

EMPLOYMENT

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200 EMPLOYMENT

The intent of this section of the Employee Handbook is to clarify the definitions of employment classifications so that all employees understand their employment status and benefit eligibility.

201 EMPLOYMENT CATEGORIES

Bates College has three categories of employees: Faculty, Staff (exempt and non-exempt), and Student Employee. A person is classified as an employee when he or she receives a payroll check from Bates College. An employee's status and benefit eligibility are determined by his or her employment category and number of hours worked.

These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Bates College. All employees who do not have a signed employment contract for a specific term of employment are "at-will" employees. Generally, only faculty personnel at Bates College have contracts of employment with the College.

201.1 FACULTY

201.1a Membership in the Faculty is defined in Article VIII, Section 1 of the By-Laws of Bates College. Employees holding tenured, non-tenured, or non-tenure track positions at the rank of Professor, Associate Professor, Assistant Professor, Instructor, Senior Lecturer or Lecturer, including those with Visiting appointments, are defined as Faculty for employment purposes. Employees holding such rank are subject to rules and procedures in the Faculty Handbook of Bates College in addition to this handbook.

201.1b The President, the deans, the chief financial officer, the Registrar, the Librarian and the principal Assistant Librarian are also designated as members of the Faculty by the By-Laws. For employment purposes, these employees are defined as exempt administrative staff members (see 201.2a) unless they also are appointed to a rank specified in 201.1a.

201.1c The Faculty of the College may allow certain staff members to attend meetings of the Faculty without vote. Such an invitation is a courtesy extended by the Faculty as a body, and does not define an employment category or employment relationship for invitees.

201.2 STAFF

201.2a Exempt Staff Members - are non-faculty employees serving in positions exempt from the overtime pay provisions of the Fair Labor Standards Act because their executive, administrative, professional, or managerial responsibilities meet the exemption requirements of the Act.

Administrative Staff (directors, department heads, and/or members of the President's Council), Professional Staff (those who hold positions which require advanced training and/or education), are generally paid on a monthly pay cycle.

201.2b Nonexempt Staff Members - are non-faculty employees serving in positions covered by the overtime provisions of the Fair Labor Standards Act. Support Staff are generally nonexempt employees who are paid on a biweekly basis.

201.3 STUDENT EMPLOYEE - are persons whose primary status is as registered students at Bates College or who are classified as students in accordance with Federal regulations. All students are classified as temporary employees.

202 EMPLOYMENT STATUS

In addition to the employment categories defined above, each employee will also belong to one of the following employment statuses:

202.1 REGULAR EMPLOYEE - employees who occupy positions with a reasonable expectation that the position is recurring, notwithstanding the employment-at-will relationship. Regular employees are those who are not in a temporary or introductory status (see section 204 for a definition of introductory status).

202.1a Full-time employees are those who are regularly scheduled to work 40 hours per week for the entire year. Full-Time employees hold a 1.0 Full-Time Equivalent (FTE) position. Generally, full-time employees earn full Bates College benefits, subject to the terms, conditions, and limitations of each benefit program as described in the Benefits section of this handbook.

202.1b Three-quarter-time employees are those who are regularly scheduled to work between 27 and 39 hours a week for a full year, and at least 1405 hours up to a total of 2079 hours per year schedule. Three-Quarter-time employees hold positions greater than .67 FTE but less than a 1.0 FTE. Generally, they earn Bates College benefits on a prorated basis, subject to the terms, conditions, and limitations of each benefit program as described in the Benefits section of this handbook.

202.1c Half-time employees are those who are regularly scheduled to work between 20 and 27 hours a week with a minimum of 1040 hours and up to but not exceeding 1404 hours per year. Half-time employees hold positions of .50 to .66 FTE. Generally, they earn Bates College benefits on a prorated basis, subject to the terms, conditions, and limitations of each benefit program as described in the Benefits section of this handbook.

202.1d Part-time employees are those who are regularly scheduled to work less than 20 hours per week for the entire year or less than 1040 hours. Part-time employees hold positions of less than .50 FTE. They are ineligible for Bates College benefits as described in the Benefits section of this handbook, but receive all legally mandated benefits (Social Security, Workers' Compensation and Unemployment Insurance).

202.1e Academic Year Staff Members - To be added a later date.

202.2 TEMPORARY EMPLOYEE - non-regular employees who are employed 364 consecutive days or less, generally have defined start and end employment dates, are not eligible for Bates College benefits, and do not occupy recurring positions. For temporary employees, there is no expectation of continued employment after the defined and agreed upon period of time has ended. Temporary employees are also employees-at-will.

Temporary employees are hired as interim replacements to temporarily supplement the work force, or to assist in the completion of specific projects. Employment assignments in this category are intended to be of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change of status in writing by the Human Resources Department. Temporary employees receive coverage under the College's Workers' Compensation insurance, unemployment coverage, and participate in Social Security program, which are legally mandated benefits. However, temporary employees are ineligible for all other Bates College benefits. Such limitations are described in the Benefits section of this handbook

202.2a Per Diem Employee - temporary employees who are employed on an as needed, day-by-day, or intermittent and/or unpredictable basis to perform specific assignments that do not normally require an ongoing work commitment (on-call wait-staff, on-call dispatchers, casual labor, special event, or emergency workers).

202.2b Special Projects/Summer Programs Employee - temporary employees who periodically participate in summer programs or long term special projects with defined and agreed upon start and end employment dates of 364 days or less.

203 SPECIAL OR CONTRACTED EMPLOYEE

Special or contracted employees are generally employees whose terms and conditions of employment are negotiated at the time of hire because of the unique nature of their employment with the College, these unique arrangements are agreed upon in a signed contract. Contracted Employees generally hold hard to fill, unique, or grant funded positions within the College.

204 INTRODUCTORY PERIOD OF EMPLOYMENT

All new staff member's performance is evaluated to determine whether further employment in a specific position or with Bates College is appropriate. The introductory period for staff members is 6 months upon initial hire in regular positions.

205 INTERNATIONAL STAFF MEMBERS

This information pertains to staff members who are Non-U.S. Nationals in Staff Positions (for Faculty positions see the Faculty Handbook). Bates College expects non-U.S. nationals hired at Bates to pursue measures necessary to ensure that they can live and work in the United States legally. The non-U.S. national who has secured a position must:

- 1) maintain a current legal status in the appropriate visa category and notify the College of any anticipated change of status. Note: J-visa holders must verify that they are not subject to the two-year foreign-residency requirement;
- 2) ensure his/her ability to travel outside of the U.S. and return legally in time to fulfill his/her obligations to the College, and provide Human Resources with a photocopy of every new I-94 form (front and back);
- 3) initiate his/her own permanent-residency petition if appropriate. Note: The filing of the first part of this application *must* be done within a *limited* time period (currently eighteen months) from the date the staff member is selected.
- 4) manage all immigration matters pertaining to dependents;
- 5) bear all expenses associated with immigration matters, including filing fees to the Immigration and Naturalization Service and the compensation of immigration attorneys; Bates College will not be responsible for any legal fees associated with individuals obtaining an appropriate visa status.
- 6) inform the Director of Human Resources as soon as U.S. permanent residency is secured.

In its efforts to assist staff members with alien visas and immigration matters, the College will:

- 1) provide general information about H-1B visa or other visas and permanent-residency requirements;
- 2) submit a Labor Condition Application to the Department of Labor on behalf of the staff member (required for an H-1B visa);
- 3) generate documentary materials as required to assist in the submission of a Labor Certification Application (required within eighteen months of hire so that it is on file if the staff member ever decides to apply for permanent residency);
- 4) assist with supporting documentary evidence (such as copies of contracts, letters of support from the department head) as required;
- 5) provide a list of immigration attorneys available to assist non-U.S.-citizen staff members at the staff member's expense. Note: The College strongly recommends that staff members who choose to retain attorneys consult those with a specialty in immigration law, since general-practice attorneys are not always apprised of the frequent and complex changes in immigration regulations.

206 VOLUNTEER - a person who has agreed to perform voluntary service to the College but receives no remuneration. Volunteers are obligated to abide by the rules, regulations, and policies and procedures of the College. Volunteers are ineligible for Bates College benefits, but may receive special privileges of access to College facilities, on an as needed basis.

207 EMPLOYMENT AGENCY PERSONNEL

Individuals who are leased from temporary employment agencies for specific assignments are employees of the respective agency and not of Bates College. These personnel are not eligible to receive a Bates Identification Card or receive any benefits or status as a member of the Bates Community.

208 INDEPENDENT CONTRACTOR

Persons, or business representatives, who perform specified services for the College and do not occupy an identified regular or temporary position at the College, are not employees of the College. Independent Contractors are paid through accounts payable. The appropriate IRS regulations governing Independent Contractors are quite extensive; therefore, Human Resources should be consulted when classifying individuals as an employee or as an Independent Contractor. Independent contractors may be required to carry appropriate insurance for indemnification of liability to the College.

EMPLOYMENT PROCESS

209 EMPLOYMENT PROCESS

Before any person can be hired and placed on the payroll, one of two forms must be completed. For regular positions, a ***Position Announcement Authorization Form (PAAF)*** is required. The ***Temporary Position/Person Authorization Form (TPPA)*** is required for nonrecurring positions that are filled for limited durations. The President must sign the PAAF before any regular employee is recruited or hired at Bates College. Also, the President must approve any temporary employee who works for 5 or more months or 1000 or more hours in a calendar year.

For temporary employees who work for less than 5 months, the appropriate Vice President/Dean or Director/Department Head who has budget authority can sign the TPPA form up to a certain salary limit and time limit. For more information, contact the Human Resources Department.

During the authorization process to fill vacant positions, each position authorization form must be accompanied by a written justification for filling the position in question. Reauthorization of positions is not an automatic process and as such each position request is reviewed anew when a vacancy occurs.

Additionally, all exempt positions are subject to the College's Affirmative Action policy and procedures. Therefore, when recruiting and hiring exempt positions, certain Affirmative Action procedures must be incorporated into the hiring process. Please contact the Affirmative Action Office for more information.

210 JOB DESCRIPTIONS AND JOB CLASSIFICATION

An evaluation of the duties and responsibilities of all new positions will be conducted prior to recruiting for the position. This evaluation is used to classify positions accurately and to ensure compliance with state and federal regulations.

Since recruiting, hiring, and compensation decisions are dependent upon an accurate job description, every effort should be made to maintain accurate job descriptions for all positions within the organization. Each description should include the following job information: a job summary or general overview, the essential functions of the position, and any special, unique, or periodic duties. Essential functions are the core duties and responsibilities of a position, without which the position would be fundamentally different.

Job descriptions are also useful in orienting new staff members to their jobs, setting standards for staff member performance, and establishing a basis for making reasonable accommodations for individuals with disabilities.

The hiring manager must prepare a job description when new positions are created. Existing job descriptions should be reviewed and revised periodically in order to ensure that they are up-to-date with the position's current duties and responsibilities. All staff members are expected to help ensure that their job descriptions are current, accurate, and reflect the work being performed. Semi-annual Conversation Document meetings (refer to section 229) are good occasions to discuss job descriptions, when needed.

It is important to remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities are assigned as necessary. Contact the Human Resources Department if you have any questions or concerns about job descriptions.

211 RECRUITING, ADVERTISING, AND POSTING POSITIONS

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Position openings may be posted on bulletin boards around campus, posted on the web, and listed in the *Human Resources Communicator* newsletter. The Bates College job line at 786-6959 may also be used to announce openings as they occur. Positions will normally remain open for at least 14 days, but applications are accepted until the position is filled.

Open positions will also be advertised in local, regional, and national newspapers, list serves and periodicals depending on the nature of the position and time when the position is available. Other recruiting sources may also be used to fill open positions in the best interest of the College.

On occasion, certain positions will be advertised on campus only and such postings will be noted by the label “*INTERNAL CANDIDATES ONLY.*” *Internal Candidates Only* postings are designed to encourage current staff members to apply for positions on campus. It is the prerogative of the hiring manager to have an open search, an internal search, or a combined internal and external search based upon the time involved in the search process, as well as the needs and demands of the particular department.

Advertising and posting position announcement flyers are only two forms of recruiting qualified candidates. Additional recruiting efforts are encouraged to develop a large and diverse pool of potential applicants. In an effort to obtain a diverse pool of applicants, the Affirmative Action Office and the Human Resources Department will work with the hiring manager to design a recruiting campaign for each open position. Employees are also encouraged to notify and nominate qualified applicants for open positions at the College.

212 EMPLOYMENT APPLICATIONS

Bates College relies upon the accuracy of information contained in the employment application or résumé as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, potential termination of employment. Employment applications are required of all positions, or a résumé and cover letter with statements noting that an individual is legally able to work within the U.S. and whether or not the applicant has a felony conviction. A felony conviction may disqualify an applicant from employment with the College.

213 INTERNAL CANDIDATES

Bates College provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, all regular non-temporary job openings are posted throughout the College. Temporary positions, promotions, reclassifications, and positions created by reorganizations are not necessarily posted as vacancies.

Employees who have a written warning or reprimand on file within the most recent 6-month period of time are not eligible to apply for posted jobs. Employees who are on suspension are not eligible to apply for posted jobs. Staff members in their introductory period of employment with the College are also ineligible to apply for internal postings.

Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies, and qualifications as advertised or listed in the position announcement. To apply for an open position, employees should

submit an updated résumé or application to the Human Resources Department listing job-related skills and accomplishments. The materials should also describe how their current experience with Bates College and prior work experience and/or education qualifies them for the position.

Bates College recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain the knowledge, experience, training, and/or education to advance within the organization.

The hiring manager must check internal references of the employee who is a candidate for a position with the employee's current supervisor to verify performance, skills, attendance and other factors related to the employee's employment.

214 USE OF SEARCH COMMITTEES

The use of search committees is required for all exempt positions and is in accordance with the Affirmative Action policy of the College. Exceptions to this practice will be approved by the Director of Human Resources for staff positions, or the Dean of Faculty for faculty positions, each with the consent of the Affirmative Action Officer. A Human Resource Manager, the Affirmative Action Officer, or a member of the Affirmative Action Committee are available to serve as ex-officio, non-voting advisors to search committees. These individuals can advise committees in the areas of: 1) training and assistance on search, screening, and evaluation techniques, 2) information on legal matters related to employment, and 3) Affirmative Action efforts. Otherwise they can serve as a resource for the committee in the entire employment process.

Suggested guidelines for the conduct of search committees are available in the Human Resources Department.

215 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join Bates College are well qualified and have a strong potential to be productive and successful, it is the policy of Bates College to check the employment references of all applicants. It is the hiring manager's responsibility to ensure that references are checked. This effort is often delegated to members of search committees, but it is the responsibility of the hiring manager.

When checking references, it is the practice of the College to require at least one reference from a former supervisor of the prospective employee in order to verify actual performance in past positions. Other references are appropriate and acceptable. However, only past supervisors can provide certain qualitative information that is critical in reference checking. In situations where candidates desire to not have their current supervisor notified, an offer of employment can be tendered contingent upon a satisfactory reference check from the supervisor.

More extensive checks may be completed for appropriate positions and may include verification of credentials, work experiences, and other methods of background checks depending upon the nature of the position in question.

216 POST-OFFER PHYSICALS

To help ensure that employees are able to perform their duties in a safe and adequate manner, medical examinations are required for certain positions that involve significant physical demands.

After an offer of employment has been made to an applicant entering a designated position before a person commences working, a medical examination will be performed by a health professional of the College's choice and at the College's expense. The offer of employment and assignment to duties is contingent upon satisfactory completion of the medical evaluation. The medical evaluation will indicate whether the individual is able to perform the essential functions of the position. A copy of the certification will be placed in the employee's personnel file.

However, any other information on an employee's medical condition or history is kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

217 INITIAL EMPLOYMENT PROCESSING

Federal law, Immigration Reform and Control Act of 1986, requires all personnel to complete an *I-9 Employment*

Eligibility Verification form and present documentation establishing identity and employment eligibility within 72 hours of commencing employment with Bates College. At that time, the employee will also complete a *Federal W-4, Maine Form W-4ME*, an internal Bates College *Employee Confidential Information Form*, and may enroll in direct deposit at that time. For more information on Direct Deposit, refer to section 405 of this handbook.

Former employees who are rehired must also complete these forms if they have not completed an I-9 with Bates College within the past three years, or if their previous I-9 is no longer retained or valid. Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department. All new employees should attend a new employee orientation session upon hire. Refer to section 222 of this handbook for more information.

218 HIRING TEMPORARY PERSONNEL

218.1 Bates College Temporary Employees

Generally, hiring individuals into temporary positions follows similar procedures and is subject to the same rules, regulations, laws, and policies and procedures as hiring regular employees. However, often due to the time demands and the ad hoc nature of temporary assignments, the appointment of temporary persons without a search is possible with the approval of the Director of Human Resources and consent of the Affirmative Action Officer for exempt positions.

Hiring managers should contact the Human Resources Department for assistance in hiring temporary employees. As noted in section **209 Employment Process**, a Temporary Position/Person Authorization form must be completed, before hiring or before the first day of work.

218.2 Agency Temporary Personnel

On occasion, Bates College will lease employees from an outside employment agency. Such agency temporary personnel are acquired from employment agencies to provide support for various departments for a defined period of time. The Human Resources Department is the liaison between the hiring department and the Employment agency. There are several considerations in this process. The department head must contact Human Resources to give the following information: the skills desired, the type of assignment, the length of assignment, reason for the need, available budget, and recommended employment agency, if applicable.

219 DUAL STATUS EMPLOYEES

Employees of the College may serve in more than one position with the approval of the Human Resources Department. This approval must occur prior to the agreement with the employee to work in the secondary job. The hiring manager of the secondary department must contact the Director of Human Resources to ensure the following considerations are addressed: 1) the correct employment status of both positions – full time, part time, per diem; 2) classification of both positions – exempt, non exempt; 3) classification effect on overtime and benefits; 4) determination of which position is primary employment status.

The classification and combination of the two positions may create additional legal and financial implications. Where increased costs associated with overtime are created, the costs are borne by the secondary department. Where the second job creates benefits eligibility, the approval of the President may be required. Additionally, any new or additional costs for benefits will be borne by the secondary department. In all cases, the secondary department head must meet with the Director of Human Resources to review the legal and financial implications of creating dual status employment prior to an offer of employment.

220 EMPLOYING BATES COLLEGE RETIREES

Provisions of federal law govern the employment of persons who retire from an organization and then return to the same organization as an employee. Before making a hiring decision involving a Bates College retiree, the Human Resources Department should be consulted.

221 STUDENT EMPLOYMENT OFFICE

The Student Employment Office (SEO) is a student-managed division of the Human Resources Department, which acts as a resource for both students and employers of students at Bates College, and as a centralized office through which issues concerning student employment are channeled. The primary function of this office is to assist Bates students in finding on-campus student employment and to facilitate and regulate the application process. This office also posts off-campus positions, including babysitting and tutoring jobs in the surrounding community as well as a variety of work-study opportunities in non-profit agencies. The Student Employment Office is located at 220 College Street and the telephone number is (207) 786-6303.

There are two categories of student workers at Bates College. The first category is Work-Study Student employees. These students are given first priority in seeking student positions on campus as the purpose of the Work-Study financial aid program is to provide students with the ability to earn wages to offset their educational expenditures. The second category of student employees is regular Student Assistants. These student employee positions are provided for by the College and are available to all students regardless of financial aid status. Both Work-Study Students and Student Assistants are able to seek any open student position at the College, however priority is given to the former.

For more information regarding hiring or managing student employees, refer to the Student Employee Handbook or obtain a guide for hiring student employees which can be obtained from the SEO.

GENERAL EMPLOYMENT POLICIES AND PROCEDURES

222 NEW EMPLOYEE ORIENTATION

New employee orientation is offered on a regular basis. For the schedule of sessions, please call the Human Resources Department. Supervisors are encouraged to ensure that each of their new employees are notified of this event and support their attendance.

The program consists of a number of useful vignettes on topics important to new members of the Bates community. The program also contains important pieces of information that the College is obligated to share with employees such as certain Safety and Drug-Free Workplace information.

223 CHECK-IN PROCEDURES

New employees of the College find it easier to settle into the Bates community if certain administrative procedures are followed. While there are no established check-in procedures at the College, there are a number of departments that should be contacted upon the arrival of a new employee.

It is important for the new employee or their supervisor to contact the following departments: Security – to obtain a Bates College Identification Card and parking privileges, Office Services – to ensure mail is routed to the correct office, Information and Library Services – to ensure the individual gets assigned the appropriate computer access and passwords, as well as a telephone number, where appropriate.

224 FACULTY AND STAFF DIRECTORY

Each fall the College publishes a written telephone directory that contains information about all regular employees of the College. The information that is included is name, title, department, office telephone number, office and e-mail address. Each employee has the option of including his or her home address and telephone number as well. This information is also available online at the Bates College website. The Bates College website is a secure website and personal information is only accessible from persons who access the website from a Bates College address or @bates.edu entry point.

All information for the directory is drawn from the College's official database contained in the BANNER information system. Therefore, only official information will be listed in the directory, except in the case of personal preference for nicknames or preferred names, and spouse/partner name. New employees are asked to provide appropriate information upon hire by completing the Employee Confidential Information Form. See section 217 Initial

Employment Processing for more information. All regular employees are asked to verify their information for the Directory each spring.

225 PERSONAL DATA CHANGES

It is the responsibility of each employee to notify Bates College promptly of any changes in personal data. Name changes, personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any of your personal information has changed, notify the Human Resources Department in writing; a signed request is required for all official data changes.

Changes to department names or other official information should be also be communicated to the Human Resource and other campus departments.

226 ACCESS TO PERSONNEL FILES

Bates College maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, résumé, records of training, completed Conversations Documents, salary increases, and other employment records.

Personnel files are the property of Bates College and access to the information they contain is restricted. Generally, only supervisors and management personnel of Bates College who have a legitimate reason to review information in a file are allowed to do so and access is restricted to information related to the inquiry only.

Employees who wish to review their own file should contact the Director of Human Resources. With reasonable advance notice, employees may review and/or copy their own personnel file in the Human Resources department in the presence of an individual appointed by Bates College to maintain the files.

227 WORK HOURS, MEALS, AND BREAKS

An expectation of an average forty-hour work week is a requirement for all regular full-time exempt and nonexempt staff members. While the daily work schedule will vary from department to department, it is expected that during the course of a work-week staff members will be engaged in 40 hours of work. Workload demands may require exempt employees to work more than 40 hours in any given week, but this does not provide entitlement to additional compensation. For more information on Work Schedules, refer to section 110 of this handbook.

In accordance with federal and state law, if an employee works for more than six or more consecutive hours he or she must take a break of at least one half-hour. Most often this break will be a lunch or dinner break. Therefore, employees may not skip breaks in order to accumulate time to depart work early. Furthermore, working without appropriate breaks is a common cause of accidents and injuries.

Lunch or meal periods will vary by department and will range from a half-hour to a full hour depending upon the rules of the department. For departments that are open from 8:00 a.m. – 4:30 p.m., lunch breaks will typically be a half-hour in length and for departments that are open from 8:00 a.m. – 5:00, lunch hours are typically one hour in length. In areas that must provide continuous coverage, lunch periods will be staggered at the discretion of the supervisor so that there is an employee on duty at all times. Bona fide meal periods are not paid time unless the employee is required to work and remain at his or her work site.

Work hours and break times vary according to departmental responsibility and are scheduled by the department head and/or supervisor. Hours for part-time positions, or multi-shift operations may vary based on departmental and service needs.

For more information on Work Schedules refer to section 110; for additional information on timekeeping, and pay related matters please refer to section 401 of this handbook.

228 NEPOTISM

Hiring supervisors shall seek the most highly qualified and competent candidates for vacant positions, with consideration to qualified individuals regardless of their relationship to other employees at the College.

The College will not prohibit employment of spouses, domestic partners, or close relatives in the same department or administrative unit, provided that neither employee participates in making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, promotion, demotion, or salary of the other, and that one family member does not directly supervise another.

Departments hiring same family members must comply with the College's affirmative action and personnel policies. The Director of Human Resources will make the determination of whether good faith recruitment efforts have been exhausted, consulting with the Director of Affirmative Action, before the hiring of a family member is approved.

Financial policies specifically prohibit requests for reimbursement by one relative from being approved by another relative.

229 CONVERSATIONS DOCUMENT

Participation by staff members and their supervisors in the Conversations Document process is an expectation of all staff members.

The purpose of the Conversations Document is to facilitate meaningful conversations about work related matters. These conversations should focus upon improving the quality of the work and work environment.

A main focal point in the discussions between supervisors and staff members is ensuring that our collective efforts are focused and support the mission and goals of the College. In doing so, discussions are held concerning how an individual's contributions affect the attainment of our department's and the College's goals.

Conversations Document meetings should be planned, should occur periodically, and can be initiated by staff members or their supervisors. It is recommended that two *Conversations Document* meetings be held each year. One of the meetings should occur during the anniversary month of the staff member's hire. It is suggested that new staff members have more frequent *Conversations Document* meetings with their supervisors. It is also recommended that more than two *Conversations Document* meetings be held in some departments, for certain jobs, for work that demands additional discussion, when requested by the staff member, or when otherwise needed.

Each completed *Conversations Document* form should be sent to HR by the staff member. *Conversations Document* meetings are confidential and should be handled appropriately.

230 PERFORMANCE MANAGEMENT

To be added at a later date.

231 PROGRESSIVE DISCIPLINE

It is in Bates College's own best interest to ensure the fair treatment of all staff members and to make certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct a problem, prevent recurrence, and prepare staff members for satisfactory service in the future.

Although employment with Bates College is based on mutual consent and both the staff member and Bates College have the right to terminate employment at will, with or without cause or advance notice, Bates College may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning(s), suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or all steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

Normally, written warnings will be accompanied by an action plan intended to address the issues at hand. The action plan will detail what the issues are and what steps will be taken to deal with the issues and a follow-up or evaluation plan of these action steps.

Bates College recognizes that there are certain types of problems, accumulation of offenses or collection of actions that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior or problem that may occur, the Employee Conduct and Work

Rules policy, 112, includes examples of problems that may trigger progressive discipline. By using progressive discipline, we hope that most problems can be corrected at an early stage, benefiting both the staff member and Bates College.

CHANGES TO EMPLOYMENT STATUS FOR STAFF MEMBERS

232 CHANGES TO EMPLOYMENT CONDITIONS

Changes to the employment status, pay, or benefits of any staff member will generally require the recommendation of the appropriate Vice President/Dean and the approval of the Vice President for Asset Management and Treasurer. Such requests for changes must be forwarded via the Director of Human Resources who will offer a recommendation on the validity and desirability of the request with due regard to the best interests of the College. Certain changes, because of their nature, may require the approval of the President.

Changes that are specific to payroll matters are covered in the Payroll and Pay Administration portion of this handbook.

233 CHANGES TO EXISTING POSITIONS

Changes to existing positions, such as increasing or decreasing the number of hours of a position, changing the wage or benefit structure of a position are handled through an approval process that is similar to creating a new position. Requests to reduce the number of hours for a position should be driven by an evaluation of the work required for the position. Requests to accommodate individuals by changing their work arrangements should be forwarded by the department head or director to the Vice President for Asset Management and Treasurer via the Director of Human Resources, with the endorsement of the appropriate Vice President or Dean. If permanent changes are requested for a position, approval of the President may be required. Changes in employment status may have an impact on benefits eligibility.

If a salary adjustment is requested with a change to an existing position, it will be reviewed within the context of the overall compensation goals of the College and consistent with internal and external equity considerations. Request for an analysis of pay for similar positions within the College, market wages, or other compensation matters should be forwarded to the Human Resources Department.

234 CLASSIFYING POSITIONS

An evaluation of the classification of all new positions will be conducted prior to the recruitment for the position by the Human Resources Department. Starting salaries will be agreed upon at the time of position requisition and authorization and are based upon the position classification. A re-evaluation of the classification of positions will occur as positions are vacated and refilled. For more information on this see section 210 Job Descriptions and Job Classifications.

235 RECLASSIFICATION OF POSITIONS

It is possible that the tasks, duties, and responsibilities of a position may change over time and at a given point appear to be an entirely different position. If this occurs, then a position may be reviewed by the Human Resources Department with the assistance of the campus-wide advisory committee, Classification and Compensation Committee (CCC), when appropriate. Such changes include title changes, significant changes in duties and responsibilities, and status changes from nonexempt to exempt. Reclassification requests should be initiated at the beginning of each calendar year as to allow sufficient time for the request to be reviewed. If a reclassification is approved, the change of status will take effect on July 1st, the beginning of the new fiscal year.

Human Resources and the Classification and Compensation Committee conduct reclassification evaluations during the months of January to March. However, requests must be made no later than January 31st each year, so that schedules

can be arranged to have 3 to 5 members of the CCC review the position(s) in question. A completed position classification questionnaire is needed before a review is conducted. A questionnaire can be obtained from the Human Resources Department.

Changes as a result of reclassification or other personnel actions will normally take effect at the beginning of each fiscal year (July 1st). Changes that are requested outside of the normal cycle must have compelling operational reasons to warrant changes in the middle of the fiscal year and budget cycle.

236 PROMOTIONS

A promotion may be warranted after a period of continual assessment, development, growth in work performance, and exceptional contributions to the mission and goals of the College. Promotion requests will be reviewed by the Human Resources Department to ensure that the promotion is consistent with the best interests of the College. Promotion recommendations require the endorsement of the appropriate Vice President/Dean and the budget approval of the Vice President of Accounting and Budget, and Controller.

Requests for a promotion review should be made by January 31st each year, as to allow the review and approval process to occur in advance of preparations for the beginning of the following fiscal year.

237 EXIT PROCEDURES AND EXIT PROCESSING

When an employee leaves Bates College he or she must notify the Human Resources Department of their departure in writing. Employees must also return property belonging to the College, complete exit and benefits processing. The departing employee will also have an opportunity to participate in an exit interview with a Human Resource Manager or the Director of Affirmative Action.

Since employment with Bates College is based on mutual consent, both the employee and Bates College have the right to terminate employment at will, with or without cause, at any time. However, it is expected that non-exempt employees who leave the College will provide the College with at least two weeks notice of their departure. Exempt employees are expected to provide the College with four weeks or more notice when possible. An employee's actual termination day must be the last day worked, and cannot be extended by the use of vacation, sick, or personal leave, or a holiday.

Employees are responsible for items in their possession or control that are the property of Bates College, such as the following:

- * credit cards
- * equipment
- * Bates identification card
- * keys
- * manuals
- * cellular phones and pagers
- * passwords and pass codes to safes
- * protective equipment
- * laptops and audio-visual equipment
- * tools
- * uniforms
- * vehicles
- * written materials

All College property must be returned by employees on or before their last day of work. As applicable by appropriate laws, Bates College may withhold from the employee's final paycheck the cost of any items that are not returned when required. Bates College may also take all action deemed appropriate to recover or protect its property.

To facilitate the employee's exit processing, the employee and his or her supervisor must complete a *Bates College Termination Procedure Checklist*. The checklist is completed by the Dean of Faculty's office for faculty members. This checklist ensures that the employee has completed all of his or her exit processing and that the appropriate departments within the College are notified. Once the employee's supervisor has confirmed that the employee has turned in all Bates College property, Payroll will release the employee's final paycheck or vacation leave pay out.

Bates College will generally schedule an exit processing meeting at a time before the employee's last day of work. The exit processing meeting will include such issues as employee benefits and conversion privileges, repayment of outstanding debts to Bates College, future employment reference checks and employment verification,

and discussion of COBRA or other benefits that may be continued at the employee's expense if the employee so chooses.

With regard to future employment references or employment verification, the Human Resources Department will respond accordingly to outside organizations who request references and employment verification unless the employee specifically asks the College in writing not to release this information.

238 EXIT INTERVIEWS

Exit Interviews will generally be offered to all employees who leave the College. An exit interview will consist of the completion of an exit questionnaire and/or an interview with a Human Resource Manager, the Director of Human Resources, or the Director of Affirmative Action. Such interviews give the employee the opportunity to offer suggestions or complaints about their employment with the College and to share feedback about their overall employment experience. Exit interviews are held in confidence, except when the discussion involved is a matter where confidentiality is limited by law or College policy, such as harm to others; or unless the employee wishes to have the contents of the interview shared with relevant College personnel.

Information obtained in Exit Interviews is used to improve the quality of the work experience at Bates College. The information is used in such a way that it cannot be attributed to any individual.

239 REFERENCES FOR FORMER EMPLOYEES

When employees depart the College they are generally asked if they want the College to respond to reference checks or inquiries that are requested by other employers. Unless specifically prohibited by the employee, the College will generally respond and provide the following type of information: confirm dates of employment, position(s) held, and whether an employee is eligible for rehire. Requests for information or references of a more specific nature should be forwarded to the Director of Human Resources or the Dean of the Faculty, as appropriate.

240 INACTIVE EMPLOYEES

The right to terminate the employment relationship at will at any time is retained by both the employee and Bates College. Furthermore, the College, subject to applicable laws, will normally terminate the employment of any employee who is in an inactive period of employment for 15 months or more. Based upon the needs of the College, however, the College reserves the right to terminate inactive employees earlier at its discretion. This right is consistent with the employment at will relationship. This policy applies equally to work related or non-work related injury for employees who are absent from work due to being eligible for Long Term Disability, or Workers' Compensation benefits, on unpaid leaves, or any other extended period of being absent from work.