



Personnel Handbook

Prepared by the Office of Business Services

2011

Flagler College is pleased to present the Staff Personnel Handbook. It is the responsibility of each employee to become familiar with the policies and practices herein. Flagler College may, at its option, change, delete, suspend or discontinue parts of this manual at its discretion and without prior notice to the employee.

The most current version of the Personnel Handbook will be accessible from the Public Folders on my.flagler.edu portal at all times.

THIS HANDBOOK DOES NOT CONSTITUTE AN EMPLOYMENT CONTRACT: FLAGLER COLLEGE AS AN EMPLOYER HAS THE RIGHT TO HIRE, FIRE, DEMOTE AND PROMOTE WHOMEVER THEY CHOOSE FOR ANY REASON UNLESS THERE IS A LAW OR CONTRACT TO THE CONTRARY, AND EMPLOYEES HAVE THE RIGHT TO QUIT A JOB AT ANY TIME.



OFFICE OF BUSINESS SERVICES

ST. AUGUSTINE, FLORIDA
904-829-6481

WELCOME TO FLAGLER COLLEGE

This booklet provides information regarding policies and practices for administrative, professional (other than faculty), secretarial, clerical, maintenance, security and custodial employees. Policies and practices applicable to faculty appointments are set forth in the Faculty Handbook.

Deans, Directors, Supervisors and all employees should become familiar with the contents of this booklet so they may comply with College policies and procedures. Acceptance and continuation of employment at Flagler indicates a willingness to adhere to the regulations, procedures and policies contained herein.

Flagler College is an equal opportunity employer. Selection, placement and promotion of employees shall be made justly and fairly on the basis of the most qualified as determined by the College administration without regard to race, color, religion, national origin or marital status. Sex age and physical condition will be considered only when necessary to meet the demands of specific job qualifications.

This booklet of personnel policies is published for informational purposes only and does not provide an employee with legal contractual rights. While the College will endeavor to adhere to the regulations, policies and procedures as set forth in this booklet, it reserves the right to make changes at any time without prior notice.

A TRADITION OF EXCELLENCE

An independent, nonsectarian, coeducational institution, Flagler College offers a variety of academic programs leading to a Bachelor of Arts degree. Flagler College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award the baccalaureate degree. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Flagler College. The total enrollment for Flagler College including the main campus, Flagler College Tallahassee and the Public Administration program totals approximately 2,700 students. The 30-acre main campus is built around the former Ponce De Leon Hotel, which was constructed by Henry Morrison Flagler more than 100 years ago. The College was established in 1968 as a memorial to him.

In 2008, Flagler College celebrates 40 years of providing rich liberal arts education in a small supportive environment. The College is named after Henry Morrison Flagler, a Gilded Age industrialist, railroad pioneer and oil magnate. In 1888, he built the luxury resort Hotel Ponce de Leon. The Hotel Ponce de Leon serves as a reminder of his enterprise, diligence and commitment to high standards. The College is pledged to the preservation and use of this facility and other historic and architecturally unique campus structures. Flagler College has grown with time, but it maintains a commitment to high educational standards within the close knit community of Saint Augustine.

TABLE OF CONTENTS

WELCOME TO FLAGLER COLLEGE A TRADITION OF EXCELLENCE	II
TABLE OF CONTENTS	
ADMINISTRATIVE ORGANIZATION and STATEMENT OF PURPOSE	III – IV
DISTINCTIVE CHARACTERISTICS	V
FLAGLER COLLEGE INSTITUTIONAL GOALS	VI-VII
FLAGLER COLLEGE ADMINISTRATIVE ORGANIZATIONAL CHART	VIII

Section I – PERSONNEL MANAGEMENT

I.1 Organization	1	I.12 Payroll Deductions	3
I.2 Purpose	1	I.13 Overtime	3
I.3 Initial Employment	1	I.14 Resignation	3
I.4 Employment Classification	1	I.15 Termination	3
I.5 New Employee Orientation	1	I.16 Employee Exit Survey	3
I.6 Identification Cards	1	I.17 Return of College Property	3
I.7 Training Period	2	I.18 Mandatory Retirement	3
I.8 Annual Evaluation	2	I.19 A.D.A	3
I.9 Working Hours and Attendance	2	I.20 Immigration Law Compliance	4
I.10 Timekeeping	2	I.21 Employee Background Checks	4
I.11 Pay Schedule	2	I.22 Personnel Records and Admin.	4

Section II – LEAVE POLICIES

II.1 Annual Leave	5	II.5 FMLA	7-10
II.2 Sick Leave	6	II.6 Leave for Jury Duty	10
II.3 Personal Leave	7-8	II.7 Procedure for Requesting Leave	10
II.4 Bereavement Leave	8	II.8 Termination of Leave	10

Section III – OTHER EMPLOYEE BENEFITS

III.1 Group Medical Insurance	11	III.9 Credit Union	12
III.2 Other Insurance Benefits	11	III.10 Reduced Lunch	12
III.3 Voluntary Insurance Benefits	11	III.11 Waiver of Tuition	12
III.4 Employee Assistance Prog. (EAP)	11	III.12 Holidays	12-13
III.5 Retirement Benefit	11	III.13 Library Services	13
III.6 Social Security	12	III.14 Admission to College Activities	13
III.7 Unemployment Compensation	12	III.15 Employee Discounts	13
III.8 Workers Compensation	12		

Section IV - GENERAL PERSONNEL POLICIES

IV.1 Auth. Travel/Reimbursement	14	IV.18 Publicity and News Releases	20
IV.2 Confidential Information	14	IV.19 Purchasing	21
IV.3 Conflict of Interest	14-15	IV.20 Rental Cars	21
IV.4 Consensual Relationships	15	IV.21 Employee Rest Periods	21
IV.5 Drug and Alcohol Policy	15	IV.22 Sexual/Workplace Harassment	21-26
IV.6 Electronic Comm., Equip.	16-18	<i>Reporting • Complaint Procedures • Investigatory</i>	
IV.7 Employee-Student Relationships	18	<i>Process • Protection against Retaliation • Whistleblower</i>	
IV.8 Extra Curricular Activities	19	<i>Policy • Confidentiality • Responsive Action • Appeals</i>	
IV.9 Grievance Procedures	19	<i>Process • False Accusations • Workplace Violence</i>	

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page III

IV.10 Mailroom	19	IV.23 Smoking on Campus	26
IV.11 Memberships	19	IV.24 Interpreting College Policy	26
IV.12 Off-Campus Conduct	19	IV.25 Teamwork	26
IV.13 Out-Side Employment	19	IV.26 Telephones	26-27
IV.14 Parking	20	IV.28 Working Together	27
IV.16 Professional Development	20		
IV.17 Publications	20		

Section V – SAFETY AND SECURITY

V.1 Safe Environment	28	V.6 Staff Role in Campus Security	29
V.2 Accidents and Injuries	28	V.7 Visitors in the Workplace	29
V.3 Accident Reporting	28	V.8 Flagler College Swimming Pool	29
V.4 Safety Instruction	28	V.9 Children on Campus	29
V.5 Personal Property	29	V.10 Behavioral Intervention Team	29-30

Section VI – DISCIPLINARY PROCEDURES

VI.1 Work Rules	31-32	VI.3 Closing Statement	32
VI.2 Disciplinary Action	32		

Section VII

Flagler College Staff Personnel Handbook Acknowledgement	33
Flagler College Campus Map	34

ADMINISTRATIVE ORGANIZATION

Flagler College is governed by a Board of Trustees. Its President has the responsibility for the operation of the College in accordance with the purposes and policies determined by the Trustees. The chart on the following page depicts the basic organization of the institution.

As an employee, you represent Flagler College to its students, their families, members of the community and guests. Flagler College is largely dependent upon the support of its Trustees, the local community, corporations, parents and alumni. You are a vital part of the public relations program. It is important that all employees exhibit courteous behavior and a professional appearance.

STATEMENT OF PURPOSE

The aim of Flagler College is to provide a supportive and challenging environment in which students acquire knowledge, exercise good citizenship, and adhere to high ethical standards. The principal focus of the College's academic program is undergraduate education in selected liberal and pre-professional studies; thus, the role of teaching is central to the College's mission.

The purposes of the academic program are to provide opportunities for general and specialized learning; to assist students in preparing for careers; and to aid qualified students in pursuing graduate and professional studies.

The objectives of the student life program at Flagler are to establish appropriate standards of conduct and to promote activities that will contribute to the development of self-discipline, integrity, and leadership.

Flagler College was established as a memorial to Henry M. Flagler. The Hotel Ponce de Leon, built by Mr. Flagler, serves as a reminder of his enterprise, diligence, and commitment to high standards. The College is pledged to the preservation and use of this facility and other historic and architecturally unique campus structures.

DISTINCTIVE CHARACTERISTICS

Consistent with Flagler's unique mission are several characteristics which collectively define the specific nature of the College. These distinctive characteristics, listed below, help to distinguish Flagler College from other institutions of higher learning.

- ∞ Flagler College is small.
- Flagler College offers a limited number of academic programs.
- Flagler College seeks a faculty dedicated to undergraduate teaching.
- Flagler College maintains high standards of personal conduct.
- Flagler College serves the full-time, traditional college-age student.
- Flagler College seeks to use community resources.
- Flagler College maintains unique campus structures.
- Flagler College practices prudent management of resources.
- Flagler College provides a friendly campus environment.

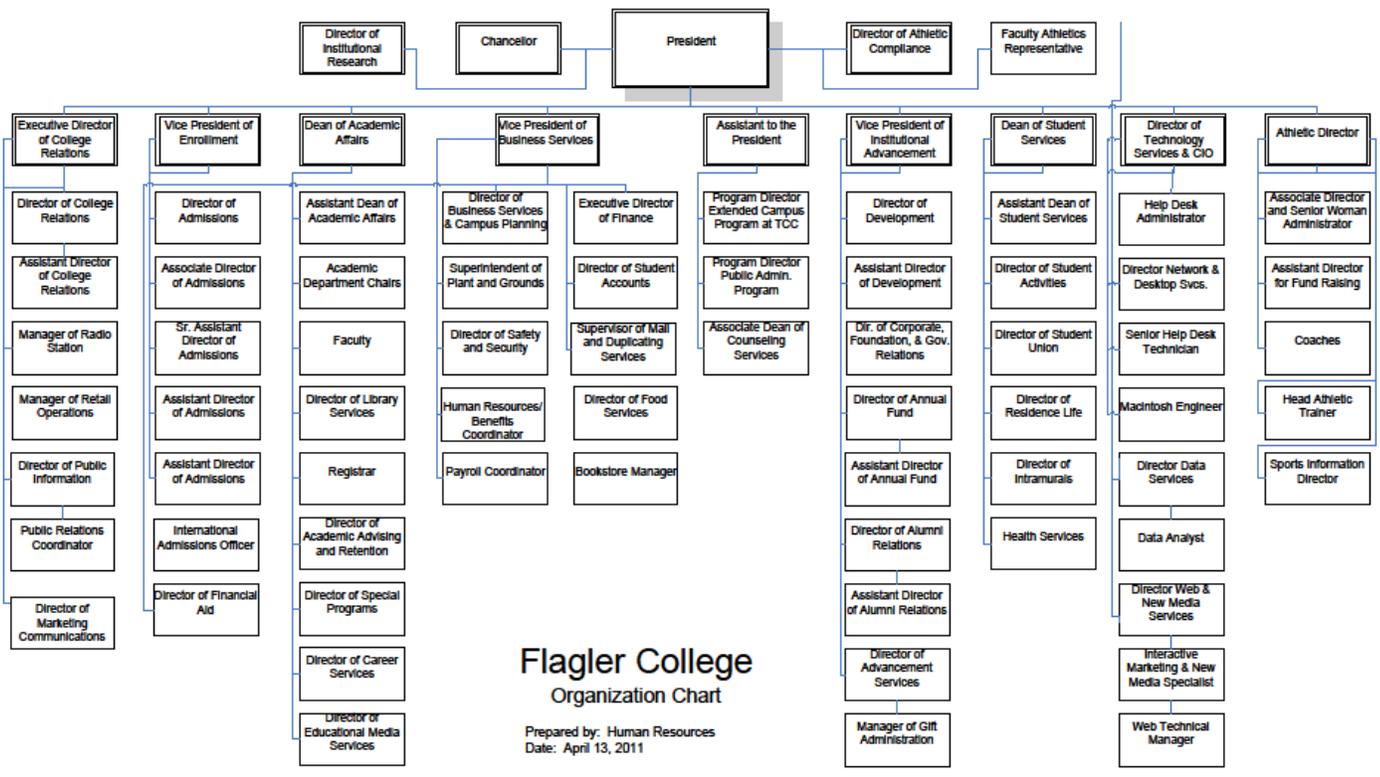
FLAGLER COLLEGE INSTITUTIONAL GOALS

The following institutional goals were derived from the Statement of Purpose and the distinctive characteristics. The goals reflect college-wide aims and aspirations and provide the basis for improving institutional effectiveness.

1. To provide high quality academic programs in selected fields of study that will prepare students for employment or for graduate or professional studies upon graduation.
2. To promote general education and ensure that students are able to think critically; to read and communicate effectively; to perform fundamental mathematical skills; to demonstrate competence in the basic use of computers; and to perform essential research skills.
3. To foster an intellectual climate that stimulates student learning through direct interaction between students and faculty and encourages student participation in class discussions, group projects, research endeavors, and internship experiences.
4. To employ qualified faculty and staff to accomplish the mission and goals of the institution and to provide opportunities for their professional growth.
5. To offer a broad range of educational support services required to accomplish the College's purpose and goals. These services include, but are not limited to, library and learning resources, educational media, and information technology.
6. To provide an array of programs, events, and services which enrich student life, facilitate student growth, and afford opportunities for students to develop leadership and teamwork skills.
7. To maintain the College's strong financial position through prudent fiscal planning and effective management of resources.
8. To secure the resources required to accomplish the College's purpose, goals, and objectives by broadening the base of financial support through a comprehensive advancement program.
9. To preserve and maintain the Ponce de Leon Hall and other historic campus buildings while ensuring that all facilities and grounds are well maintained, attractive, and used efficiently.
10. To provide facilities and equipment needed to fulfill the College's purpose and goals, to ensure its desired enrollment, support its educational and student life programs, and maintain its competitive position with other colleges and universities.
11. To uphold ethical standards and high standards of conduct for all members of the College community.
12. To enroll qualified students who are capable of pursuing and benefiting from an educational experience at Flagler.
13. To offer activities, events, and programs that enriches life on campus and contributes to the civic, cultural, and aesthetic life of the surrounding community.
14. To serve as a memorial to Henry M. Flagler through adherence to his principles of enterprise and industry and by commitment to pursuing high standards of performance.
15. To provide a healthy, safe, secure, and inviting campus environment for students, faculty, staff and visitors.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page VI

16. To maintain a commitment to the use of current and relevant technology in all programs and services. To advance teaching and scholarship, enhance student learning, and improve administrative operations.
17. To assure the effectiveness and continuous improvement of instructional programs, educational support services, and administrative processes through an on-going, systematic process of planning and evaluation.
18. To advance the College's visibility and reputation through a coordinated public relations effort.
19. To provide a competitive intercollegiate athletic program that enriches the academic, social and physical development of the College's student athletes, contributes to the overall student life program, and enhances the College's visibility and reputation.
20. To foster a culture that advances knowledge and learning; promotes intellectual and personal growth; values integrity, responsibility, and mutual respect; nurtures a sense of community; embraces the principles of accountability and stewardship; and encourages the pursuit of quality and continuous improvement.



Flagler College
Organization Chart

Prepared by: Human Resources
 Date: April 13, 2011

SECTION I

PERSONNEL MANAGEMENT

I.1 Organization

Personnel management is a responsibility of the Vice President of Business Services who is assisted in this responsibility by the personnel of the Office of Human Resources and Finance and Accounting Departments. The recruitment and selection of professional and support staff is decentralized to the extent that other administrators assist in identifying and interviewing prospective members of their respective staffs.

I.2 Purpose

The purpose of personnel management is to assist the College in achieving its objectives by obtaining the best-qualified employees for each authorized position and to administer the payroll, benefits programs, and personnel records of all employees.

I.3 Initial Employment

Upon notification of a staff vacancy, the appropriate administrator will coordinate with the Vice President of Business Services for recruitment and screening of applicants. All applicants will be required to complete a written application to which résumés and other biographical background information shall be attached. Applicants should be aware that all references will be checked and a thorough background investigation will be conducted. Qualified candidates will be interviewed by the appropriate administrator.

The selected applicant will be appointed by means of an appointment letter in the case of professional employees and by a personnel order for other employees. Hourly-paid (non-exempt) employees are appointed for an indefinite period, and either the employee or the College may terminate the employment at any time. Such termination may be with or without cause. Appointments and orders for employment are not final until the background check has been completed and reviewed.

I.4 Employment Classification

Employees of Flagler College are classified as either “exempt” or “non-exempt.” This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per work week.

I.5 New Employee Orientation

All new employees hired by Flagler College are required to go through New Employee Orientation with the Office of Human Resources. During this time, benefits, retirement, payroll, and other important information will be shared with the new employee. In addition, the new employee will be given his or her Staff Personnel Handbook. Employees will be given the opportunity to ask any questions they may have regarding the material presented. When the employee returns to his or her area of assignment, it is the responsibility of his or her supervisor to review the handbook and return the Acknowledgement on page 34 to the Office of Human Resources within (5) working days. All the information collected from the employee during New Employee Orientation will remain in his or her personnel file.

I.6 Identification Cards

New employees are required to obtain an employee ID card/photo ID. A new employee can obtain this ID from the Office of Campus Safety & Security on the main floor of the Rotunda. This ID should be obtained immediately following completion of orientation or soon thereafter. There is no charge for replacement in case of loss.

I.7 Training Period/Probationary Period for New Employees

The first six calendar months of employment of non-academic employees are considered the “training period.” During this time, employees have an opportunity to learn more about their assignment and to determine whether or not they are satisfied with the position. At the same time, the supervisor has an opportunity to determine whether an employee has the ability and desire to perform the job assigned. Termination by Flagler College or voluntary separation from service by the employee can occur during the training period. Should an existing employee transfer to another department on campus, the training period will resume for the first six months of the employee’s newly acquired position.

I.8 Annual Evaluation

An annual evaluation of all professional and administrative staff that is not evaluated directly by the President will be conducted on the basis of the employee’s position description and in terms of the employee’s contribution to the accomplishment of the objectives of his or her respective office. The evaluation shall be conducted on or before May 31 in writing, and the employee shall receive a copy no later than June 15. Upon completion of an employee’s annual evaluation, the evaluating supervisor must send a copy of the evaluation to the Office of Human Resources for the employee’s personnel file.

I.9 Working Hours and Attendance

The normal work week for full-time employees is 40 hours measured from Wednesday morning through the following Tuesday. The normal working hours are from 8:00AM – 5:00PM with one hour for lunch. Some departments will require different hours of duty. Employees are expected to report to work on time daily and to remain on the job throughout their regular working hours. An employee having an urgent reason for leaving must have permission from his or her immediate supervisor or, in his or her absence, an appropriate official of the College.

I.10 Timekeeping

Daily time records must be maintained on each non-exempt, hourly-paid employee. These records are kept manually or at present by means of a time clock. It is possible that these records could be maintained electronically as improvement in technology is achieved. On the last day of a pay period, the time record must be signed by the employee and the supervisor before being submitted to the Flagler College Payroll Office. Time records are to be received no later than noon on the last day of the pay period.

Signatures on a time record (supervisor and employee) attest to the truthfulness of the record. Deliberate falsification of time records is a serious offense and may result in dismissal. Time clock check-ins/outs should take place within five minutes of the actual starting and quitting time. Employees are neither permitted nor allowed to work before or after their scheduled time or during their non-paid lunch time. Further, employees are prohibited from taking work home with them, unless expressly approved by a supervisor and the hours worked are properly recorded.

I.11 Pay Schedule

Administrative and staff personnel are paid on a biweekly schedule. There are 26 pay days in each fiscal year. Pay days are every other Friday and include compensation for the previous Tuesday. Paychecks may be picked up in the Office of Human Resources by 8:00 a.m. on the morning of each pay day. Direct deposit is offered through the Flagler College Payroll Office. Additional paperwork is required in order to activate direct deposit. With respect to employees classified as exempt, it is our policy to comply with the salary basis requirements of the FLSA. It is important to understand that we prohibit improper deductions from the salaries of exempt employees. If you believe that an improper deduction has been made to your salary, or if you have any questions regarding your pay, you should contact Payroll/Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the matter will be promptly corrected and the affected employee will be appropriately reimbursed.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 2

I.12 Payroll Deductions

All deductions are detailed on the employee's earnings statement which is attached to each paycheck. Deductions are made only for federal withholding tax, social security, credit union and approved College benefits plans. In general, requests for other deductions will not be approved.

I.13 Overtime

Overtime is defined as directed work in excess of forty hours within the work week, (Wednesday through Tuesday) by non-exempt, hourly paid employees. All work scheduled that involves overtime must be approved in advance by the Vice President of Business Services. Supervisors are cautioned to avoid scheduling overtime whenever possible. When overtime payment is required, it will be calculated on the basis of one and one-half times the regular hourly rate.

I.14 Resignation

An employee, who resigns, for any reason, is expected to give reasonable notice. To resign in good standing, two weeks notice is required unless a shorter period is agreed upon by the employee and the supervisor. Employees who resign in good standing and have been employed one year or more will be paid for unused vacation. An employee must complete the Flagler College Request for Leave Form and have the form signed by his or her supervisor in order to receive the remainder of his or her unused vacation. Employees are not paid for unused sick time. A copy of the employee's resignation letter must be forwarded to the Office of Human Resources when the employee gives notice.

I.15 Termination

When an employee is terminated due to reorganization, budgetary reasons, or lack of work, the employee will be given as much notice as possible but not less than two weeks. In addition to a minimum two weeks' notice, the employee will be paid for accrued vacation time provided the total period of employment has been one year or more. Termination for cause is covered on page 33 of this manual.

I.16 Employee Exit Survey

In a voluntary separation situation, Flagler College would like to conduct an exit survey to discuss the employee's reasons for leaving and any other impressions that the employee may have about Flagler College. The Exit Questionnaire will be sent via United States Postal Service with a return addressed stamped envelope for the employee to complete the survey if he or she chooses to do so. This survey is not mandatory for the departing employee.

I.17 Return of College Property

Any Flagler College property issued to employees, such as computer equipment, keys, uniforms, parking passes or College credit cards must be returned to Flagler College at the time of termination or separation from service. Employees will be responsible for any lost or damaged items.

I.18 Mandatory Retirement

The Age Discrimination in Employment Act of 1967 prohibits discrimination in employment practices against persons ages 40 and over. Flagler College does not have a policy pertaining to mandatory retirement. Faculty and staff may continue to work at the College, so long as they are able to carry out their assigned duties and responsibilities.

I.19 Americans with Disabilities Act

It is the policy of Flagler College to comply with all the relevant and applicable provisions of the American's with Disabilities Act (ADA). Flagler College will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability, so long as they can perform the essential functions of the position as described in the positions job description.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 3

I.20 Immigration Law Compliance

All offers of employment are contingent on verification of the candidate's right to work in the United States. Every new employee will be asked to provide original documents verifying his or her right to work and, as required by federal law, to sign the Federal Form I-9, Employment Eligibility Verification Form.

I.21 Employee Background Check

Prior to making an offer of employment, Flagler College may conduct a job-related background check. A comprehensive background check may consist of prior employment verification, professional reference checks and education confirmation.

I.22 Personnel Records and Administration

The task of handling staff personnel records and related administration functions at Flagler College has been assigned to the Office of Human Resources. Personnel files will be kept confidential at all times and include some or all of the following documents:

- ∞ W4
- ∞ Copies of Employee Evaluations
- ∞ Letters of Appointment
- ∞ Copies of original documents needed to verify right to work status
- ∞ Original Employment Application
- ∞ New Hire Acknowledgements
- ∞ Resume or Vita

All medical records, insurance enrollment forms, and I-9 paperwork will be kept in a separate confidential file.

will earn leave on a prorated basis. In addition periods of employment prior to January in excess of 4 months will be counted as the employee's first year of employment.

Example: An hourly-paid employee who begins work on September 1 would earn two days leave between August 1st and December 31st. However, an hourly paid employee who begins work on October 1 would earn one and half days leave between October 1 and December 31 and begin his or her first year of employment for leave earning purposes on January 1 of the following year.

The College Payroll Analyst will provide assistance in determining years of service if there has been a break in employment. Leave forms are to be completed in advance of taking vacation or personal leave and signed by the employee's immediate supervisor. All leave forms should then be submitted to the College Payroll Analyst for processing. All vacation, personal and sick leave should be taken in conjunction with College policy.

- C. **Taking Paid Leave** - Except in the case of a documented emergency, employees are not permitted to take paid leave during the first six months of their employment. After six months, an employee may apply for and receive paid leave up to the amount earned at that time by completing the leave request form and obtaining his or her supervisor's approval. All leave requests must be submitted to the Flagler College Payroll Office. Supervisors have the option to grant paid leave in excess of that earned but not to exceed the leave that would be earned in the six-month period immediately following the requested leave period. Should an employee terminate prior to earning advanced paid leave, the final pay will be adjusted accordingly.
- D. **Leave Pay** – Pay for leave is based on the employee's current salary. Accordingly, leave pay for full-time personnel is computed on the basis of five working days per week. Hourly employees can use paid leave in increments of an hour to a full day's worth of leave. Leave for exempt employees may only be taken in full day increments.
- E. **Accumulation of Leave** – Earned leave may not be accumulated in excess of one year's benefit. Leave that is earned during one calendar year will be lost if it is not taken by the end of the calendar year in which it is earned. This policy is waived only during the employee's first year of employment with the College. A first-year employee may carry over unused vacation into the second year, but no subsequent unused vacation may be carried over in the years following. Hourly employees can use paid leave in increments of an hour .
- F. **Reimbursed for Unused Leave** – College policy precludes employees being reimbursed for unused leave. The only exception to this policy is the instance of an employee terminating in good standing who may be paid for unused accrued leave not to exceed the amount equal to one year's benefit.
- G. **Termination** - An employee terminating prior to the completion of one year's service is not eligible for any unused leave reimbursement.
- H. **Application for Leave** – All employees must apply for leave by completing the College's leave request form. Approved leave requests with both the employee's and the supervisor's signatures must be submitted to the Flagler College Payroll Office for appropriate tracking purposes. Supervisors are responsible for ensuring that leave forms are turned in for employees before taking leave or during the pay period in which leave takes place.

II.2 Sick Leave

All full-time administrative and staff employees are authorized a limited amount of paid leave when absent from work because of personal illness, injury or necessary medical appointments. The College reserves the right to require medical documentation of the illness and voluntarily complies with the Health Insurance Portability and Accountability Act (HIPPA) regarding the use and disclosure of personal health information (PHI). Absence for other reasons cannot be charged to sick leave.

- A. **Amount and Accumulation** – Each full-time non-exempt employee is authorized seven days paid sick leave during the first year of employment and twelve days each subsequent year; full-time exempt employees receive 10 days paid sick leave. Non exempt employees are permitted to take accumulated sick leave in one hour increments if necessary. Unused leave can be accumulated and

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 6

carried into the next year. Employees will be permitted to bank unused sick leave up to a maximum of eight (8) days, which may be added to the employee's 12 days of sick leave for a maximum of 20 days of sick leave per year. Exceptions to this policy may be granted by the President based on individual circumstances.

- B. Verification of Sick Leave – An employee who is unable to report to work because of personal illness or injury is required to report the circumstances to his or her supervisor by telephone on a daily basis when possible. Failure to call in (unless circumstances absolutely prohibit) can result in loss of pay. Any sick leave claimed after earned maximum days per calendar year must be verified by a physician's written statement or evidenced by the employee's hospitalization.
- C. Validation of Sick Leave – On the first day of work following sick leave, the employee is required to report the absence by completing a leave slip, obtaining the supervisor's approval and forwarding the leave slip to the College Payroll Analyst, unless the employee is an hourly employee. An hourly employee should submit his or her leave slip with their next time card.
- D. Exceptions to the Sick Leave Policy – The President, at his discretion, may award excess or advance sick leave in certain cases of prolonged illness. Request for this leave should be made through the Vice President of Business Services. Such recommendation would be based upon the employee's work history and previous sick leave records.
- E. Use – At the Supervisor's discretion, employees may use sick leave to care for family members in an emergency situation.

An employee is expected to make contact with his or her supervisor regarding calling in sick to work. If the supervisor is not available, the employee is encouraged to leave a message on voice mail and to try to call back during business hours to speak directly with his or her supervisor to ensure that the call is received. Three days absence without contacting his or her supervisor will be considered job abandonment, and the employee may be released from employment at that time.

II.3 Personal Leave (without pay) –

When sufficient personal reasons require, an employee, at the College's discretion, may be granted and extended leave of absence without pay. A leave of absence will be granted for an initial period of up to 60 days and an employee may request an extension of up to 30 days which may or may not be granted at the College's discretion and based on business needs. No leave, however, may be extended beyond 180 days from the beginning date of the leave.

Personal leave will be without pay except employees may be required to use any accrued vacation or sick days during a leave of absence. **While on leave of absence, employees will not accrue paid leave days of any kind.**

During an employee's approved personal leave, the College will continue to pay the College's portion of the insurance premium for the employee's health insurance. The employee, while not receiving a paycheck on leave, will be required to continue to pay for his or her portion of the health insurance premium while on unpaid leave.

Because operations sometimes require that vacant positions be filled, a personal leave of absence does not guarantee the employee's job will be available when he or she returns from the leave of absence. Personal leave of absence is not to be confused with Family Medical Leave Act.

II.4. Bereavement Leave –

Upon the occasion of a death in an employee's immediate family, he or she may be granted up to three days' paid leave. Immediate family is defined as a spouse, sibling, children, parents, grandparents and grandchildren.

II.5. Family and Medical Leave Act (FMLA)

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 7

Employee Eligibility, Leave Entitlement, and Job Restoration

Employees who have been employed by Flagler College for *at least 12 months* and who have worked *at least 1,250 hours* during the prior 12 months may take up to 12 weeks of *unpaid* leave per *rolling* 12-month period in accordance with the Family and Medical Leave Act of 1993 (“FMLA”). This 12-month period is measured backward from the date on which the employee uses any family and medical leave (“FMLA leave”).

FMLA leave is available for the following reasons:

1. The birth and related care of a child of the employee;
2. The placement of a child into the employee’s family by adoption or a foster care arrangement;
3. To provide needed care for the employee’s spouse, child or parent who has a *serious health condition*; and
4. The employee’s own *serious health condition* which renders the employee unable to perform the functions of his or her position.

In the case of FMLA leave for serious health conditions, the leave may be taken intermittently or on a reduced hour’s basis if such leave is medically necessary. If the need for intermittent or reduced hours leave is foreseeable based on planned medical treatment, the employee generally must schedule the treatment in a manner that does not unduly disrupt Flagler College’s operations. Also, if intermittent or reduced hours leave is required, Flagler College may temporarily transfer the employee to another position with equivalent pay and benefits that better accommodates such leave.

In the case of an FMLA leave for the birth or placement of a child, intermittent or reduced hours leave cannot be taken without the approval of the Human Resources Department. If both spouses are employed by Flagler College, the combined FMLA leave for the birth or placement of a child, or to care for a parent who has a serious health condition, shall not exceed 12 weeks.

Employees who return to work from an FMLA leave within their maximum 12 weeks per rolling 12-month period will be reinstated to their former position or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed by Flagler College during the FMLA leave period. Therefore, if changes in Flagler College’s business occur during an employee’s FMLA leave and the employee would have been terminated, laid off or reassigned had he or she been on active status, the employee is *not* guaranteed reinstatement.

Military Family Leave

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 FMLA 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. Leave for a qualifying exigency may be taken on an intermittent basis.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member 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 service

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 8

member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. This leave may be taken intermittently if medically necessary. Although an employee may use up to 26 weeks of leave to care for a covered service member, an employee that takes leave to care for a covered service member is nonetheless limited to an aggregate total of 26 weeks of leave in a 12-month period for all types of FMLA leave.

Notice and Certification

Requests for FMLA leave should be submitted in writing to the Human Resources Department. Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with Flagler College's normal call-in procedures. Employees taking intermittent leave must comply with Flagler College's normal call-in procedures unless their condition precludes them from doing so. Employees must provide sufficient information for Flagler College to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. If an employee seeks leave for a reason for which he or she has previously been granted FMLA leave within the past 12 months, the employee must specify the reason for which FMLA leave was previously taken.

After receiving a request for FMLA leave, Flagler College will inform you whether you are eligible under the FMLA. If you are eligible, then Flagler College will inform you about any additional information you must provide to qualify for FMLA leave as well as your rights and responsibilities concerning FMLA leave. If you are not eligible for FMLA leave, we will inform you why you are not eligible.

Employees requesting FMLA leave may be required to submit a certification from their health care provider establishing the existence of a serious health condition, the need for the leave and its probable duration. Flagler College will give the employee the certification form. When required, such certification must be submitted as soon as practicable, but, in no event, later than 15 calendar days after the request. If Flagler College concludes that an employee's medical certification is insufficient, it will notify the employee in writing of the additional information that is necessary to complete the certification. The employee then has seven calendar days to provide the requested information. Flagler College reserves the right to require a second and/or third medical opinion by a health care provider of its choice.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when replying to this request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family members genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual of an individual's family member or an embryo lawfully held by an individual or family member receiving reproductive services.

Flagler College will then inform the employee whether leave will be designated as FMLA-protected and, if known, the amount of leave that will be granted. Flagler College will also notify the employee if it determines that the leave is not FMLA-protected.

Employees on FMLA leave must periodically notify the Human Resources Department of their status and intention to return to work, and may be required to submit periodic medical recertification. In addition, in order to return to work after an FMLA leave due to the employee's own serious health condition, the employee must submit a certification from the health care provider that the employee is able to resume work, *i.e.*, fit for duty.

Failure to meet the notice and certification requirements may result in denial of a request for leave; counting the employee's days off against his or her attendance record; disciplinary action, up to and including termination; or denial of reinstatement following the leave.

Prohibition on Working

As with other forms of leave, except where express authorization is given, employees on FMLA leave are prohibited from performing any work, paid or unpaid, for any other person or entity, including the employee's own business. Violations of this prohibition may result in FMLA leave being revoked and the employee's prior days off being counted against his or her attendance record; disciplinary action, up to and including termination; or denial of reinstatement following the leave.

Health Insurance and Other Benefits

During an FMLA leave, Flagler College will continue to pay its portion of the group health insurance premiums, and the employee must continue to pay his or her share of the premiums (including the employee's share of any premium increases). The employee's failure to pay his or her share of the premiums will result in loss of coverage. If the employee does not return to work after the leave expires, the employee must reimburse Flagler College for all premiums Flagler College paid during the leave, unless the employee does not return because of the continuation, recurrence or onset of a serious health condition, or other circumstances beyond the employee's control.

Employees will not lose any employment benefits earned and accumulated before their FMLA leave begins. However, employees are required to use their earned and accumulated paid vacation days and paid sick days (if the leave is for their own serious health condition) in conjunction with FMLA leaves, unless the leave otherwise is paid (e.g., because the employee is receiving workers' compensation or other disability benefits).

This policy is intended to comply with the Family and Medical Leave Act of 1993 as amended, and its implementing regulations. Flagler College will be guided by the specific provisions of the Act and related regulations issued by the U.S. Department of Labor when interpreting and applying this policy in individual cases.

II.6 Leave for Jury Duty

Leave with pay, up to five days, will be granted to those employees selected for jury duty. In cases where such duty exceeds five days, further arrangements will be made on an individual basis. Employees are expected to be at work daily before and after jury duty when circumstances permit.

II.7 Procedure for Requesting Leave and/or Extension

An employee who needs a leave of absence must file a written request for such leave with his or her supervisor. This written request, together with any required supporting documentation, must be submitted at least 30 days before the date on which his or her requested leave is to begin, unless the need for a leave is not sufficiently foreseeable to give such notice. In that case the employee must submit the request and required documentation as soon as practicable. If the leave is foreseeable, the employee shall make a reasonable effort to schedule any planned leave so as not to unduly disrupt the College's operations.

A leave of absence, or any extension of a leave, must be approved by the College's Vice President of Business Services.

II.8 Termination of Leave

An employee will be considered as having resigned his or her position if he or she:

- a. Fails to return to work on the first day after his or her leave of absence or authorized extension expires;

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 10

- b. Applies for or accepts outside employment without his or her supervisor's permission;
- c. Gives a false reason for any requested leave of absence; or
- d. Does not return to work from family leave within a 180-day period.

SECTION III OTHER EMPLOYEE BENEFITS

III.1 Group Medical Insurance

Group medical insurance is available for all full-time employees and those who work 25 hours or more per week. The College's current policy, which is subject to change on an annual basis, is to pay a portion of the cost of the insurance. The employee will pay the remainder of the insurance premium cost through payroll deduction. The amount paid by the employee and the College's policy on contributing a portion of the costs for such coverage may change from year to year.

Flagler College affords eligible employees the opportunity to participate in a Section 125 Cafeteria Plan. Flagler College Employees participating in the basic health insurance plans, i.e., group medical, dental, vision and other applicable plans offered provide employees of the benefit of pre-tax premiums thereby reducing their taxable income. This is offered in accordance with US Internal Revenue Service provisions for Section 125 Cafeteria Plans.

An employee's health insurance participation is effective on the first day of the month following the completion of 30 days of continuous service. In some cases this time period may be longer depending on the employee's hire date. Example:

Employee Hired on June 1, not effective until August 1st.
Employee Hired on June 30th, Effective August 1st.

Should the employee decline to enroll during New Employee Orientation, he or she will be required to wait until the next open enrollment period. The effective date of Open Enrollment is April 1, of the coming year. During the month of March, employees are given ample time to enroll for the new plan year through the Open Enrollment process.

Each employee will receive information during New Employee Orientation detailing the plan's benefits, premiums, coverage and limitations. This is important in order to make an informed decision about the employee's choice of plan. It is the employee's responsibility to read these materials and become familiar with his or her plan.

The Federal Consolidated Omnibus Budget Reconciliation Act of 1985 (**C.O.B.R.A.**) gives employees and their qualified dependents the opportunity to continue their health insurance coverage under the College's group medical insurance plan for a specified period following termination or separation from service. Employees should consult the Human Resource Benefit Coordinator for details regarding this benefit.

Health insurance premiums and plan information is available via the benefit website, www.mybenefitsview.com and from the Human Resource Benefit Coordinator. Password information and details are available from the Office of Human Resources. It should be noted that the College sponsored plans, offered from year to year, may vary and can be suspended at the administration's discretion.

As the health insurance program sponsor, Flagler College voluntarily agrees to use/disclose personal health information (PHI) in accordance with the Health Insurance Portability and Accountability Act (HIPAA)

- ∞ The Privacy Rule under HIPAA protects all individually identifiable health information held or transmitted by the College in any form of media, whether electronic, paper or oral.
- ∞ A major purpose of the Privacy Rule is to define and limit the circumstances in which an individual's protected health information may be used or disclosed without written authorization from the employees. Exceptions to this rule is the acquisition of an insurance plan or if the sponsor is undertaking a compliance investigation.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 12

III.2 Other Insurance Benefits

Group term life insurance (\$10,000.00) and long-term disability insurance are provided to all full-time employees at no cost. Employees are eligible upon hire with no waiting period for these insurance benefits. This benefit also includes an emergency travel assistance program. These benefits will be reviewed during New Employee Orientation and require paperwork on behalf of the employee. Information about these benefits can be obtained through the Human Resource Benefit Coordinator's office.

III.3 Voluntary Insurance Benefits

Individual life insurance, short term disability (a post tax benefit), flexible spending accounts, hospitalization insurance, cancer, accident protection, dental insurance, and vision insurance are available to employees through payroll deduction. These benefits are classified as voluntary due to the fact that Flagler College pays no portion of the premium for these benefits. With the exception of Short Term Disability, insurance mentioned in this section qualifies for pre-tax status under the IRS Section 125 Cafeteria Plan.

III.4 Employee Assistance Program (EAP)

The College participates in an agreement to provide counseling services by qualified and licensed psychologists or mental health counselors. The program provides a total of three (3) counseling sessions per year for each employee, free of charge. These counseling sessions may be used by the employee or his or her spouse or child. Information about this program is available from the Office of Human Resources.

III.5 Retirement Benefit (Matching Plan)

Retirement Annuity -

The College participates in a retirement plan with the Teachers Insurance and Annuity Association (TIAA/CREF). TIAA/CREF is a legal reserve life insurance and annuity company serving the medical community and the educational community.

Plan contributions for the match plan as a percentage of salary are:

<u>Years of Service</u>	<u>Employee</u>	<u>College</u>	<u>Total</u>
1-10	5% (minimum)	5%	10%
11-15	5% (minimum)	7.5%	12.5%
Over 15	5% (minimum)	10%	15%

Contributors are fully vested immediately. Contributions are tax-deferred. Once eligible (following one year of continuous employment) the employee may contribute via payroll deduction. Full time employees may participate if they are age 18 or older.

Group Supplemental Retirement Annuity –

This voluntary benefit is available to all full time employees after the first 30 days of employment. The Group Supplemental Retirement Annuity or GSRA does not receive a match or contribution from the College. This is a tax-deferred voluntary plan. Information regarding this plan is available from the Human Resource Benefit Coordinator.

III.6 Social Security

All employees of the College are required to participate in the Social Security program. The College and the employee each contribute as required by law. The employee's share is deducted from his or her salary check each pay period.

III.7 Unemployment Compensation

The College pays a state unemployment tax that permits former employees to collect benefits upon loss of employment under certain circumstances. Salary deductions are not made for this benefit.

III.8 Workers Compensation

All employees are protected from loss of income as a result of a job related accident or injury through a licensed insurance provider. The insurance premiums are paid by the College, and payroll deductions are not made for this benefit. To exercise this benefit, employees must be certified through a worker's comp doctor. Injured employees are required to make a report to the Office of Campus Safety & Security as quickly as possible following an injury. The Office of Campus Safety & Security will send the employee for treatment if necessary. The Flagler College Payroll Office handles workers compensation claims and should be notified of any incident on campus as quickly as possible. Employees have ten days to file a workers compensation claim following an injury.

III.9 Credit Union

The Community First Credit Union, formerly the St. Johns County Teachers Credit Union, is available on an individual basis to employees. Loans to a member for productive purposes are one of the functions of the credit union. The primary purpose is to promote thrift through systematic savings. All employees are eligible to apply for membership at the credit union's local office and participate through payroll reduction and direct deposit.

III.10 Reduced Lunch

All College employees are eligible to eat lunch in the Flagler College dining hall for a minimum price based upon actual cost to the College. This price may vary from year to year.

III.11 Waiver of Tuition

Certain educational privileges are available for College employees and their dependent spouses and children. Administrative Policy Statement 701 outlines the requirements and limitations of the Tuition Benefit program for employees hired prior to January 1, 1991 and on or after January 1, 1991. Administrative Policy Statement 702 describes the Tuition Exchange Program available to full-time employees. Administrative Policy Statements can be viewed in Public Folders on the Flagler College portal (my.flagler.edu).

III. 12 Holidays

Time Off During the Christmas Holidays

As reflected in *Administrative Policy Statement 130*, the decision to grant this additional paid time off will be made annually by the College President at the time the annual calendar is prepared for publication in the College catalog. It shall be at the President's discretion to grant the additional paid time off and to establish the specific beginning and end dates for the time off.

This benefit applies to all full-time employees and to certain part-time employees who qualify for other College benefits. It does not apply to seasonal workers who work at the College during the summer or during the period between the fall and spring terms. (Non-exempt (hourly) employees who are required to work during this holiday period will be compensated on a case-by-case basis at the discretion of the President.)

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 14

College Observed Holidays

All full-time employees, except security personnel, are authorized a day off with pay for the following holidays:

New Year's Day	Memorial Day	Independence Day
Thanksgiving (2 Days)	Christmas Day	Martin Luther King Day

Depending on the circumstances, the President may, from time to time, declare additional days as holidays. Note that Labor Day is **NOT** a College holiday. (Security personnel are paid at their regular rate for working a holiday. They are paid at time and a half if they have worked 40 hours or more during the work-week.)

III.13 Library Services

Any employee may use the library facilities and materials. A College ID card, obtainable from the Office of Campus Safety & Security at no cost to the employee, is required in order to check out library materials and to gain entry to the building during the evenings and weekends.

III.14 Admission to College Activities and Events

All student activities and sports events are available at no charge to employees and their immediate families. Employees must show their Flagler College ID in order to gain free access to these events.

III. 15 Employee Discounts

The Flagler College Legacy Store

Flagler College employees are granted a discount when shopping at the Flagler College Legacy store. Employees may receive up to 20% off merchandise by showing their ID. This discount may vary and can change at any time at the discretion of the Legacy store.

Local Business Discounts

Flagler College employees are encouraged to show their Flagler College ID at the Legacy gift shop, the Café Cordova located inside the Historic Casa Monica Hotel and other local businesses in the Saint Augustine area, to receive a discount for tickets, food or merchandise. These discounts are subject to change without notification and are at the proprietors' discretion. Discounts will be posted at the Employee tab of the My.flagler.edu portal. Flagler College assumes no responsibility for this discontinuance of these discounts.

(Note: Benefits are subject to annual review and possible changes at the discretion of the President and Board of Trustees)

SECTION IV GENERAL PERSONNEL POLICIES

IV.1 Authorized Travel and Reimbursements

Employee requests for travel expenses to attend meetings, conferences, conventions, seminars or workshops must first be approved by the employee's supervisor. Requests must not exceed budgeted departmental allocations for travel and should comply with the structured per-diem that the College has set for expenses, if any. Receipts must be kept for all reimbursable expenses and must be submitted to the Office of Business Services with a completed Flagler College Travel Reimbursement Report completed and signed by the employee and the employee's supervisor. Mileage for travel within the city and surrounding 15-mile radius will not be reimbursed except on special authorization. The current reimbursement rate for mileage is \$.45 per mile. This rate is subject to change. Details of this policy are reflected in Administrative Policy Statement 426, which can be located in Public Folders on the Flagler College portal (my.flagler.edu).

IV. 2 Confidential Information

Many employees are assigned to areas that deal with sensitive documents of a confidential nature concerning students, other employees, and College business affairs. It is of the utmost importance that employees understand that they must not discuss, reveal or share any confidential information, except as required by their duties. Each College office that collects and disseminates information concerning students must maintain the confidentiality of those records as specified in Administrative Policy Statement 104.

All persons handling student, faculty or staff records shall be instructed concerning the confidential nature of such records and shall be informed of their professional responsibilities regarding confidentiality upon employment.

Various departments within the College may have policies which are more specific than the general College policy regarding confidentiality. Departmental policies on the confidential information must conform to the guidelines of the general College policy.

IV.3 Conflict of Interest

Conflict of interest relates to situations in which financial or other personal considerations may compromise, have the potential for compromising, or have the appearance of compromising an employee's objectivity in meeting College responsibilities or duties. Conflict of interest occurs when the purpose and goals of the College are compromised by a decision made by a faculty member for personal gain. Such conflicts involve inappropriate financial gain (conflict of interest) or inappropriate use of time (conflict of commitment). Employees have an obligation to avoid unacceptable ethical, legal, financial or other conflicts of interest and to ensure that their activities and interests do not conflict with their obligations to Flagler College or its welfare.

As integral members of Flagler College's staff, employees agree to use the highest ethical standards in their work and in their representation to the public on behalf of the College. In keeping with this commitment, all staff members are expected to adhere to the following **Flagler College Code of Ethics**:

- ∞ No employee may accept gifts that would influence his or her vote or actions.
- ∞ No employee may, as a representative of the College, conduct business with agencies in which the employee has a vested interest.
- ∞ No employee may accept any compensation or payment when given to influence a vote or action.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 16

- ∞ Public position may not be used for special privilege or benefit.
- ∞ No employee may be employed with a firm doing business with the College.
- ∞ No employee may disclose or use information not available to the general public for personal gain or benefit.
- ∞ An employee must disclose his or her interest in or connection with any business which operates in the State.
- ∞ Notary public privileges paid for by the College may not be used for financial gain.

Any employee representing Flagler College in dealing with public officials must act in accordance with Section 112.313(3), Florida Statutes, which states no public officer, deputy or candidate may either solicit or accept anything of value, including gift, loan, reward, promise of future appointment, favor of service which is based on any understanding that the vote, official action or judgment of the official would be influenced.

Any employee engaging in an outside activity or possessing a personal interest that could lead to a serious conflict of interest must immediately disclose that possibility, and that conflict must be resolved. A conflict of interest should be reported to the department director.

IV.4 Consensual Relationships

The College prohibits consensual relationships of an amorous, romantic or sexual nature involving members of the professional staff and/or faculty, wherein both parties appear to have consented but where the power differential between the two parties is significant. Additionally, all such relationships between members of the faculty or staff with students are prohibited. Even when both parties consent to the relationship, subsequent developments may give rise to allegations of favoritism or sexual harassment (see Administrative Policy Statement 121).

IV.5 Drug and Alcohol Policy

The College maintains a drug-free workplace. Employees are expected to report to work without illegal drugs, alcohol or non-prescribed controlled substances in their body systems. This requirement is based on the fact that any measurable amount of an illegal drug or alcohol can impair that person's performance, even if the impairment is not readily apparent. While employees are entitled to their choice of lifestyle, the College will not tolerate even a small risk that illegal drug use by employees may cause or contribute to injuries, property damage or other performance problems.

Accordingly, employees may be selected for individual drug testing if they appear to be under the influence of drugs or exhibit signs or symptoms of illegal drug use. This may require an employee to submit a breath, blood or urine sample to designated medical professionals for analysis at no charge to the employee.

Because safety is a concern to the entire campus community, College employees should report, in writing, anyone they suspect of being under the influence of illegal drugs or alcohol to the Office of Human Resources.

As stated in Administrative Policy Statement 119, "The advertisement of alcohol is not allowed on campus, and advertising activities that are promoted by distributors of alcoholic beverages are not permitted on campus." In addition, the Administrative Policy Statements states that: "Any exception to a provision of this policy requires the recommendation of the President's Cabinet and the approval of the President.

IV.6 Electronic Communications, Equipment and Systems

Computers, computer files, email systems, photocopiers and software furnished to employees are College property and intended for business use. To access the Internet and use email on the College's computer systems, employees must read and sign the Electronic Communication Employee Acknowledgement Form given to them during New Employee Orientation. This information is also communicated through Administrative Policy Statement 610 which reads:

Flagler College expects all members of its community to use computing facilities and electronic communications in a responsible and lawful manner. Campus policies set standards of behavior to foster a safe and productive learning and living environment. These standards apply to all faculty, students, staff and College organizations, and they apply equally to computer usage. Moreover, they are consistent with the mission, goals and policies of Flagler College, as set forth in the *College Administrative Policy Manual, Faculty Handbook, College Catalog, and Student Handbook*.

In response to complaints presenting evidence of violation of any College policies or state or federal laws, the College may restrict the use of its computers and systems. Further disciplinary action may be taken, if deemed necessary. Specifically, Flagler College:

1. Reserves the right to restrict access to its networks when applicable policies, contractual obligations, or state or federal laws are violated.
2. Reserves the right to remove material and/or software on College-owned computers when policies, contractual obligations, or state and federal laws are violated, or such postings are deemed inappropriate.
3. Reserves the right to inspect electronic files, communications, and user activity on College-owned equipment. Users should be aware that state and federal laws do not protect the privacy of electronic communications. Furthermore, electronic documents stored on College computing equipment that subpoenaed by local, state, and/or federal authorities will be turned over as requested by such authorities.

Access to network-based services implies some risk. The Internet is a global entity with users of diverse cultures, values, and sensitivities. Flagler College cannot protect individuals against the existence or receipt of materials that may be offensive to them.

Computer facilities and network-based services are intended to enhance and supplement existing resources and sources of information for academic research or reference, for other educational purposes, for administrative work, and for College-related communications. Individuals with authorized accounts or permission from College officials may use computer facilities for personal purposes, so long as such use does not violate any law or College policy, does not involve significant use of College resources, and does not substantially interfere with the performance of College employees' conducting their duties or work. The College reserves the right to prohibit some or all use of College owned computers for personal use at its sole discretion.

COLLEGE WEB SITE

1. The College shall maintain an official World Wide Web home page at URL <http://www.flagler.edu>. The primary purpose of this page is to serve as the gateway to Flagler College on the World Wide Web and to guide browsers to the information about the College. The Director of Web and New Media Services is responsible for all oversight of the home page and subsequent levels of pages. This will also extend to the Flagler College Portal. All official Flagler College digital publications, including social media, must be approved by the Director. A publication is official if it purports to speak for Flagler College.
2. Content and design of pages stored on or linked to the official College web site must first be approved by the Director of Web and New Media Services.
3. Any use of the Flagler College seal or logo must be approved by the Director of Marketing Communications.
4. Unofficial sites must include the following disclaimer: Links to resources outside Flagler College domain are for information purposes only and do not imply endorsement by Flagler College.

VIOLATIONS

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees.

Violations causing harm to the activities of others:

1. Sharing of accounts or passwords, or using or attempting to use another person's password or account, regardless of how it is obtained.
2. Propagating electronic chain mail.
3. Launching or knowingly propagating a computer worm, computer virus, or other malware.
4. Electronic eavesdropping.
5. Knowingly interfering with electronic communication in any way.
6. Forging, fraudulent altering, or willfully falsifying electronic information.
7. Using electronic communications in any other manner inconsistent with College policies regarding academic integrity and honesty, e.g., to steal another person's work or misrepresent one's own work; to collude on examinations, papers, or any other academic work; or to fabricate research data.
8. Any attempt to circumvent system security or any attempt to gain unauthorized access to local or network resources.
9. Obstructing, tampering with, or attempting to tamper with the operation of computer hardware or software, to include changing or attempting to change existing configurations without the express consent of the Office of Technology Services.
10. Use of College resources for illegal, commercial, or unauthorized profit-making purposes, including, but not limited to: unauthorized use of email to solicit sales, post advertising or conduct business; setting up an unauthorized web page to advertise or sell a service; or posting an unauthorized advertisement to a user group.
11. Attaching equipment to the College network without prior knowledge and approval of the Office of Technology Services.

Violations targeted to specific individuals and/or classes or individuals:

1. Sending repeated and unwanted (harassing) electronic communication.
2. Threatening, harassing, or otherwise causing harm to a specific individual(s) or to classes of individuals, whether by direct or indirect reference.
3. Sending repeated or unwanted communication, or posting hate speech that is motivated by race, ethnicity, religion, gender, or sexual orientation; or sending such communication that is sexual in nature.
4. Posting or otherwise disseminating personal or sensitive information about an individual. Examples include an individual's academic record, medical information, or similar information of a confidential nature, other than directory information, as outlined in the *Student Handbook*.

Violations involving illegal, proprietary or damaging material:

Any activity that is illegal is a violation of Flagler College policy. Alleged violations will be dealt with according to standard disciplinary measures. In addition offenders may be investigated and/or prosecuted by the appropriate local, state, or federal authorities.

1. Unauthorized use of computing facilities is a crime under the Florida Computer Crimes Act (Chapter 815, Florida Statutes). Violations include:
 - a. Unauthorized access to another users' account is a felony.
 - b. Unauthorized modification or deletion or copying of files or programs is a felony.
 - c. Unauthorized modification or damage to computer equipment is a misdemeanor, unless the damage exceeds \$200, and then it is a felony.
2. Copyright Infringement and Software Piracy:

U.S. copyright law (Title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of fair use. Users may not copy or distribute electronic materials (including electronic mail, text, images, programs, or data) without the explicit permission of the copyright holder. It is not necessary for materials to attach copyright notice for this protection to apply. This includes unauthorized duplication, distribution, or use of computer software. Responsibility for any consequences of copyright infringement lies with the individual user, not with Flagler College.
3. Downloading, posting, or transporting illegal, proprietary, or damaging material to a College computer or across Flagler's networks:

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 19

- ∞ Child pornography material that depicts minors in a sexually explicit way is illegal. Under federal statute (18 USC section 2252), anyone under the age of 18 is a minor. Knowingly uploading or downloading pornography is a federal offense. It is also illegal to advertise or seek the sale, exchange or reproduction or distribution of child pornography.
- ∞ Distribution of non-obscene adult pornography to minors is illegal. Obscenity is illegal. State laws prohibit the distribution of obscenity, and the federal government prohibits interstate transportation of obscenity. As defined by Florida Statute 847, obscene means the status of materials which: the average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest; depicts or describes, in a patently offensive way, sexual conduct as specifically defined herein; and taken as a whole, lacks serious literary, artistic, political, or scientific value.
- ∞ Downloading or using College computers or networks to transmit pornography or materials depicting nudity as a violation of College policy.
- ∞ It is illegal to send a message via e-mail that threatens other persons or property, e.g., a bomb threat or hoax.
- ∞ Scams and pyramid schemes that instruct the recipient to send money to people on a list and then send on the message to other persons are also illegal.

Reference:

Florida Computer Crimes Act Florida Statutes, Chapter 847

The Net: User Guidelines and Netiquette

If you believe a violation of this policy has occurred, contact a reference librarian. The College reserves the right to periodically update this policy.

PROCEDURES FOR USE OF INTERNET LAB

Obtaining an Internet Account

1. Show a valid Flagler College ID to a Technology Services staff member.
2. Read this policy.
3. Technology Services will provide you with a User ID and Password.
4. Test your assigned User ID and Password by logging-on to the Internet. Advise Technology Services if any problems are encountered. Make sure you log-off the Internet fully when your session is completed.

ACKNOWLEDGEMENT

Terms and Conditions Governing Use

Any use of the Flagler College computer facilities and networks constitutes acceptance of the terms and conditions in this document. Use of your network ID may also be suspended or terminated at any time if you violate College policies, if your relationship with Flagler changes, or if it is necessary to maintain the performance and integrity of Flagler's computers or network systems. Violators may also be subject to further disciplinary action under College policies, or subject to prosecution under local, state, or federal laws.

Limitations of Liability

Flagler College does not warranty the accuracy of its computers, network systems, documentation, or advice and consultation. Neither Flagler College, nor any part thereof, shall be liable for any incidental or consequential damages, even if advised of the possibility thereof. In no event shall Flagler College, or any part thereof, be liable for failure to deliver services.

IV.7 Employee-Student Relationships

Employee relationships with students are expected to be based on the highest ethical and professional principles and shall contribute to the general well-being of the students and the institution. Actions that impair the professional relationship between an employee and a student are detrimental to the entire College community and shall be avoided. The social relationships existing between employees and students shall be consistent with the highest

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 20

professional ethics and regulations governing student conduct. Appropriate friendships and associations are encouraged; however, professional relationships must take precedence over social relationships.

IV.8 Extra Curricular Activities

The College reserves the right to exercise supervision and control of College-related extracurricular activities and events conducted on or off campus. Such relationships exist if the activity is planned under the auspices of a College office or department, and/or if College funds are used in support of any aspect of the program.

Faculty, staff and students are expected to abide by College policies and regulations, and the fact that an activity is held off-campus does not negate applicable policies and regulations. Funds disbursed in support of College-related extracurricular activities must be derived from approved budget allocations and disbursed in accordance with prescribed procedures.

It is recognized that College officials cannot closely supervise all off-campus activities. What is required is that agents of the College exert their authority, insofar as possible, to ensure compliance with College policies regarding the use of alcoholic beverages and the expenditure of College funds. (See Administrative Policy Statement 302).

IV.9 Grievance Procedures

A grievance shall be regarded as a complaint or dispute of an employee or employees regarding the application or interpretation of personnel policies or procedures as they affect the work activity of an employee or employees. Any condition of employment accepted by an employee at the time of employment or subsequent thereto shall not be grievable.

An employee who believes that he or she has a just grievance should present the grievance to his/her immediate supervisor either verbally or in writing. The supervisor will respond to the employee within three working days. In drafting the response the supervisor will confer with the Office of Human Resources or the chief administrator of the College office concerned to ensure that the response is a true representation of College policies.

Should the above procedure fail to satisfy the employee, he or she may appeal directly to the Chief Administrator of the Department or to the College President. Conflicts between or among members of the President's Cabinet will be resolved by the College President.

IV.10 Mailroom

The mailroom is a federal postal facility on campus and provides duplicating services and office supplies. Staff mail is distributed through the respective departmental mailboxes. All outgoing mail, duplicating services and office supplies are charged to the applicable department's account. Forms for requesting services or office supplies are available in the mailroom.

IV.11 Membership in Professional Organizations

The College does not normally provide funds to pay membership dues in professional organizations for faculty or staff members, unless substantial benefits accrue to the College. Exceptions must be recommended by the appropriate Dean or Director and approved by the President (see *Administrative Policy Statement 416*)

IV.12 Off-Campus Conduct

Any arrests or public accusations of College employees by law enforcement officials that might bring discredit or adverse publicity to the College will result in suspension of the employee until the matter is resolved. This suspension may be with or without pay and is at the discretion of the Vice President of Business Services and the President of the College.

IV.13 Out-Side Employment

Full-time employees may not accept or engage in employment elsewhere without prior approval from the Dean or Director of the office in which they work. Approval will not be granted if it appears that such employment will have a detrimental effect on the employee's performance of assigned duties and responsibilities at the College. If such

approval is given, the secondary employment must be terminated if, in the opinion of the authorizing officer, it is interfering with the employee's performance of his or her assigned duties at the College (See *Administrative Policy Statement 417*).

IV. 14 Parking

As with many College campuses, the number of automobiles belonging to employees and students outnumbers the available on-campus parking spaces. Employment by the College does not imply or ensure that an employee will be provided a parking space on campus. Parking spaces, for the most part, are not assigned to individuals but may be assigned to certain groups of employees on a first come, first served basis. The College may, at its discretion, mark parking spaces specifically for hours of parking in certain spaces. The College may also designate security spaces and those of Administration according to need. The College does not guarantee the security of employee's automobiles, even if parked in a parking area maintained by the College. Finally, employees should be aware that the violation of College parking regulations will result in a fine or loss of campus parking privileges. Parking hang-tags are available in the Office of Campus Safety & Security and are required for parking on campus.

IV.15 Personal Appearance

The manner in which employees dress and adhere to personal hygiene standards affects those with whom they work and come in contact with. Neatness and cleanliness are expected of all employees. Extremes in clothing and hairstyles are not allowed. Dressing in a fashion that is clearly unprofessional, that is deemed unsafe, or that negatively affects Flagler College's reputation or image is not acceptable.

Administrators and clerical personnel are expected to wear clothing appropriate to an institution of higher learning. Maintenance, custodial and security personnel will dress as currently prescribed by supervisors and will begin each day with a clean set of work clothes. Failure to comply with these dress standards can result in termination.

IV.16 Professional Development

Employees are encouraged to engage in training programs to improve their job-related knowledge and skills. College funding for such training requires the approval of the departmental supervisor and must be within the budgetary allocation available for such purposes. Mandatory training required by the College must be attended and completed as a condition for continued employment.

IV.17 Publications

All publications prepared or supervised by the College faculty or staff members, financed through the expenditure of college funds (to include agency funds), and bearing the college seal and/or name are considered to be College publications. Accordingly, they shall be prepared under the direction of a designated member of the College faculty or staff, and all such publications shall be the direct responsibility of a designated office or department.

Requests for purchase orders to contract for such printing must indicate that the material has the required approval. Defraying the cost of publication by advertisements does not negate the requirement for approval or the prerequisite for a purchase order.

Employees are encouraged to notify the Office of Public Information about professional meetings attended, special projects undertaken or completed and honors, awards or other forms of recognition received.

IV.18 Publicity and News Releases

The Director of Public Information is responsible for all relations the College may have with the news media. The Director shall be made aware of any institutional contact with the media to ensure that statements are made to the public are coordinated with the appropriate College officers. All requests by the news media for information about the College will be referred to the Director of Public Information.

In case of a crisis, the President serves as spokesman for the College or will designate a spokesman on the College's behalf. The Office of Public Information is to be kept informed of all media inquiries and consulted before responses are given.

IV.19 Purchasing

The authority to obligate the College funds or to enter into contracts for goods or services is limited to the President and the Vice President of Business Services. The only exception to this are purchases of an emergency nature. Employees who fail to adhere to prescribed purchasing procedures do so at the risk of personal financial liability. The College is not obligated to pay for goods or services when proper procedures have not been followed.

IV.20 Rental Cars

Flagler College employees are eligible to rent cars under state contract rates. Those individuals who require rental should contact the Office of Business Services several days prior to travel date for details and procedures.

Employees renting vehicles for personal use must provide their own insurance coverage.

IV.21 Employee Rest Periods

Supervisors are authorized to schedule work breaks for refreshment and rest. Such breaks are not to exceed 15 minutes in length, one in the mid-morning and one in the mid-afternoon. Rest periods will be counted as working time and employees will be paid for this time. These breaks are not a guaranteed privilege of the employee and will be provided solely upon the discretion of the supervisor. If the supervisor does not schedule rest periods, unused periods of rest may not be accumulated or considered a reason for reporting late or leaving early.

IV.22 Sexual Harassment, Workplace Harassment and Hazing

Flagler College prohibits any and all forms of harassment, whether of a sexual nature or based on age, gender, race, color, national origin, creed, or disability. The College adheres to the Equal Opportunity Commission's definition of sexual harassment. This prohibition applies equally to male and female staff, faculty and students, and all other persons on campus subject to College control. The EEOC definition and the procedures for complaints are set forth in *Administrative Policy Statement 122*:

I. GENERAL STATEMENT OF POLICY

It is the policy of Flagler College to maintain an educational and work environment that is free from harassment. It shall be a violation of college policy for any student, instructor, administrator, or other employee to harass a student or any other member of the College community through conduct of a sexual nature. Moreover in compliance with federal regulations, the College prohibits any and all forms of harassment based on personal attributes; age, gender, race, color, national origin, creed or disability. The College also prohibits the practice of hazing.

It shall be a violation of College policy for any instructor, administrator or other employee to tolerate sexual harassment based on an individual's age, gender, color, national origin, creed, disability or hazing by a student, administrator, or by any third parties who are participating in, observing, or otherwise engaged in activities, under the auspices of the College.

For purposes of this policy, the term college personnel includes employees, agents, volunteers, contractors or persons subject to the supervision and control of the College.

The College will act promptly to investigate all written complaints of sexual harassment, harassment because of age, gender, race, color, national origin, creed or disability, or hazing; to take appropriate steps to protect individuals from further harassment; and, if it is determined that unlawful harassment occurred, to appropriately discipline any student, administrator or other college personnel who is found to have violated this policy, and/or to take other appropriate action reasonably calculated to end the harassment. This disciplinary action could possibly include termination of an employee who has violated this policy.

II. DEFINITIONS

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 23

Sexual Harassment

For purposes of this policy, sexual harassment consists of unwelcome and unsolicited advances toward members of the same or opposite sex, requests for sexual favors, sexually-motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature, when:

1. A college employee causes a student or other member of the College community to believe that he or she must submit to unwelcomed sexual conduct in order to be awarded a specific grade, participate in a school activity, receive a positive performance evaluation or promotion, or when an employee or third party agent of the College causes a student or employee to believe that the employee will make an educational or job-related decision based on whether or not the student or member of the college community submits to unwelcoming sexual conduct; or
2. The unwelcome sexual conduct is so severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational or job-related program or activity, or creates an intimidating, threatening or abusive educational or employment environment.

Examples of conduct that may constitute sexual harassment include but are not limited to:

- ∞ Sexual advances;
- ∞ Touching, patting, grabbing or pinching another person's intimate areas, whether the person is of the same sex or the opposite sex;
- ∞ Coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- ∞ Graffiti or images of a sexual nature posted in the workplace;
- ∞ Sexual gestures;
- ∞ Sexual or dirty jokes whether they be emailed or printed and posted in the workplace;
- ∞ Touching oneself sexually or talking about one's sexual activity in front of others;
- ∞ Spreading rumors about others of a sexual nature;
- ∞ Unwelcomed, sexually motivated or inappropriate patting, pinching or physical contact. This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as an instructor consoling a student, or one student's demonstration of a sports move requiring contact with another student.
- ∞ Other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

Violators of Flagler College's Sexual Harassment policy will be disciplined in accordance with College policy up to and including termination.

Harassment Based upon Ethnic or National Origin

For purposes of this policy, ethnic or national harassment consists of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's parents, family members or ancestors, when

1. The harassing conduct is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational or employment environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic or job-related performance; or
3. The harassing conduct otherwise adversely affects an individual's learning opportunities or work environment.

Harassment Because of Age, Gender or Creed

For purposes of this policy, harassment because of age, gender or creed consists of verbal or physical conduct relating to an individual's age, gender or creed, when:

1. The harassing conduct is so severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational or employment environment; or
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise adversely affects an individual's learning opportunities or work environment.

Harassment Because of Disability

For purposes of this policy, harassment because of disability consists of verbal or physical conduct relating to an individual's physical or mental impairment, when

1. The harassing conduct is so severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational or employment environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or the harassing conduct otherwise adversely affects an individual's learning opportunities or work environment.

Examples of conduct that may constitute harassment because of personal attributes (age, gender, race, color, national origin, creed or disability) include but are not limited to:

- ∞ Graffiti containing offensive language that is derogatory to others because of their personal attribute(s);
- ∞ Threatening or intimidating conduct directed at another person's personal attributes;
- ∞ Jokes, rumors, or name calling based upon an individual's personal attributes;
- ∞ Slurs, negative stereotypes, and hostile acts that are based upon another's personal attributes
- ∞ Graphic material containing comments or stereotypes that is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- ∞ A physical act of aggression or assault upon another person because of, or in a manner reasonably related to, an individual's personal attributes;
- ∞ Other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's anger or inflicted with malicious intent.

Violence in the Workplace

Flagler College prohibits violence in the workplace. Acts or threats of physical violence against members of the College community, including intimidation, harassment, and/or coercion will not be tolerated. Appropriate disciplinary action will be administered up to and including termination.

Physical violence constitutes any forceful act of one employee toward the person of another. Examples of this include but are not limited to, physical fighting, rape, slapping, hitting, pushing and tripping.

Firearms on Campus

College employees should be aware that Flagler College is exempt from Florida's "bring your gun to work" law. (The "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008" [§ 790.251, Fla. Stat. (2008)] this law went into effect July 1, 2008.) Under this law, Florida residents are allowed to keep "lawfully possessed" firearms that are "locked inside or locked to a private motor vehicle" at the workplace. The law recognizes several types of locations that are exempt from this law for safety reasons.

Flagler College is exempt from this law as an educational institution [as defined in § 790.115, Fla. Stat. (2006)]. **No students, staff or faculty members (including contract workers, interns, volunteers and guests) are allowed to bring a firearm to the Flagler College campus or keep a firearm locked inside their vehicle in any Flagler-owned or leased parking lot.** Please keep in mind, however, that active law enforcement personnel are allowed to carry firearms (concealed or not) at all times.

Hazing

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees.

For purposes of this policy, hazing consists of any action taken or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into, or affiliation with an organization is directly or indirectly conditioned and which produces mental or physical discomfort, embarrassment, harassment or ridicule. Such activities and situations include but are not limited to:

- ∞ Paddling in any form;
- ∞ Infliction of excessive fatigue;
- ∞ Exposure to the elements;
- ∞ Forced consumption of any substance;
- ∞ Physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips or any other such activities;
- ∞ Late work sessions which interfere with scholastic activities.

III. REPORTING PROCEDURES

A. Reporting an Incident of Harassment or Hazing

Flagler College encourages the reporting of all perceived incidents of harassment or hazing regardless of the offender's identity or position. Individuals who believe they have been the victims of harassment or hazing should discuss their concerns with the Office of Human Resources or with any administrative or academic officer.

B. Complaint Procedure

The College encourages individuals who believe they are being harassed to promptly notify the offender that his or her behavior is unwelcome. Notifying the offender is not required as a first step. If, for any reason, an individual does not wish to confront the offender directly, or if such a confrontation does not successfully end the harassment or hazing, or if the offender retaliates against the individual, the individual has an obligation to notify the Vice President of Business Services, the Dean of Academic Affairs, the Assistant to the President, the Dean of Student Services or the Assistant Dean of Student Services, Human Resources, the College Physician, the College nurse or any Academic Department Chair.

The administrative or academic officer who receives a complaint alleging harassment or hazing shall refer it immediately to the Vice President of Business Services or the Office of Human Resources. The complaint shall be processed in accordance with the due process applicable to the party accused. Due process procedures applicable to a member of the faculty are prescribed in the Faculty Manual (*reference Administrative Policy Statement 204*). All other college personnel will be accorded due process as set for in the Staff Personnel Handbook (Section VI). Students will be accorded the due process set forth in the *Student Handbook*.

C. Timeliness in Reporting Harassment or Hazing

While no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment or hazing.

D. Investigatory Process

Any reported allegations of harassment or hazing will be investigated promptly. The investigation may include interviews with the individual making the complaint, with the alleged offender, and, if necessary, with individuals who may have observed the alleged conduct or have relevant knowledge. The complaint and investigation will be handled with sensitivity and, to the extent practical and appropriate under the circumstances, confidentiality will be maintained throughout the investigatory process.

E. Protection Against Retaliation

Flagler College will not tolerate retaliation against an individual for reporting harassment or hazing or for assisting in providing information relevant to a claim of harassment or hazing. Likewise, Flagler

College will not tolerate unsubstantiated claims of harassment or hazing that are unfounded and found to be erroneous.

Retaliation is a serious violation of college policy and Federal law. It will be treated with the same strict discipline as would the act of harassment or hazing itself. Acts of retaliation should be reported immediately in accordance with the Complaint Procedure and will be promptly investigated.

F. Whistleblower Policy

It is the policy of Flagler College that directors, officers and employees are to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the College are expected to practice honesty and integrity in fulfilling their responsibilities and to comply with all applicable laws and regulations.

It is the responsibility of all directors, officers, and employees to comply with this Policy and to report violations or suspected violations, without fear of reprisal, in accordance with the Whistleblower Policy. No director, officer or employee who in good faith reports a violation of the policy shall suffer harassment, retaliation or adverse employment consequences. An employee who retaliates against someone who has reported a violation in good faith is subject to disciplinary action up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within Flagler College prior to seeking resolution outside the organization.

Such violations suspected or otherwise should be reported to the College's Compliance Officer. The College's Compliance Officer is responsible for investigating and resolving reported complaints and allegations concerning violations of the Whistle Blower's Policy and at his/her discretion, shall advise the President and/or the audit committee. The Compliance Officer has direct access to the audit committee of the Board of Trustees and is required to report to the audit committee at least annually on compliance activity. The Compliance Officer is the Vice President of Business Services. (*Reference Administrative Policy 134*)

Confidentiality –

Violations or suspected violations may be submitted by the complainant and may be submitted anonymously. Reports of violations, or suspected violations, will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations –

The appointed Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

G. Responsive Action

Misconduct constituting harassment or hazing will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling, and disciplinary actions such as warnings, reprimands, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, compensation adjustments, or termination.

H. Appeals Process

If the party to a complaint does not agree with this resolution, that party may file a written appeal with the President.

I. False and Malicious Accusations

False and malicious accusations of harassment or hazing, as opposed to complaints that even if erroneous, are made in good faith, may be subject to appropriate disciplinary action up to and including termination.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 27

IV.23 Smoking on Campus

In compliance with the Florida Clean Air Act, employees are prohibited from smoking inside any campus building, including the classrooms, conference rooms, student center, corridors, dining rooms, entryways, laboratories, private offices, residence rooms, stairways and food service areas. Smoking is defined as the possession of a lighted cigarette, lighted cigar, lighted pipe or any other lighted tobacco product.

In the case of employee offenders (faculty or staff), the complainant must first address the issue directly to the offending party. If this does not resolve the problem, the established grievance procedures will then apply. Unresolved complaints against employees will be referred to the Office of Human Resources. Unresolved complaints against students will be referred to the Dean of Student Services. (*See Administrative Policy Statement 422*).

IV.24 Interpreting and Disseminating College Policy

Because the relationship between a student and an independent college or university is contractual in nature, it is essential that all staff and faculty be aware of the types of documents and publications that define the terms of the contract. Heretofore, courts have relied primarily upon such institutional publications as the catalog, student handbook, and other official manuals. Of late there is a tendency to broaden the court's review to include official memoranda and professional correspondence of all types including electronic mail, or email. Moreover, whenever written statements of policy or practice differ, the court will usually interpret the contractual arrangement in favor of the student.

In view of the above development, it is essential that caution be exercised in the preparation of all professional documents especially those prescribing either policies or practices.

Such care should entail careful review of all pertinent College publications prior to issuing office or departmental statements regarding either policies or practices. To this end, particular attention should be given to the *College Catalog, Student Handbook, Faculty Handbook, Flagler College Policy Manual, Staff Personnel Handbook and the Flagler College Crisis Management Manual*. If there is any doubt to College policy, employees need to consult with the appropriate administrative officer prior to issuing a written statement rendering a verbal decision on policy matters.

IV.25 Teamwork

The success of a small college is in large measure dependent upon the teamwork, cooperation and positive attitude of administrative and staff employees. The overall mission of the College must not be thwarted by personality conflicts or lack of interdepartmental cooperation. All employees are expected to exhibit loyalty to the College, its mission and its policies.

IV.26 Telephones

Employees are discouraged from using College telephone systems for personal calls, except in emergency situations. Relatives and friends must be discouraged from making non-emergency calls to College personnel during working hours. Telephone toll billings are monitored carefully to detect employee abuse of the system. Use of the College telephone system for personal calls is considered a serious offense and can result in disciplinary action, including termination.

IV.27 Use of College Vehicles

Any person chauffeuring students in college-owned vehicles must:

- a. Undergo a FDLE background check on an annual basis
- b. Be approved by the College's insurance company.
- c. Be a resident of Florida.
- d. Be at least 21 years of age to drive within the state.
- e. Be considered a "safe operator" by the Florida Motor Vehicle Department

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 28

Faculty or staff who intend to drive College vehicles other than for the transportation of students must contact the Vice President of Business Services to have their names included on the current drivers list authorized by the College's Insurance Company. Family members, faculty, staff and students who are 21 years of age or older and licensed to drive are permitted to operate the vehicle only in cases of emergency or in the execution of College business. *See Policy Statement 424.* Anyone making a request for the use of a College vehicle who does not meet the above criteria will be denied permission. Requests must be submitted at least 14 days in advance and are subject to approval by the President's Cabinet.

Florida Highway Patrol carrier certification forms can be obtained at the Office of Campus Safety & Security.

IV.28 Working Together

The College prefers to deal with its employees directly rather than through a third party. It operates on the simple, basic idea that if it treats all employees fairly and promotes a positive atmosphere for giving the highest quality product and services to its customers, the College will be the best possible place for anyone to work.

The College is a union-free operation. It believes a union would not work to the mutual advantage of the institution and its employees and that where unions start, trouble strikes and bitterness will often follow. Therefore, the College intends to oppose unionism by every proper and lawful means, in particular by treating its employees fairly at all times.

The College knows that no workplace is free from day-to-day problems. Employees are encouraged to bring their problems to their supervisors, the Staff Welfare Committee or to anyone in administration who is believed to be of help. The Office of Human Resources serves as an intermediary for employee relations and is available to all full-time and part-time employees for this purpose. Employees are promised that the College administration will listen and will provide strait answers.

For this reason it is not necessary for employees to pay union dues to receive fair treatment at the College. Each employee is important to the College and is urged to exercise his or her freedom to refuse to join any union or sign any union card. Employees with questions about unions or about the College's policies or practices should feel free to ask their supervisors, Human Resources representatives or any College administrator.

SECTION V SAFETY AND SECURITY

V.1 Safe Environment

The College strives to provide a safe and secure environment for their employees. Employees are urged to observe all safety and security regulations applicable to his or her job, in addition to how they may apply to life on campus in general. Employees are encouraged to report unsafe conditions to their supervisors or to the Office of Campus Safety & Security immediately. The Office of Campus Safety & Security is located in the Rotunda of Ponce de Leon Hall. Flagler College Campus Safety & Security maintains a crime log registering events on a daily basis and giving a yearly total which is available for review by the campus community.

The Flagler College Guide to Campus Safety & Security is published within Public Folders on the Flagler College portal (my.flagler.edu) for the College community to review. In addition, the *Flagler College Crisis Management Manual* is published in the Public Folders on the Flagler College portal (my.flagler.edu) for the College community to review as well. The Crisis Management Manual has detailed information on whom to contact should an emergency situation arise, how to respond, who should respond and local, evacuation routes for buildings on campus and state emergency contact numbers for agencies that aid during time of natural disasters. Employees are encouraged to be familiar with the Crisis Management Manual so that they know how to respond appropriately during an emergency. Flagler College employees should be prepared to participate in required safety drills as they occur.

V.2 Accidents and Injuries

It is recognized that accidents and injuries do occur in the workplace. It is of primary importance that a rapid decision be made as to the extent of any injury to determine: will local aid be sufficient, should the injured be transported to an emergency room, or should a rescue unit be called. The Flagler College infirmary exists primarily for Flagler students; however, emergency first aid for staff members is authorized.

V.3 Accident Reporting

As soon as possible after the injured person has been attended to, a complete report of the accident must be made to the Office of Campus Safety & Security. Such reports are legally mandated by Workers Compensation and OSHA laws. The report must be completed as soon as possible following an accident. Should the Office of Campus Safety & Security be unable to take the report from an employee, the Flagler College Payroll Office can file an accident report between the hours of 8:00AM – 5:00PM Monday – Friday.

Should medical treatment be required, the Flagler College Payroll Office will forward a copy of the report to the Workers Compensation carrier. The College encourages reporting for minor injuries. This should be done in the event that the injury leads to a more extensive medical condition.

V.4 Safety Instruction

At periodic intervals, the Flagler College Director of Safety and Security will conduct classes of instruction regarding general safety practices and the handling of hazardous materials. The appropriate departments will be designated to attend such classes on a mandatory basis, and records will be maintained as to date, subject and attendance.

Flagler College maintains that only those who are trained to use the Flagler College Campus AEDD's (Automatic Electronic Defibrillation Devices) should do so. AEDD's are located at the Office of Campus Safety & Security, the Proctor Library, the Flagler College Gymnasium, Lewis House, FEC, Ringhaver Student Center, Cedar Street Dorms, Communications Lab, Ball Fields, Tennis Center, Kenan and the Infirmary. The State of Florida requires that personnel be trained in order to use these devices properly. The list of those trained to use these devices is maintained in the Office of Campus Safety & Security. In addition, Flagler College ensures that a selected number of Campus Safety & Security guards are trained in CPR and first aid. The list of those trained in CPR and First Aid is maintained by the Office of Campus Safety & Security.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 30

V.5 Personal Property

To promote security, upon reasonable suspicion, all vehicles, packages, handbags and other containers brought to the College by employees are subject to inspection or search, as are the employees' outer garments (coats, jackets, etc.). Any lockers or office furniture, such as desks and cabinets, on College premises also are subject, upon reasonable suspicion, to inspection and search at any time with or without notice. Employees who choose to bring personal items of value should lock them up or take them home each evening. The College cannot assume responsibility for the loss of any items of value that employees choose to bring to work. The College endeavors to maintain a safe environment, but many times things happen that are outside the control of the College. The College wants its employees to avoid suffering any loss and to think about their responsibility in this area before bringing valuables to work.

V.6 Staff Role in Campus Safety & Security

College campuses and residence halls are susceptible to criminal activity. Campus Safety & Security can be improved significantly if all employees become involved and are alert to detect and report suspicious persons or activities on campus grounds to the Office of Campus Safety & Security immediately. All employees are expected to become involved in promoting the safety and security of our students and fellow employees.

V.7 Visitors in the Workplace

For safety, insurance, and other business considerations, only authorized visitors are allowed in the workplace. When making arrangements for visitors, employees should request that visitors check in with the Office of Campus Safety & Security in the Rotunda of Ponce de Leon Hall.

V.8 Flagler College Swimming Pool

The Flagler College swimming pool is available to students, staff and faculty. Staff should be aware that the College does not provide a life guard; therefore, those who use the pool should swim at their own risk.

In order to utilize the swimming pool, Flagler College employees must report to the Office of Campus Safety & Security to sign out the pool key. Once employees are finished using of the pool facilities, employees are required to return the pool key to the security office. Failure to secure the pool gate, return the key or abide by these rules for use may result in the employee's pool privileges being revoked. Supervision and control of the Flagler College swimming pool is outlined in *Administrative Policy Statement 306*.

V.9 Children on Campus

The purpose of this policy is to set forth the College's position regarding the presence of the minor children of College employees on campus. It is recognized that parents of young children confront challenges in meeting the responsibilities of family life and workplace obligations. Nonetheless, to protect the College from legal liability and to ensure the safety and security of all members of the College community, the College cannot permit an employee to bring minor children on campus on a frequent or continuing basis.

It is recognized that emergency situations may arise in which an employee/parent has no alternative other than to bring his or her child to campus. In these situations, it is expected that the child's stay on campus will be of a short duration and that the child will, at all times, be under the direct supervision of his or her parent. Parental Release forms must be signed for any employee's child ages 14-17 years of age who is participating in volunteer community service projects. These forms are located in the Office of Human Resources. (*Reference Administrative Policy Statement 128*)

V.10 Behavioral Intervention Team

Flagler College is concerned about the safety, health, and/or well being of all of its students, faculty and staff, and has policies regarding the well-being for all members of the college community. Specifically, the policies address student behaviors that are disruptive to the mission of the college, as well as any suicidal or self injurious threats or behaviors.

As a result of growing national trends on college campus of mental health issues and the increase in hospitalizations and deaths due to alcohol consumption, the College instituted a Behavioral Intervention Team (BIT). The BIT has been charged with upholding these policies and maintaining a healthy environment for the entire college.

Some of the reasons one might have to make a BIT referral include:

- ∞ Self injurious behavior/suicidal ideation or attempt.
- ∞ Erratic behavior (including online activities) that disrupts the mission and/or normal proceedings of students, faculty, staff or community.
- ∞ Involuntary transportation to the hospital for alcohol or drug use/abuse.

To make a referral go to <http://www.flagler.edu/BIT>, or use the BIT option on the student/faculty/staff drop down menu on the Flagler College home page. You can also call a BIT member at (904) 819-6308.

As the eyes and ears of our community, it is our responsibility to serve as liaison to the College and to assist those students who show any type of behavior that could threaten their own safety or the well being of the community. We all play a vital role in ensuring the safety of our students. The BIT strongly encourages you to utilize its referral services to continue to better our students and to further enhance our community.

New Employee Orientation Checklist

Supervisors should introduce every new Employee to various aspects of the College in a one-in-one orientation that includes the following:

- Benefits** – insurance, retirement, vacation/sick days, holidays, Workers Compensation, educational/professional development
- Emergency Procedures** – exits, evacuation, E2 Campus, injury reporting
- Job description/expectations** – responsibilities, training, dress code, probationary period, performance reviews, chain of command
- Mail/Email** – mailbox, procedures
- Payroll** – deduction forms, payday schedule, paycheck distribution, timecards, leave request forms, I-9 documentation
- Personnel Handbook** – contents, signature, PSH training/certificate
- Phone system** – use of
- Policy manual** – location of and applicability
- Security** – Parking permits/lots, ID cards, accident/crime reporting
- Supplies** – OfficeMax, purchase orders, requisitions, Purchasing
- Use of facilities** – athletic facilities, computers, dining hall, library, etc.
- Work hours** – start/stop time, breaks, lunch time
- Campus tours** – visit offices with which newly hired employees will interact on a daily or weekly basis; followed by a free historical tour of the campus through the Flagler Legacy and/or the Office of Admissions with our Flagler College Ambassadors.

SECTION VI DISCIPLINARY PROCEDURE

VI.1 Work Rules

The College has adopted work rules to promote fair and even-handed treatment of all employees and to ensure that employee working conditions will be free from dangerous, disrupting and costly behavior of others. The following work rules are not intended to be a complete description of inappropriate conduct, but rather they set forth examples of conduct the College considers to be grounds for discipline, up to and including discharge in appropriate circumstances.

- A. Refusing to obey the orders of a supervisor.
- B. Destruction of or damage to the College's property or the property of other employees.
- C. A slow-down, interference or delay of work by an employee or of the work of other employees.
- D. Theft or unauthorized possession of the College's property or the property of other employees or of students.
- E. Bringing to the workplace any intoxicant, illegal drug or controlled substance. Reporting for work or being on the job under the influence of (or having consumed) alcoholic beverages or having in the body any illegal drugs or controlled substances, including marijuana (not prescribed by a physician).
- F. Dishonesty, including falsifying an application for employment or other data requested by the College.
- G. Immoral or indecent conduct.
- H. Bringing to work, possessing or utilizing on the College's premises any firearm, weapon, ammunition, fireworks or explosives.
- I. Fighting
- J. Sleeping on the job
- K. Unauthorized disclosure or acquisition of confidential information of the College.
- L. Refusal to complete the assigned work schedule or leaving the job without the approval of the immediate supervisor.
- M. Clocking the time card of one employee by another, altering a time card or falsifying a time card.
- N. Violating the College's Code of Ethics or other policies.
- O. Loitering or loafing during work hours.
- P. Smoking, except in designated areas.
- Q. Creating or contributing to unsanitary conditions,
- R. Violating safety rules or practices.
- S. Neglect of College equipment or property.

- T. Excessive absenteeism or tardiness.
- U. Using obscene or abusive language or loud arguing.
- V. Threatening, intimidating or coercing students, vendors or other employees at any time for any purpose.
- W. Gambling or playing a lottery or other game of chance on College property.
- X. Engaging in any illegal conduct or in conduct which is contrary to the College's best interest.

VI.2 Disciplinary Action

An employee in violation of stated policies or for other good and sufficient reasons shall be subject to one of the following disciplinary actions depending upon the severity of the violation:

- a. A verbal warning by the supervisor that does not become part of the employee's official record.
- b. A written reprimand by the supervisor or the appropriate administrator that will become part of the employee's record.
- c. Disciplinary suspension with or without pay for a determined period of time. Such suspensions are approved at the administration level, in writing, and become part of the employee's personnel file.
- d. Termination for cause. No advance notice is required. The reasons for the action will be stated in writing and retained in the employee's record. The employee will be paid through the hour of termination, and any accumulated vacation time will be forfeited.

Employees have the right to have a co-worker present during investigatory interviews if the employee reasonably believes the interview might lead to disciplinary action.

An employee may be suspended or terminate for cause even though no verbal warnings or written reprimands have been received.

VI.3 Closing Statement

Successful working conditions and relationships depend upon successful communication. It is important that employees stay aware of changes in procedures, policies, and general information. It is also important to communicate ideas, suggestions, personal goals, or problems as they affect work with the organization.

VII. ACKNOWLEDGEMENT

I acknowledge that I have received a copy of the Flagler College Staff Personnel Handbook and that I have been likewise directed to the Public Folders on the Flagler College portal (my.flagler.edu) and am aware that the Policies of the College can be located there. I do commit to read and follow these policies.

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

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

I also am aware that Flagler College, at any time, may on reasonable notice, change, add to, or delete from the provisions of this handbook or its policies.

Employee's Printed Name

Position

Employee's Signature

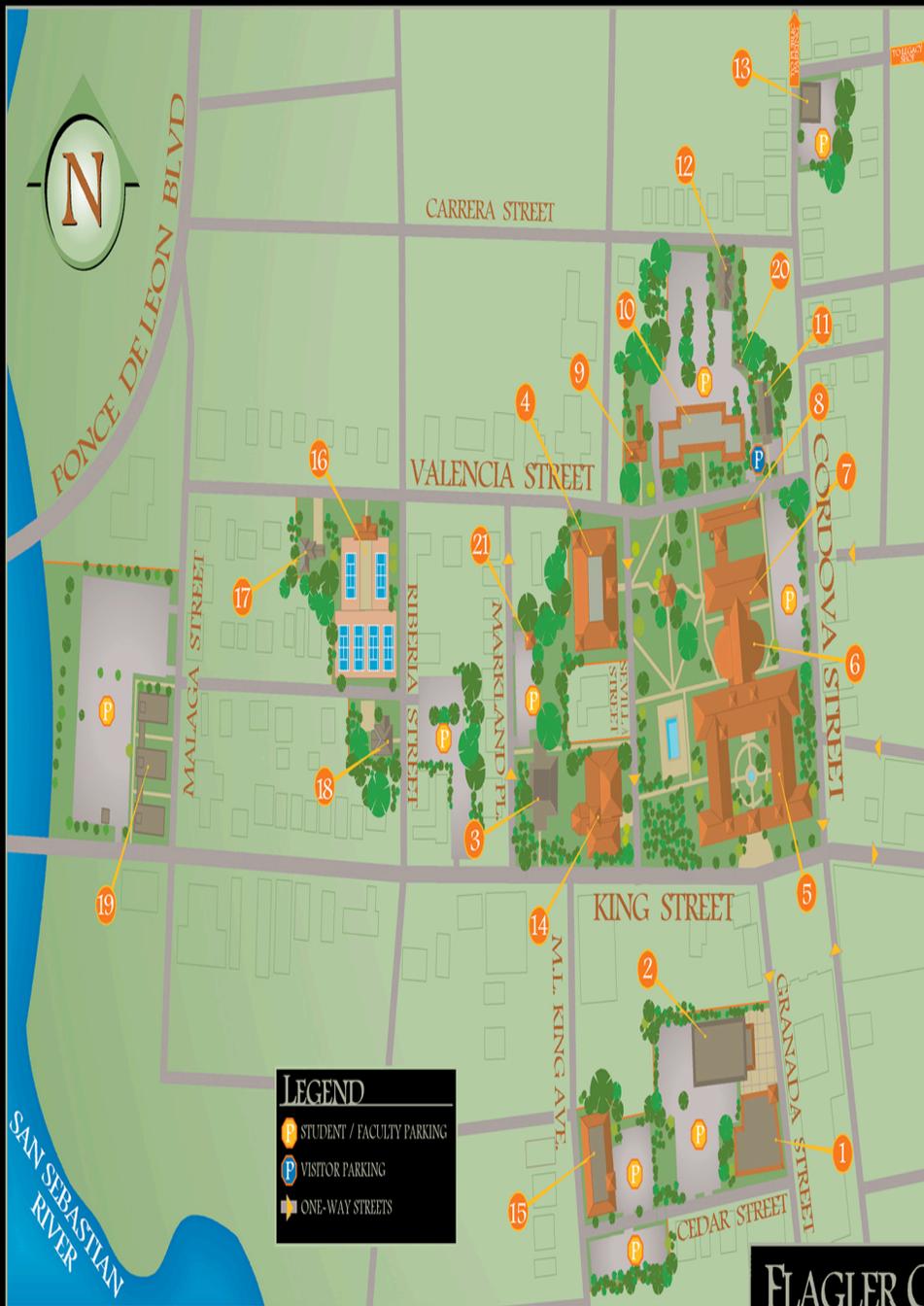
Date

Human Resource Representative

Date

Note: Please sign and return this acknowledgment to the Office of Human Resources within 5 working days.

Flagler College at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time and without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as future employees. Page 35



FLAGLER COLLEGE CAMPUS

1. FLAGLER COLLEGE AUDITORIUM
2. FLAGLER COLLEGE GYMNASIUM
3. MARKLAND HOUSE
ALUMNI RELATIONS
COLLEGE RELATIONS
DEVELOPMENT
4. PROCTOR LIBRARY
5. PONCE DE LEON HALL
RESIDENCE HALL
ADMINISTRATIVE OFFICES
6. DINING HALL
7. KENAN HALL
FACULTY OFFICES
CLASSROOMS
BOOKSTORE
8. ART BUILDING
FACULTY OFFICES
ART STUDIOS
9. 20 VALENCIA
BUSINESS SERVICES
10. LEWIS HOUSE
RESIDENCE HALL
11. WILEY HALL
ADMISSIONS
FINANCIAL AID
REGISTRAR
CAREER SERVICES
FACULTY OFFICES
12. 9 CARRERA
ART GALLERY
FACULTY OFFICES
13. 31 CORDOVA
COMMUNICATIONS LAB
FACULTY OFFICES
WFCT FLAGLER COLLEGE RADIO
14. FLAGLER COLLEGE STUDENT CENTER
FACULTY OFFICES
CLASSROOMS
BOOKSTORE
STUDENT SERVICES
15. CEDAR HALL
RESIDENCE HALL
16. FLAGLER COLLEGE TENNIS CENTER
17. 65 VALENCIA
YOUNG LIFE OFFICES
18. 74 RIBERIA
OFFICES
19. F.E.C. BUILDING
(UNDER RENOVATION)
20. COUNSELING CENTER
21. FLORIDA PUBLIC
ARCHAEOLOGY NETWORK

LEGEND

- STUDENT / FACULTY PARKING
- VISITOR PARKING
- ONE-WAY STREETS

FLAGLER COLLEGE CAMPUS MAP

