiscal years (June 1 to May 31) of full-time continuous service completed with the University as follows:

Years of Full-time Service	Vacation for employees who work:
	Fiscal Year
After completion of 1 fiscal year up to 5 years	10 days

After completion of 5 fiscal years up to 10 years	15 days
After completion of 10 or more fiscal years	20 days

Upon successful completion of the orientation and training period, a newly hired employee can utilize paid vacation during the first year as per the following schedule:

If hired during the month of:	Vacation for employees who work: Fiscal Year
June	9 days
July	8 days
August	7 days
September	6 days
October	5 days
November	4 days
December	3 days
January	2 days
February	1 day
March, April, May	0 days

The vacation year is June 1 - May 31. For employees whose full time hire date is prior to June 1, 2004, the vacation year is January through December. Vacation earned in a given vacation year must be used in total in that same year, or it is forfeited. Only in exceptional circumstances, as approved by the Director of Human Resources and divisional executive officer, may vacation be carried forward to the following year. Vacation will continue to accrue for the first ninety (90) days of a leave of absence, including disability.

Vacations shall be scheduled on the basis of seniority, as approved by the supervisor. It is understood that changes in scheduled vacations may be made by the University where scheduled vacations interfere with the operations of the University.

Part-time and full time employees with less than three months of continuous service are not eligible for vacations.

Terminating employees with more than six months of employment will be paid for unused accrued vacation benefits. Vacation accrual is based on each full month worked in the fiscal year. An employee who voluntarily terminates their employment without providing fourteen calendar days notice forfeits entitlement to all accrued vacation benefits.

Workers' Compensation

Under New York State Law, employees are entitled to receive Workers' Compensation benefits for illness or injuries related to on the job or work related causes. All work related injuries and incidents must be reported to the employee's immediate supervisor or the office of human resources in order for the employee to substantiate his or her claim and also to protect the University. An employee's and supervisor's written incident reports must be completed and submitted to the office of human resources as soon as practical following the incident. The cost of Workers' Compensation insurance is totally paid by the University.

St. Bonaventure University has a First Aid program which was designed to streamline health services from local providers as well as to manage our Workers' Compensation insurance costs. This program permits the University to pay small claims directly to the health care provider rather than submit them to our insurance carrier. For this reason, it is requested that you have all bills submitted directly to the office of human resources for processing. This billing process

does not preclude the above-mentioned accident reporting requirement.

Please note that should a work related injury result in time off from work and such leave meets the requirements of the Family and Medical Leave Act, the absence from work will run concurrently with Family and Medical leaves of absence.

G. LEAVES

Sick Leave

All regular full-time twelve month employees shall earn paid sick leave at the rate of seven (7) days per fiscal year (June to May). Employees hired prior to June 1, 2004 (when the sick leave year was the calendar year) will continue to earn 7 days of sick leave per calendar year. During the first fiscal year of hire or rehire, the annual rate of sick leave shall be prorated based upon the number of full months of service in such fiscal year.

Employees shall not be permitted to utilize earned sick leave during the initial three months of their employment. Earned sick leave may be accumulated to a maximum of twenty (20) days (160 hours) as of May 31 of each fiscal year. During June of each successive fiscal year (January for employees hired prior to June 1, 2004), employees shall be compensated for all hours accumulated in the prior fiscal year in excess of the maximum twenty (20) days (160 hours) on the basis of one-half the regular straight time hourly rate for all such hours. Unused accumulated sick leave shall be forfeited upon termination of employment for any reason. Employees desiring to utilize sick leave shall be required to notify the University prior thereto and failure to do so shall require the denial of compensation for such day.

Sick leave days utilized immediately prior to or subsequent to holidays, vacation, or any paid or unpaid time off may be permitted at the exclusive discretion of the University. Approved leaves of absences taken under the Sick Leave policy which satisfy the requirements of the Family and Medical Leave Act will run concurrently with Family and Medical leaves of absences.

Jury Duty

Hourly employees who are summoned for jury duty acknowledge their civic responsibilities by fulfilling this obligation. The employee's supervisor must first be notified. Paid leave of absence for jury duty is available for employees when such duty is required by law. Jury duty papers should be presented to the supervisor as soon as they are received so that departmental schedules can be adjusted. Paid jury duty for full-time employees who have completed their orientation and training period is limited to ten (10) working days per calendar year unless extended in the exclusive determination of the University; and it applies only to jury service performed during the scheduled work week. Paid jury duty for part-time employees is limited to the first three days of jury duty for service performed during regularly scheduled hours. The employee shall be required to:

1. Notify his or her immediate supervisor as soon as possible before the day the employee is required to report for jury service.
2. Return to his or her immediate supervisor a completed form certified by the Court Clerk.
3. Cooperate with the University in requesting excuse or delay from jury service where the employee's absence will adversely affect the University's operations.
4. It is understood that the employee will report back to work at any time when he or she is free from the responsibilities of jury duty.

Bereavement Leave

In the event that an employee, upon completion of his or her orientation and training period, is bereaved by the death of a spouse, child, parent, brother, sister, mother-in-law, father-in-law, grandchild or grandparent, that employee shall be entitled to a leave of absence not to exceed three (3) work days. The employee will also receive his or her regular straight-time wages for each scheduled work day, provided:

1. The employee attends the funeral (unless excused by the Employer);
2. Bereavement leave shall not apply during periods where the employee is on vacation or absent from work because of sickness, leave of absence, or any other leave;
3. At the time a request for bereavement leave is made, proof of death may be required at the discretion of the University.

Military Leave and Reemployment Policy

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, Army National Guard or Air National Guard engaged in active duty for training, inactive duty training or full-time duty, the commissioned corps of the Public Health Service, or any other category of persons designated by the President in time of war or national emergency will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. Employees on military leave may substitute their accrued paid leave time for unpaid leave. At the conclusion of the leave, upon satisfaction of the conditions set forth below, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the employee is qualified to perform.

Procedure

Any person who is absent from work because of uniformed service shall be entitled to the reemployment rights described below if:

- (1) the person provides a copy of the military orders or other written or verbal notice in advance, to his/her supervisor and office of human resources, unless he/she is unable to do so because of military necessity or it is otherwise impossible or unreasonable;
- (2) the total, cumulative time the person has been absent from St. Bonaventure due to uniformed service does not exceed five (5) years; and
- (3) the person reports to and/or submits an application for reemployment in accordance with the following schedule:
 - An employee who served for fewer than 31 days or who reported for a fitness to serve examination must report to the human resources department not later than the beginning of the first full regularly scheduled work period on the first full calendar day following completion of the period of service.

- An employee, who served for more than 30 days, but less than 181 days, must submit an application for reemployment no later than 14 days after completion of the period of service.
- An employee who served for more than 180 days must submit an application for reemployment no later than 90 days after the completion of the uniformed service.
- An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the human resources department (if the service was less than 31 days), or submit an application for reemployment (if the service was greater than 30 days) in accordance with the appropriate provision above, measured from the end of the period that is necessary for the person to recover from the illness or injury, so long as the recovery period does not exceed two years.

Required Documentation

A person whose military service was for more than 30 days must provide documentation within two weeks of his/her return (unless such documentation does not yet exist or is not readily available) showing the following: (i) the application for reemployment is timely (i.e. submitted within the required time period); (ii) the period of service has not exceeded five years; and (iii) the employee received an honorable or general discharge.

Reemployment

A person meeting the above requirements will be entitled to reemployment as follows:

- (1) a person who was in the uniformed service for fewer than 91 days will be placed in the position in which he/she was employed on the date the uniformed service began;
- (2) a person who was in the uniformed service for more than 90 days will be placed in the position in which he/she was employed on the date the uniformed service began, or in a position of like seniority, status and pay;
- (3) a person who incurs or aggravates a disability during the uniformed service such that he/she is no longer qualified to perform the duties of his/her previous position will be placed in another position which is equivalent in seniority, status and pay (so long as the person is qualified to perform the duties of that position), or in a position for which he/she is qualified that is nearest in approximation to his/her prior position in seniority, status and pay.

St. Bonaventure is not required to reemploy a person if:

- (1) its circumstances have so changed that reemployment is impossible or unreasonable (e.g., St. Bonaventure need not reemploy the person where there has been an intervening reduction in force that would have included that person);
- (2) reemployment would cause an undue hardship on St. Bonaventure; or
- (3) the person's employment was for a brief, non-recurrent period of time and there was no reasonable expectation that the employment would continue indefinitely or for a significant period of time.

Continuation of Health Benefits

During a military leave of fewer than 31 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work.

For military leaves of more than 30 days, St. Bonaventure will continue group coverage under the same conditions as if the employee had continued to work until the end of the month in which the military leave commences. An employee may elect to continue coverage at his/her expense thereafter. The maximum period of coverage is the lesser of the 18-month period beginning on the first date of the person's absence, or the day after the date on which the person fails to apply for or return to his/her employment pursuant to the procedures set forth above.

Family and Medical Leave

Consistent with the Family and Medical Leave Act of 1993 (FMLA), eligible employees are entitled to take up to twelve (12) weeks of unpaid leave for specified family and medical reasons.

A. Employee Eligibility

To be eligible for FMLA leave, an employee must:

- 1) have worked for St. Bonaventure University ("University") for at least twelve (12) months; and
- 2) have worked at least 1,250 hours during the twelve (12) month period immediately preceding commencement of the leave.

Determination of whether an employee has met both the twelve (12) month and 1,250-hour requirements will be made as of the date that the leave is to commence.

B. Leave Entitlement

- 1) The University will grant an eligible employee up to a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:
 - a) the birth and care of the employee's newborn child;
 - b) the placement of a child with the employee for adoption or foster care;
 - c) to care for an immediate family member (spouse, child or parent, but not parent-in-law) with a serious health condition; or
 - d) the employee's own serious health condition that prevents him/her from performing the functions of his/her position.
- 2) The twelve (12) month period is defined as a "rolling" twelve (12) month period measured backward from the date an employee uses any FMLA leave. According to the "rolling" twelve (12) month period, each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the twelve (12) weeks which has not been used during the immediately preceding twelve (12) months.
- 3) Leave for birth or adoption (including foster care placement) must conclude within twelve (12) months of the birth or placement.
- 4) For purposes of FMLA, "serious health condition" means an illness, injury, impairment, or

physical or mental condition that involves:

- a) Inpatient care in a hospital, hospice, or residential medical care facility; or
- b) Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider requires:
 - (i) A period of incapacity for more than three consecutive calendar days, that involves treatment two or more times by a health care provider or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
 - (ii) Any period of incapacity due to pregnancy or for prenatal care;
 - (iii) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which: (1) requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; (2) continues over an extended period of time (including recurring episodes of a single underlying condition); and (3) may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.);
 - (iv) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
 - (v) Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral 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 medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Ordinarily, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches, periodontal disease, routine dental or orthodontia problems are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

- 5) Spouses employed by the University are entitled to a separate twelve (12) weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a child who has a serious health condition
- 6) When medically necessary, an employee may take leave on a reduced schedule or intermittently (a few days or a few hours at a time) to care for an immediate family member with a serious health condition or because of a serious health condition of the employee. Medically necessary means there must be a medical need for the leave and that the leave can best be accomplished through a reduced or intermittent schedule. An employee taking intermittent leave, or leave on a reduced leave schedule, may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave.
- 7) When leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must attempt to schedule treatment so that it will not unduly disrupt the University's operations.

C. Pay During Leave

Employees will not be paid while on FMLA leave except as follows:

- 1) Nothing in this policy prevents an employee from applying for Workers' Compensation or Disability Benefits. Any leave which is covered by Workers' Compensation or Disability Benefits will count against an employee's FMLA entitlement.
- 2) Employees not receiving Workers' Compensation or Disability Benefits will be required to substitute their accrued paid vacation and/or personal leave for unpaid FMLA leave.
- 3) Employees not receiving Workers' Compensation or Disability Benefits will be required to substitute their accrued paid sick time in any situation which the employee could ordinarily use sick time.
- 4) Full-time employees receiving Disability Benefits will be required to substitute five days of paid vacation, personal and/or sick leave for the first five days of FMLA leave.

D. Maintenance of Health Benefits

- 1) The University will maintain group health insurance benefits for employees on FMLA leave on the same basis as coverage would have been provided if the employee had been continuously employed during the FMLA leave period. Any share of group health plan premiums which had been paid by the employee prior to FMLA leave must continue to be paid by the employee during the FMLA leave period. Arrangements will be made for employees to pay their share of the group health insurance premiums while on FMLA leave.
- 2) If an employee's premium payment is more than thirty (30) days late, his/her group health insurance benefits may be terminated and the employee will be extended continuing coverage opportunities under Continuation.
- 3) If the University pays the employee's share of any premium payments, the University reserves the right to recover payments made in any manner permitted by law.
- 4) If coverage is terminated and the employee returns to work from FMLA leave, the employee's group health insurance benefits will be reinstated, to the same extent the employee would have been entitled to these benefits had he/she not taken FMLA leave.
- 5) For all periods which an employee is required to substitute paid leave for unpaid FMLA, benefits will continue to accrue and deductions for group health insurance will continue to be made on the same basis as if the employee was on paid leave.
- 6) If an employee gives unequivocal notice of intent not to return to work, the University's obligation to continue group health insurance benefits ceases, subject to Continuation. If the employee chooses not to return to work for reasons other than a continued serious health condition, the University will require the employee to reimburse the University the entire amount it paid for the employee's health insurance premium during the unpaid FMLA leave period.
- 7) Employees are not entitled to accrue any other additional benefits while on unpaid FMLA leave.

E. Job Restoration

- 1) Upon return from FMLA leave, an employee will be restored to his or her original position, or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions, unless the individual's employment would have terminated for reasons unrelated to the leave (e.g., reorganization, lay off, etc.).
- 2) Under specified and limited circumstances, the University may refuse to reinstate certain highly paid "key" employees after using FMLA leave. In order to do so, the University will:
 - a) notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take FMLA leave;
 - b) notify the employee as soon as the employer decides to deny job restoration and explain the reasons for this decision; and
 - c) offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice.
- 3) If an employee's need for FMLA ceases prior to the end of the requested leave, the employee is required to promptly return to work. If the employee fails to return to work, the employee will be considered to have voluntarily quit.
- 4) After exhausting the FMLA entitlement, an employee must return to work or apply for a Personal Leave. (See, Handbook p. 35.) If the University approves the Personal Leave, the FMLA leave will count against the employee's entitlement under the Personal Leave policy. For example, an employee, who exhausts his/her FMLA entitlement and is approved for a Personal Leave Medical Leave of Absence, is entitled to only an additional nine month Personal Leave.
- 5) An employee failing to return to work at the end of approved leave or when able to may be terminated.

F. Notice and Medical Certification

- 1) Except where leave is not foreseeable, all employees requesting leave under this section must submit their request in writing to the office of human resources thirty (30) days before the leave is to commence. If an employee fails to provide thirty (30) days notice for a foreseeable leave, the leave request may be denied until at least thirty (30) days from the date the employer receives notice.
- 2) Where the need for leave is not foreseeable, the employee must submit a written request as soon as is practicable.
- 3) For leaves taken because of the employee's or a covered family member's serious health condition, the employee must submit a completed "Medical Certification Form", and return the form to the office of human resources. The Medical Certification Form must be provided by the employee no later than sixteen (16) days from the date of such request. In emergencies, a completed Medical Certification Form must be submitted as soon as practicable. Failure to provide medical certification may result in a denial of leave. A doctor's excuse or note does not evidence a serious health condition. Instead, the employee must provide the University with a Medical Certification Form, which is completed in its entirety. An employee who fails to provide the University with a Medical

Certification Form is not protected under FMLA. An employee who has not filed the required leave form and “Medical Certification Form”, where applicable, must follow the call-in procedure for each day of absence. Failure to do so shall be considered a no-show/no-call.

- 4) Upon review of the application and Medical Certification Form, the University has the right to require the employee to obtain the opinion of a second health care provider. The University will pay for the examination by the second health care provider, who will be selected by the University. In the event of a dispute between the two medical opinions, the University and the employee will choose a third health care provider. The third health care provider will render a binding opinion as to the serious health condition.
- 5) The University has the right to require periodic medical recertification.
- 6) The University has the right to require medical certification of an employee’s ability to return to work.
- 7) If it becomes necessary for an employee to take more leave than originally planned, the employee is obligated to give the University reasonable advance notice of the change in circumstances.
- 8) While on leave, employees are required to report periodically to the University regarding the status of the medical condition, and their intent to return to work. If an employee gives unequivocal notice of intent not to return to work or the employee fails to return to work after exhausting his/her FMLA entitlement, the University’s obligation to restore the employee to employment ceases and the employee may be terminated.

G. Servicemember Family Leave

a. Employee Eligibility

An eligible employee who is the spouse, son, daughter, parent, or next of kin (nearest blood relative) of a “covered Servicemember” may qualify for servicemember family leave.

A “covered servicemember” is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in “outpatient status,” or is otherwise on the temporary disability retired list, for a “serious injury or illness.”

A covered servicemember is on “outpatient status” when the member is assigned to a military medical treatment facility as an outpatient, or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

A covered servicemember has a “serious injury or illness” when the member has an injury or illness incurred in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

b. Leave Entitlement

An eligible employee shall be entitled to a total of twenty-six (26) workweeks of leave during a twelve (12) month period to care for a “covered servicemember.” Such leave shall only be available during a single twelve (12) month period. During such a period, the

eligible employee shall be entitled to a combined total of twenty-six (26) workweeks of FMLA leave, including both servicemember family leave and other FMLA leave.

Spouses employed by the University are jointly entitled to a combined total of twenty-six (26) workweeks of leave under the FMLA during a single twelve (12) month period, if the leave is servicemember family leave or if the leave is a combination of servicemember family leave and other FMLA leave. (Leave based on a serious health condition that makes the employee unable to perform the functions of the position of the employee does not count toward this limit.) Such spouses remain subject to the limitation of a combined total of twelve (12) workweeks of leave for the birth or placement of a child for adoption or foster care, and to care for a child or their own parent who has a serious health condition, set forth in Section B(5), above.

Servicemember family leave may be taken intermittently or on a reduced leave schedule when medically necessary. Such leave is subject to the requirements in Section B(6), above.

An employee taking servicemember family leave for planned medical treatment shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the University, as set forth in Section B(7), above.

c. Pay During Leave

An employee shall not be paid while on servicemember family leave except as provided under Section C, above.

d. Maintenance of Health Benefits

Servicemember family leave is subject to the maintenance of health benefits rules of Section D, above.

e. Job Restoration

Servicemember family leave is subject to the job restoration rules of Section E, above.

f. Notice and Medical Certification

Servicemember family leave is subject to the notice and medical certification rules of Section F, above.

The University may require a medical certification by the health care provider of the servicemember being cared for by the employee, in the case of an employee unable to return to work because of a condition forming the basis for servicemember family leave.

Leave of Absence for Military Spouses

An employee who works an average of twenty or more hours per week, who is a spouse of a member of the armed forces of the United States, National Guard or reserves who has been deployed during a period of military conflict to a combat theater or combat zone of operations, shall be allowed up to ten days unpaid leave.

A period of military conflict includes a period of war declared by the United States Congress, or a period in which a member of a reserve component of the armed forces is ordered to active duty as set forth in New York Labor Law §202-i.

This leave shall only be used when the employee's spouse is on leave from the armed forces of the United States, National Guard or reserves while deployed during a period of military conflict to a combat theater or combat zone of operations.

St. Bonaventure reserves the right to require documentation to substantiate the right to take such leave.

Personal Leave

Regular full-time employees who have completed one year of University service may request an unpaid leave of absence of up to three months for personal or short-term disability reasons. Written requests for such leaves should be made to an employee's supervisor or department head and the Director of Human Resources. (For a disability leave, a doctor's report on the nature of the disability should be included).

Requests for leaves of absence are evaluated on an employee's length of service, type of leave, and the operating requirements of the University. However, the University retains complete and unfettered discretion with respect to granting Personal Leaves.

Extensions of leaves of absence may be requested in writing to supervisors or department heads and to the Director of Human Resources. Leaves of absence may not extend beyond a maximum of 12 months from the original date of absence, inclusive of any FMLA or spousal military leave, within any twenty-four (24) month period. The University will make reasonable efforts to return an employee to the same or a similar job at the salary rate in effect prior to the leave, subject to any operational requirement which may exist.

During the initial three-month leave of absence (inclusive of any FMLA or spousal military leave), the University will continue health insurance coverage at the same level as active employees. The employee is responsible to pay the employee contribution to the office of human resources following the first thirty days of absence.

Life insurance continues during disability leaves if the employee had been enrolled in the plans.

Sick days are not earned during unpaid leaves of absence, and holiday pay is not available for holidays which fall during leaves of absence. Vacation days are accrued during the initial three-month leaves of absence inclusive of FMLA or spousal military leave, but not during leaves which extend beyond three months.

As much as possible, leaves of absence should be requested with enough advance time for consideration by the University and to allow adjustments to department operations.

Approved leaves of absences taken under the Personal Leave policy which satisfy the requirements of the Family and Medical Leave Act will run concurrently with Family and Medical leaves of absences.

