

Bates College
EMPLOYEE HANDBOOK

GENERAL POLICIES

101 STATEMENT OF COMMUNITY PRINCIPLES

Membership in the Bates community requires that individuals hold themselves and others responsible for honorable conduct at all times. Together we create the educational and social setting that makes Bates College unique, with an atmosphere characterized by trust and mutual concern. Our actions must support our ability to work, study, live and learn together productively and safely. We are dedicated as a community to intellectual honesty and to the protection of academic freedom. We believe these values are fundamental to scholarship, teaching, and learning. We expect each other to maintain the highest integrity in all of our academic and social undertakings.

102 DIVERSITY STATEMENT

Bates values a diverse college community. Moreover, Bates does not discriminate on the basis of race, color, national or ethnic origin, religion, sex, sexual orientation, marital or parental status, age, or disability, in the recruitment and admission of its students, in the administration of its educational policies and programs, or in the recruitment and employment of its faculty and staff.

103 LANGUAGE POLICY

Bates College recognizes and values access, within its community, to diverse cultures and traditions through practice, use and encouragement of multiple languages. In keeping with this commitment, no College agency (office or unit) shall adopt a policy (or create an implicit expectation) which requires of employees the use of only the English language in the workplace.

While the College encourages employees to be sensitive to the need to communicate freely and effectively with each other, particularly in emergency situations or hazardous circumstances, the College has determined (in compliance with Title VII of the 1964 Civil Rights Act and EEOC Guidelines 29 CFR, part 1606.7) that this goal does not warrant English-only regulations in any of its operations.

104 APPLICABILITY OF HANDBOOK

This handbook applies to all faculty, staff, and volunteers of Bates College. Certain sections of the handbook apply to staff members only and are duly noted by use of the term STAFF instead of employee. The Faculty Handbook of Bates College governs matters specific to faculty only. If there are unintended conflicts between the contents of this document and faculty legislation, the Dean of the Faculty will resolve conflicts in consultation with the Director of Human Resources.

While informative, the Employee Handbook does not constitute a contract between Bates College and any or all of its employees. However, the College must reserve the right to modify, revoke, suspend, or terminate any or all of the plans, policies, and procedures described in this handbook, in whole or in part, at anytime, as long as legal procedures which may apply to any given section are observed. If there are oversights or errors in the drafting or publishing of this document, such mistakes do not constitute new practice or policy, and normal College practice or policy will prevail.

105 EMPLOYMENT AT WILL

Employment with Bates College is at the mutual consent of Bates College and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice. *Employment at will* is a statement of the voluntary nature of the relationship between Bates College and its employees.

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. Neither an initial employment offer, nor any statement or representation in this handbook or in any other College communication

should be construed as an implied contract of permanent employment. Nothing in this handbook should be read or interpreted as to alter an employee's at-will status.

This *employment-at-will* statement does not require the College to exercise this right. In addition, it does not absolve supervisors of their obligations, where appropriate, to orient, train, develop, evaluate, and counsel employees.

106 NON-DISCLOSURE AND CONFIDENTIALITY

The protection of confidential information is vital to the interests and the success of Bates College and its employees. Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information. Individual department heads will determine what information is considered confidential for their departments.

107 CONFLICTS OF INTEREST

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Bates College's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the Vice President of Asset Management and Treasurer as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

108 OUTSIDE EMPLOYMENT

A staff member may hold a job with another organization or work as an independent contractor as long as he or she notifies his or her supervisor of the outside employment, and satisfactorily performs his or her job responsibilities with Bates College. Staff members will be subject to Bates College's scheduling demands, regardless of any existing outside work requirements.

Faculty members are discouraged from holding other faculty positions outside of Bates College. It is the responsibility of a faculty member to inform the Dean of Faculty of their employment with another college or university.

Multiple jobs may place additional physical and stress demands on an employee, as such excessive demands may make employees more susceptible to irritation and injury. Therefore, employees who hold other jobs will have any workers' compensation and short-term or long-term disability claims scrutinized, in order to ascertain the impact of multiple positions on any work-related medical condition.

If Bates College determines that an employee's outside work interferes with performance or the ability to meet the requirements of Bates College as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with Bates College. Outside employment will present a conflict of interest if it has an adverse impact on Bates College.

109 BULLETIN BOARDS AND SUGGESTION BOXES

The College maintains a number of bulletin boards to post official information. They are located in Admissions, Athletics, College Store, College Relations, Dining Services, Human Resources, Information Services (110 Russell St.), Ladd Library, Physical Plant, and the employee lounge in Lane Hall. The posted materials include Occupational Health and Safety information, wage and hour laws, unemployment compensation, Workers' Compensation, current job openings, smoking policy, and other items of interest and importance to employees.

Suggestion boxes are located in Chase Hall, Cullen Maintenance, Human Resources and Lane Hall. All employees are free to place suggestions in these boxes about employment-related matters at Bates College. The contents of the suggestion boxes are openly read at meetings of the Staff Advisory Committee. However, matters that are confidential, or situations involving individuals identified by name are not read openly, but forwarded to the Director of Human Resources for review and action.

110 WORK SCHEDULES

Core hours for the College's administrative services are Monday through Friday, 8:00 a.m. through 4:30 p.m. at minimum. The individual needs of some departments dictate that schedules may vary from these hours. Some departments require 24-hour coverage, others need coverage beyond an 8-hour day's core hours.

The regular workweek for all full-time, regular, nonexempt staff members at Bates College is forty hours. However, departments may configure individual staff schedules to accommodate departmental needs and the needs of the College. Examples may be combinations such as four ten-hour days, four nine-hour days with one four-hour day, and similar variations as long as the configurations meet the College's needs for coverage, supervision and work to be accomplished.

Daily and weekly work schedules may be changed from time-to-time at the discretion of the College and/or the individual department to meet the varying needs of the College. Changes will be announced as far in advance as practicable. Departmental supervisors should work with the Human Resources Department when an alternative schedule is being considered, to make sure all concerns are covered. If an alternative schedule is requested on a regular basis (long term), approval by the appropriate vice president or dean and the President may be required. Refer to the *Changes to Employment Status For Staff Members* section of chapter 2 of this handbook for more information.

By Maine state law, overtime pay is calculated on the basis of hours worked over 40 per week, not over 8 per day; therefore, days longer than 8 hours may be scheduled without incurring overtime pay for non-exempt staff as long as the number of hours worked during the week does not exceed forty.

111 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, Bates College expects staff members to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other staff members and on Bates College. In the rare instances when staff members cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor in advance of the anticipated tardiness or absence or as soon as possible.

112 EMPLOYEE CONDUCT AND WORK RULES (Professional Standards of Conduct)

The successful operation and reputation of Bates College is built upon the principles of fair dealing and ethical conduct of our employees. Our standards require careful observance of the spirit and letter of all applicable policies, procedures, laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

Bates College will comply with all applicable policies, procedures, laws and regulations, and expects its directors, officers, and employees to conduct themselves in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. Compliance with this policy of business ethics and conduct is the responsibility of every Bates College employee.

To ensure orderly operations and provide the best possible work environment, Bates College expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- * Theft or inappropriate removal or possession of property
- * Falsification of timekeeping records
- * Working under the influence of alcohol or illegal drugs
- * Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating college-owned vehicles or equipment
- * Fighting, threatening violence, or causing harm to others in the workplace
- * Behavior that prevents others from doing their work
- * Negligence or improper conduct leading to damage of college-, student-, or employee-owned property
- * Insubordination or other disrespectful conduct
- * Violation of safety or health rules
- * Smoking in prohibited areas
- * Sexual or other unlawful or unwelcome harassment

- * Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- * Excessive absenteeism or any absence without notice
- * Unauthorized absence from work station during the workday
- * Unauthorized use of telephones, e-mail system, or other college-owned equipment
- * Unauthorized disclosure of confidential information
- * Use of Bates College supplies, equipment, property, or services to carry out private business ventures
- * Violation of personnel policies
- * Unsatisfactory performance or conduct which interferes with the performance of others
- * Violation of local, state, or federal laws while on College property or while working as an employee of the College
- * Any willful behavior that results in the destruction of College property or brings injury to another employee

Employment of non-faculty employees with Bates College is at the mutual consent of Bates College and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

113 PERSONAL AND PROFESSIONAL APPEARANCE

During work hours or when representing Bates College, employees are expected to present an appearance that is consistent with the work being performed or professional standards. For certain positions, uniforms are required. Each supervisor or department head is responsible for establishing reasonable standards of dress appropriate to the work performed in that area.

114 CHILDREN AT WORK

The College generally discourages employees from bringing their children to work. However, the College recognizes that from time-to-time and especially in cases of emergency, children are brought into the workplace, but this practice should be the exception to the rule and children should be under adult supervision at all times when present on campus.

Parents should plan accordingly for the care of their children on days when children may be sick, on snow days, during school holidays, or other occasions. The College encourages all employees to participate in the Dependent Care subsidy program, refer to section 325.

There are safety, health, and environmental concerns for children in the workplace. Therefore, some areas are inappropriate for non-employees of any age, but particularly for children. In the more industrial areas (laboratories, machine shops, kitchens, etc.) on campus, there are many imminent dangers for children and a great potential for accidents and incidents in which children either harm themselves or create hazards for others since the work environment is foreign to them. The presence of children may be prohibited in certain areas by the appropriate supervisor.

Sick children in the workplace may also create health concerns for others. Employees should use their sick leave to care for an ill child. Supervisors are encouraged to work with employees to resolve childcare issues and issues regarding children in the workplace. Nonetheless, children in the workplace should always be the exception to the rule. Therefore, the intention of bringing children into the workplace should never be to provide temporary or long term daycare.

115 PETS ON CAMPUS

The College provides some guidelines for pet owners who bring their pets to campus. The College expects pet owners to use common sense, good judgment, and extend appropriate courtesy to others when bringing pets to campus. The College also requires that pet owners comply with the city of Lewiston's leash law when on campus.

The pet owner must remove waste produced by pets on campus; the maintenance and custodial staff of the College will not be asked to clean up after pets. Furthermore, in outside areas of the College pet owners are expected to bring receptacles with them to care for and clean after their pets.

There are also safety, health, and environmental concerns for pets on campus and in the workplace. Pet owners should realize that not all members of the campus community are comfortable with the presence of pets, and indeed some will have negative reactions to pets. Pet owners who bring pets to campus will be held liable for damage to

property or physical injury to others if caused by the pet. Furthermore, pet owners should be sensitive and courteous to other members of the campus community; pet owners should take steps to avoid putting employees who may not be comfortable with the presence of pets in a situation where he or she may come into **contact** with a pet.

Furthermore, supervisors and department heads may place restrictions on the presence of pets in their workspaces consistent with the work being performed and the demands of that work area. Finally, pets should not be present in any area where they create a disruption to the work being performed in that area.

116 SOLICITATION

In an effort to ensure a productive and harmonious work environment, employees or persons not employed by Bates College may not solicit or distribute literature in the workplace at any time for any purpose.

Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty. However, employees soliciting may not disrupt the work of coworkers while the coworker is engaged in work activity.

Individuals wishing to purchase or sell items to coworkers should participate in the "For Sale" e-mail listserve. For information on this listserve, please call the Information and Library Services department.

117 BATES-MORSE MOUNTAIN CONSERVATION AREA & COASTAL CENTER AT SHORTRIDGE

Bates College manages the Bates-Morse Mountain Conservation Area (BMMCA), six hundred acres of coastal property in Phippsburg, ME, for educational purposes and scientific research. The property extends from the Sprague to the Morse Rivers, and provides access to Seawall Beach (a separate property owned and maintained by the Small Point Association), the largest undeveloped beach and dune complex remaining in Maine. This beach is a nesting site for two endangered bird species: the piping plover and least tern. It is a two-mile hike from the parking lot. Visitors are permitted at the Conservation Area, as long as their activities are consistent with its mission of conservation and protection of its natural features. Bates Faculty, Staff, and Students are stewards of this area: it is our responsibility to protect it, support its mission, and abide by its rules. Therefore, we have no special privileges.

Vehicles must be parked in the parking lot unless they are involved in approved research that requires driving to the research site. Access is during daylight hours only without special permission. Large groups, camping, fires, bicycles and pets are not allowed at any time of the year.

Near the Conservation Area, the Bates College Coastal Center at Shortridge provides meeting space as well as living quarters for student and faculty researchers and meeting attendees. Academic uses are overseen by the Office of the Dean of the Faculty. The Center may also be used on occasion for College programs, as well as meetings of academic and administrative departments, including authorized student organizations and selected outreach efforts. The use of the facility for meetings, retreats and conferences is scheduled through the Director of the BMMCA and Coastal Center at Shortridge. For reservations or for more information call 786-6078.

118 GIFTS, FLOWERS, OR OTHER PURCHASES WITH COLLEGE FUNDS

The College does not allow the use of College funds to purchase flowers or gifts for employees. Individuals wishing to purchase flowers or gifts should use their own personal funds or collect funds from coworkers to purchase items for other coworkers.

The only exception to this policy is, on the rare occasion when a department head or director wishes to purchase flowers or small gifts for a faculty or staff member, the department head may use departmental funds, provided that the purchase is limited in amount, and the department head receives the approval of the appropriate Vice President or Dean.

119 RECYCLING

Bates began a formal recycling program in 1991. In the fall of 1998, the program was improved to include education and a standard color-coded collection system. Currently, all red, blue and green bins are appropriately color-coded. Additionally, color-coded labels have been placed on all bins to identify the material that should be placed in them.

The College currently recycles the following materials: office paper, mixed paper, No. 2 plastic, tins, glass (clear and colored), metal, wood, packing peanuts, overhead transparencies, redeemable bottles and cans, newspapers and magazines, corrugated cardboard, laser cartridges and ink-jet cartridges.

Bates College supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

The simple act of placing a piece of paper, a can, or a bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.

Bates College encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- * communication through computer networks with e-mail
- * posting memos for all employees
- * two-sided photocopying

Whenever possible, employees of Bates College are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

By recycling, Bates College is helping to solve trash disposal and control problems facing all of us today. This program does not cover any hazardous waste generated by College activities, for information on Hazardous Waste, refer to section 505. If you have any questions or new ideas and suggestions for the recycling program, contact the Mail and Print Services.

120 SMOKING POLICY FOR BATES COLLEGE EMPLOYEES

I. Policy Statement

A. In compliance with Maine's Workplace Smoking Act of 1985, and Maine's Act to Protect Maine Citizens From the Effects of Environmental Tobacco Smoke, effective January 1, 1994, Bates College has established a written policy concerning smoking and non-smoking. According to the law, the policy must prohibit smoking except in designated smoking areas.

B. Smoking is not permitted in elevators (by state law), stairwells, corridors, restrooms, storage areas, custodial areas, classrooms and seminar rooms, or laboratories.

II. Smoking and non-smoking areas in individual buildings:

A. Smoking is not permitted in classroom buildings and other buildings containing Faculty Offices or Administrative Offices except as noted below.

B. All buildings constructed after January 1, 1994, shall be smoke-free unless certain areas of them are specifically designed as contained, separately ventilated smoking areas.

C. Smoking is prohibited except in the Smoking Room located next to Chase Lounge in Chase Hall.

III. Outdoor smoking

Smoking should be done away from public entrances and open windows, so that those entering, leaving, and occupying the building will not be exposed to second-hand smoke.

IV. All College-owned vehicles shall be smoke-free.

V. This document does not apply to students residing in student residences that do not have a prohibition against smoking.

121 DRUG AND ALCOHOL POLICIES (& Drug-Free Workplace Act of 1988 Notice)

The College's policy on alcohol and other drugs seeks to fulfill two principal objectives: to affirm the importance of individual responsibility on the part of each member of the faculty or staff; and to meet legal obligations set by state or federal law. Bates regards illegal drug or alcohol use and abuse as serious problems which affect the entire college community.

Bates prides itself on the intelligence and good judgment of its employees, and expects them to employ these qualities where alcohol and drugs are concerned. Bates College firmly believes that drug and alcohol abuse affect our entire community and that each of us has a responsibility to help safeguard the community and its members by respecting College policy and intervening in situations of abuse. Addressing drug and alcohol problems in our society and our community depends upon caring, thoughtfulness and cooperation from all of us.

Bates College receives federal grant monies for student financial assistance, faculty research, and other federal programs. The Drug-Free Workplace Act of 1988 (Act) requires that the College, because it receives such funding, establish and disseminate a policy informing employees of the College's intention of complying with the Act. This statement of policy reflects the College's desire to comply with the Act.

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace at Bates College. This prohibition is a condition of employment with Bates College.

When there is good reason to believe criminal conduct is directed towards or potentially harmful to the person or property of others, the College's first obligation is to those persons or properties, and then to the employee involved.

2. The College recognizes alcohol and drug abuse as treatable health problems which will receive the same consideration and offer of assistance extended to employees having any other health problem. All employees of the College may utilize the Employee Assistance Program (EAP) at 1-877-878-6485 to help identify resources to deal with substance abuse or addiction.

However, nothing in this policy prohibits disciplinary action against any employee who violates the prohibition in paragraph 1, above, including the removal from employment of employees who cannot function properly in their positions.

3. In accordance with the Drug-Free Workplace Act, employees are required to report to the College any criminal drug statute conviction based on acts in the workplace within five days of conviction. The College, within ten days of such Report must in turn report the conviction to any Federal Agency funding any program in which the employee participates. Finally, the College must within thirty days of such report take appropriate personnel action, up to and including termination, or require the employee to participate satisfactorily in an approved substance abuse or rehabilitation program.

Bates College continues to affirm the value of individual autonomy in making decisions about one's life, and will continue to make education and counseling its chief strategies for meeting its responsibilities.

In regards to the use of alcohol, Bates College observes all laws governing the use of alcoholic beverages within the state of Maine and does not condone violation of these laws by an employee at any time. Employees are held personally responsible for complying with all aspects of Maine laws.

Maine law in this area imposes both criminal and civil liability on anyone who negligently or recklessly sells, gives, or otherwise provides alcoholic beverages to any person who has not attained the age of 21 years or to a visibly intoxicated person, where the minor or intoxicated person causes harm to another. All Bates employees are reminded that they are under the restrictions of Maine law when they choose to entertain or have social events on or off the campus and when persons under 21 years of age are present.

With regards to the use of illegal drugs, the College will utilize its counseling resources to help employees involved with drugs.

Disciplinary Sanctions

Bates College may impose disciplinary sanctions on employees who are in violation of the College's prohibition of

the unlawful possession, use, or distribution of illicit drugs and alcohol on College property or as part of any of the College's activities. Employee violations of these policies will be reported to the Vice President of Academic Affairs and Dean of the Faculty, in the case of members of the Faculty, or to the Vice President for Asset Management and Treasurer for all other employees, for review and action. Employees are subject to appropriate sanctions which may include referral to standing procedures for termination of employment.

Employees involved may be required to undergo professional assessment by a substance abuse professional designated by the College to determine whether they are involved in substance abuse or addiction. In the case of dependency, the College may treat the case as a disability. In cases of the use or abuse of substances, the College may make mandatory referrals to a counseling or treatment program, and may make it a requirement that an employee successfully complete such a program as a condition of continued employment. The employee will be responsible for paying for his or her treatment if the treatment is not covered by the College's health insurance or Employee Assistance Program.

The College reserves the right to involve law enforcement authorities and/or undertake legal proceedings against an employee, as appropriate.

It is Bates College's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. For a more information in regards to this matter, please call the Human Resources Department.

122 AFFIRMATIVE ACTION POLICY

I. The Office of Affirmative Action

The Office of Affirmative Action exists primarily to implement the College's plans for increasing the racial/ethnic and gender diversity on campus. The Office also assists in the development of personnel policy in effort to assure equality of opportunity. The Office may from time-to-time become involved in campus issues that affect the atmosphere for women and racial/ethnic minorities. The Office also serves to facilitate communication between Bates and the various off-campus organizations that promote such diversity. In carrying out the responsibilities stated above, the Director of Affirmative Action (DAA) will have access, when needed, to information or documents designated as confidential by the President and/or Trustees of the College or by law. This information or these documents include the College's administrative and financial records, the College's employee salary and fringe benefit information, employee personnel files, files of the Committees on Personnel and on Personnel for Physical Education, and student files or transcripts in the offices of the Dean of Admissions, the Dean of the College, the Dean of Students, the Registrar and Student Financial Services, and the Office of Career Services.

The DAA's access to confidential material will be in accordance with the following procedures:

1. The request for information will be made in writing to the College officer responsible for the maintenance and security of the confidential material. The request will be for specific material and for a specific purpose directly related to the implementation and oversight of affirmative action policies of the College as stated in this policy. If access involves a request to review evaluations of specific individuals, written permission must be secured from those individuals by the DAA and must accompany the request. If access involves a review of areas of concern or categories of personnel, the purpose and date of the review by the DAA will be noted in the files.
2. Access to confidential material is under the supervision of the relevant College officer. It is the joint responsibility of the DAA and the officer to assure the continuing confidentiality of the material. Material will be reviewed in the office where it normally is kept, with no duplication of files or other confidential information permitted.

II. The Affirmative Action Advisory Committee

The Affirmative Action Advisory Committee (AAAC) exists to provide advice to the DAA. Specifically, the AAAC identifies obstacles and barriers to equity of opportunity and rewards at Bates and makes recommendations to the DAA on methods to remove these barriers and obstacles. Additionally, the AAAC seeks to educate the campus in regards to the principles of affirmative action and equal opportunity. The AAAC also evaluates and makes regular reports on the implementation of affirmative action policy. The Affirmative Action Advisory Committee is not empowered by the College or its officers to deal with specific complaints or grievances from individuals or from groups of individuals.

Members of the AAAC are appointed by the President for three-year terms. Each area of the College covered by the Affirmative Action Policy will have opportunity to nominate representatives to the AAAC. Areas of the College covered by the Affirmative Action Policy include: the Library, Admissions, Dining Services, Administrative Support Staff, the Administration, Faculty, and the Physical Plant. While students are not usually covered by the Affirmative Action Policy, students may nominate two representatives for the AAAC. Additionally, two at-large representatives will be nominated by current members of the AAAC. From this list of nominations, the current AAAC will make recommendations to the President, who has final responsibility for the appointment of members to the AAAC. The AAAC will in making its recommendations to the President consider the racial/ethnic and gender diversity of the campus.

III. Community Input

A. Any member of the Bates Community may bring an affirmative action concern to the attention of the AAAC by submitting a written statement to the DAA.

B. Any member of the AAAC may bring an area of affirmative action concern to the attention of the full Committee.

IV. Policies

Wherever reference is herein made to policies, practices, manuals, rules, regulations, or the like, the reference will be deemed to denote such elements as may at the relevant time be in effect, and no such references will be deemed to preclude changes, replacements, etc., in such elements in effect as of the date of this document.

123 NONDISCRIMINATION AND SEXUAL HARASSMENT

General Policies and Procedures

A. POLICIES

1) Nondiscrimination

Bates values a diverse college community. Moreover, Bates does not discriminate on the basis of race, color, national or ethnic origin, religion, sex, sexual orientation, marital or parental status, age, or disability, in the recruitment and admission of its students, in the administration of its educational policies and programs, or in the recruitment and employment of its Faculty and staff.

To aid the Director of Affirmative Action in this charge, an Advisory Committee on Affirmative Action is appointed annually by the President. It is the members' responsibility to assess continually the status of their respective areas in regard to compliance. Members of the Bates community are encouraged to report instances of alleged discrimination to the Director of Affirmative Action.

2) Bates College Sexual Harassment Policy

Within our academic setting, a state of trust and openness among persons is the necessary condition for intellectual inquiry and hence academic excellence. Associations between Faculty, students, and staff must reflect the mutual respect for one another which is essential to the free exchange of ideas. Harassment, including sexual harassment, destroys trust and openness. When any member of the Bates community denigrates another member through unwanted sexual advances or sexual allusions, or through unwarranted references to sexuality or sexual activity, these bonds of trust and openness are broken.

Harassment, including sexual harassment, is especially serious when it involves a relationship of authority within which academic or other rewards may be experienced or perceived as related to the harassment. Among such situations are those relationships between Faculty and students or between senior and junior Faculty. When the imposition of unwanted sexual attention is accompanied by the promise of academic or employment rewards or reprisals, the harm can be very great. If harassment occurs between persons, one of whom has any kind of supervisory, evaluative, or other authoritative responsibility in regard to the other, it is intimidation and coercive abuse of power.

Sexual harassment is one form of illegal sex discrimination, as defined by Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 4572 of the Maine Human Rights Act, and the regulations of both the Equal Employment Opportunity Commission and the Maine Human Rights Commission. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic advancement or employment;
- b) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals;
- c) such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive working or learning environment.

The state of trust which is so essential to academic work in the College is important to the associations between Faculty and students; such trust also is important among non-academic staff and employees. Sexual harassment within these associations prevents or impairs the harassed person's full enjoyment of occupational or educational benefits and opportunities. It interferes with an individual's work performance and creates an offensive working environment. The employment regulations of the Maine Human Rights Commission give support to the College's policy against harassment and provide legal protection for all employees.

Whereas, it has been and is the policy of Bates College that sexual harassment has no place and will not be tolerated in this College; and whereas, the Federal Equal Employment Opportunity Commission has declared that sexual harassment constitutes illegal discrimination under Title VII of the Civil Rights Act of 1964. Now therefore, the President and Trustees of Bates College restates its policy that sexual harassment not be tolerated and hereby directs the President to see that appropriate steps are taken to communicate that Board's intent, as expressed in this policy to the College's Faculty, staff, and students. The President shall advise the Faculty, staff, and students that there are in effect adequate grievance procedures to facilitate prompt reporting of specific acts of sexual harassment at Bates, and urge the members of the College to report such acts so that appropriate action may be taken.

Bates College denounces the use of violence directed against any individual or group. We, the College community, regard sexual assault as a violent crime, a particularly heinous form of sexual harassment, whether committed by a stranger or an acquaintance on or off campus. We condemn the commission of sexual assaults and believe persons charged with such offenses should be dealt with promptly and fairly through the courts and our own judicial systems. Moreover, we rededicate ourselves to eradicating hostile settings in which our ability to work, study, live, and learn together is inhibited. Finally, we pledge assistance through the various departments of the College in aiding survivors of assault to determine how best they may regain control over their circumstances.

When offensive conduct against persons, including but not limited to assault, may occur, for which the offender may be charged within the criminal justice system for violating the criminal statutes of the State of Maine, or the United States, victims may also elect to seek redress through the College's disciplinary procedures, as well as through civil action. All members of the community are expected to conform their conduct to the requirements of the law and to the standards of the College community.

As a guide to the community, relevant provisions of the criminal law and descriptive definitions of conduct and consent will be provided in published form to all students, Faculty, and staff annually. These provisions and definitions will serve to assist the College community in identifying unacceptable behavior and to provide a basis for consistent interpretation and judgment.

B. PROCEDURES

I. Procedures for Charges of Discrimination

The exercise of seeking advice and information is entirely voluntary and is not a prerequisite to making a formal complaint either within the College or with the Maine Human Rights Commission. Grievants who choose to file a complaint directly with the Maine Human Rights Commission must do so within 180 days (6 months) of the alleged

incident(s) of discrimination. Grievants who seek informal resolution of cases of discrimination may do so in either of the following ways:

a) Voluntary Informal Consultation

There are many channels within the Bates Community available for the informal resolution of incidents of discrimination. The College recommends contact with any campus support personnel who are knowledgeable about the possible avenues of resolution of discrimination claims, when in doubt, the Affirmative Action Officer is a reliable, confidential and supportive source of information. Others who may assist in directing inquires in the process include the Health Center staff, the chaplains, immediate supervisors, resident coordinators and junior advisors, members of the Faculty, the Office of the Director of Human Resources, the Office of the Deans of Students and the Office of the Dean of Faculty. *Consultations may be brought in full confidentiality; no written record is to be maintained when an informal consultation is made.*

If individual action or discussion through informal resolution does not resolve the problem, grievants may, either in the company of a trusted person or alone, talk privately with the Director of Affirmative Action regarding other steps.

b) Complaints

The Director of Affirmative Action is the primary agency to receive all complaints. If students are involved, the individuals may initially elect to discuss a complaint with one of the Deans of Students; a Faculty member may initially discuss a complaint with the Dean of Faculty; or a staff member may initially discuss a complaint with the Director of Human Resources. In each case, however, the subsequent step, if not the initial step, should be with the Director of Affirmative Action.

There are two forms of complaints:

1) Informal Complaints

The Director of Affirmative Action may provide suggestions for resolution, help in mediating differences in views, or other channels for resolution involving skills or suggestions of others.

2) Formal Complaints

The grievant may institute formal grievance proceedings whether or not the Director of Affirmative Action can effect a resolution. Grievants can elect to pursue any or all options, including: making a written complaint within the College's procedures, initiating a complaint to an agency outside of the College (e.g., to the Maine Human Rights Commission), if appropriate, pursuing criminal charges within the criminal justice system, or pursuing civil action within the court system. The Director of Affirmative Action will explain the elements of each process. Within the College, a written complaint is needed to initiate formal grievance procedures.

c) College Formal Grievance Procedures

Section I

(a) Formal grievance procedures shall be available to faculty members, employees, and students of Bates College, except where students are named as accused parties. In such cases, the matter shall be heard by the Committee on Student Conduct. The procedures herein shall not apply to grievances in regard to appointment, reappointment, tenure, or promotion of faculty members as these matters are governed by Article VI of the Personnel Rules and Procedures contained in the *Faculty Handbook of Bates College*. The procedures herein shall be further limited to cases of improper discrimination, sexual harassment, or sexual assault. Improper discrimination shall be defined as acts in violation of applicable non-discrimination laws or the non-discrimination policy which appears in the official publications of Bates College.

(b) The sole purpose of a hearing under formal grievance procedures is to determine if improper discrimination, sexual harassment, or sexual assault has occurred. A hearing board shall have no authority to invoke sanctions for improper behavior. The report of the hearing board shall be given to the President of the College for any further action.

Section II

(a) Nothing stated herein shall be construed to prevent several complainants, in the appropriate case, from joining in a single complaint. The word “complainant,” as used herein, shall refer to any person who files a complaint or to any group of persons who together file a single complaint. The word “respondent,” as used herein, shall refer to any party or parties accused in the same complaint and who will be heard in the same hearing

(b) The complainant shall file a formal complaint in writing with the Director of Affirmative Action or the Director of Human Resources. Upon receipt of the complaint, the Director of Affirmative Action or the Director of Human Resources shall immediately inform the respondent in writing and provide the respondent with a copy of the complaint.

(c) In cases of multiple complainants or multiple respondents, where any individual complainant or respondent claims that his or her complaint or defense would otherwise be compromised, that party may submit a request in writing to the Director of Affirmative Action and the Director of Human Resources for a separate hearing. The Director of Affirmative Action and the Director of Human Resources shall make a decision on such a request prior to submitting a request to the President for a hearing board and shall notify all parties in writing of that decision. In appropriate cases, the Director of Affirmative Action and the Director of Human Resources may require multiple complainants to join in a single complaint.

(d) The Director of Affirmative Action and the Director of Human Resources together shall determine whether the complaint on its face states facts which, if true, allege a claim of improper discrimination, as defined in applicable non-discrimination laws or the College’s non-discrimination policy, or of sexual harassment or sexual assault. If so, the matter may proceed to a hearing; if not, the complaint shall be returned to the complainant, and no further action shall be taken unless an amended complaint is filed in accordance with Section II (b).

(e) The Director of Affirmative Action and the Director of Human Resources shall make their decision whether to refer the complaint to the President with a request to form a hearing board within 7 days of receipt of the complaint, unless circumstances require a longer time, in which event, they shall inform the President and all parties in writing. Once a decision is made to refer the complaint to a hearing board, all parties shall be informed in writing of the action taken.

Section III

(a) The Director of Affirmative Action and the Director of Human Resources, having concluded that the complaint states a claim under standards contained in Section II (d), shall provide the President of the College with a copy of the complaint and request that the President form a hearing board. At this point, no further amendments to the complaint shall be permitted.

(b) The complainant and the respondent may each designate two members of the hearing board. The President shall choose two additional members, and a majority of the six members thus chosen shall choose a seventh member to act as chair of the board. Board members shall be selected from the then current faculty or staff of Bates College. The word “staff,” as used herein, shall not include student employees. If either the complainant or respondent neglects or refuses to designate members of the hearing board, the President shall choose them. Once the hearing board is established, the President shall give a copy of the complaint to the hearing board and shall inform all parties in writing of the composition of the board.

(c) A hearing board shall be formed within 7 days from the date on which the Director of Affirmative Action and the Director of Human Resources inform the President of the need for a hearing. If, in exceptional circumstances, more time is necessary to form the hearing board, the President shall inform all parties in writing.

Section IV

(a) The complainant shall, within 7 days of being notified of the formation of a hearing board, file with that board all documents and other tangible evidence available to the complainant which will be used in the hearing in support of the complaint and a list of all witnesses whom the complainant wishes to testify at the hearing in support of the complaint. Upon receipt, the chair of the hearing board shall make these materials available to the respondent.

(b) Within 21 days of receipt of such materials, the respondent shall file with the hearing board a written response to the charges made in the complaint, together with all documents and other tangible evidence available to the respondent which will be used in the hearing in support of any defense against the complaint and a list of all witnesses whom the respondent wishes to testify at the hearing in support of any defense against the complaint. Upon receipt, the chair of the hearing board shall make these materials available to the complainant.

(c) The chair of the hearing board shall notify in writing all witnesses of the need for their testimony at the hearing. It is the responsibility of any member of the Bates College community who has information relevant to an issue before the hearing board to testify at the hearing or to produce documents or other tangible evidence at the request of the chair of the hearing board.

(d) Failure, without adequate justification, to produce documents or other tangible evidence or to testify at the hearing by anyone requested to do so by the chair of the hearing board shall be reported to the President for any action he or she deems appropriate. In the event that either the complainant or the respondent shall fail, without adequate justification, to produce documents or other tangible evidence or to testify at the hearing when requested to do so by the chair of the hearing board, the hearing board may report to the President that it is unable to make a decision in the matter, and the President may take whatever action he or she deems appropriate.

(e) After the hearing board has received evidence and witness lists from the parties, it will determine whether any additional documents, other tangible evidence, or testimony may reasonably be necessary to a determination of the facts at issue and may require any such documents or other tangible evidence from the complainant or respondent and may require documents or other tangible evidence or testimony from any third party, within or without Bates College. A determination that further evidence is necessary may be based on a request by the complainant or respondent. Should any additional documents or other tangible evidence be produced, they shall be made available to all parties. All parties shall be informed in writing of any witnesses identified by the hearing board who will testify at the hearing in addition to those already listed in the witness lists of the parties. The chair of the hearing board shall determine the date by which all evidence and all witness lists required by the hearing board shall be presented to the hearing board.

(f) Once all documents, other tangible evidence, and all witness lists have been made available to all parties, no additions to any witness list, and no additional documents or other tangible evidence shall be considered except by a decision by the chair confirmed by a majority vote of the hearing board.

(g) A hearing on the complaint shall commence no sooner than 7 nor later than 10 days after all documents, other tangible evidence, and all witness lists have been made available to all parties. The chair of the hearing board shall have the authority to alter these time limits if necessary and shall notify all parties in writing of a decision to do so.

Section V

(a) The chair of the hearing board, subject only to being overruled by a majority of the board, shall rule on all questions of evidence and procedure and may make such other rules and decisions, not provided for in these procedures, as are necessary to conduct the hearing fairly and expeditiously. This includes decisions on requests from complainants and respondents for separate hearings which arise after the hearing board is formed. Only evidence that a reasonable person would rely on to make judgements in serious matters shall be admitted and be considered by the hearing board in making its findings and conclusions.

(b) The complainant and respondent may have the assistance of an attorney during the hearing; however, the role of the attorney shall be limited to observing the hearing and offering advice to the party represented. The hearing board may have the assistance of College Counsel.

(c) The members of the hearing board shall maintain the confidentiality of all aspects of the complaint, response, hearing, evidence, and its deliberations. The hearing shall be private. Only members of the hearing board, parties, attorneys, and witnesses while testifying may be present. The hearing board may exclude all but its members in order to deliberate on its findings and conclusions.

(d) The board shall allow a reasonable time for opening and closing statements by the complainant and respondent. Each party at the hearing shall have opportunity to pose questions to all witnesses. This shall be done either directly or through the chair, at the discretion of the chair.

(e) The hearing shall be electronically recorded, except that the private and confidential deliberations of the hearing board shall not be recorded. The President shall have custody of the recording and may, in his or her discretion, have a transcript made of the recording after the completion of the hearing.

Section VI

(a) The hearing board shall make specific findings of fact. The burden of proof shall be on the complainant, and the board shall make findings and conclusions in regard to the allegations in the complaint only when a majority of the board is convinced that those findings and conclusions are supported by a preponderance of the evidence.

(b) After reaching its findings and conclusions, the board shall report them in writing, within a reasonable time, to the President of the College, the complainant, and the respondent. The President shall make a brief announcement of the nature of the complaint and the findings of the hearing board to the Bates College community without mention of the names of parties or other participants. The President shall, within his or her discretion, determine what, if any, further action he or she will take in response to the report of the hearing board. The President shall commence any such action within 7 days of delivery of the report unless he or she deems some other period appropriate, in which case, the President shall inform all parties in writing.

(c) In accordance with Article V, Section 2 of the *By-Laws of Bates College*, the complainant and respondent may, in appropriate cases, seek indemnification from the College for reasonable attorneys' fees incurred for purposes of the hearing.

Section VII

The existence of these grievance procedures in no way precludes the College from taking immediate action to maintain the safety of the College community or individual members thereof.

124 CONFLICT RESOLUTION

Programs have been established to assist the campus community in resolving grievances, disagreements, problems, and other issues on campus. Since informal, proactive, and flexible approaches are consistent with the Bates culture and allow individuals maximum flexibility in choosing a manner of resolving issues in which they feel most comfortable, they are the hallmark of this grievance program. However, to ensure a basic level of fairness and consistency, a structured and formal system is also included as a desirable complement to less formal methods. These programs are offered as simple and user-friendly so as not to discourage their use. They also encourage resolution at the lowest level possible and aim to resolve issues in a timely fashion. A final consideration for resolving problems or issues includes having a widely diverse group of people available to assist those who need assistance.

Before initiating a conflict resolution process, employees should first consult their supervisor to address their concerns. If the supervisor is unable to assist the employee, the employee should follow the normal administrative line of authority and bring his or her issue to the attention of their director or department head. If the issue is not resolved at this level, the employee should present the issue to the appropriate vice president or dean. If for some reason the normal administrative chain is not a suitable option for the employee, he or she may initiate other options to resolve the matter at hand.

The grievance program contains three parts, an Ombuds-function, an Alternate Dispute Resolution process, and a formal Staff Grievance Procedure.

124.1 OMBUDS-FUNCTION

This program has been established to assist individuals in seeking an appropriate path to resolving their concerns, the primary role of an Ombudsperson is to facilitate problem resolution. Several volunteer Ombudspersons are available on campus. These employees are trained to assist coworkers and their assistance is available to all Faculty and Staff. An

issue brought before an Ombudsperson can be any problem or issue except those that are covered by the College's Nondiscrimination and Sexual Harassment policies. Such issues must be referred to the Director of Affirmative Action or the Director of Human Resources.

Ombudspersons are employees who have a collateral duty designed to help fellow employees with problems related to their employment at Bates College. Dealings with Ombudspersons are confidential except in cases where there is imminent harm to the others, or to the welfare of the institution, or in situations where the law or College policy requires the matter to be reported, or unless an employee agrees to share information in order to resolve a problem. The Ombudsperson keeps no formal written records. Because the Ombudsperson's services are informal, they are a supplement to, and not a replacement for, the College's formal processes.

The functions of Ombudspersons are:

- _ to listen
- _ to provide answers to questions or to assist in finding someone who can
- _ to analyze situations and identify and evaluate options for responding to them with the employee
- _ to explain College policies and procedures and their application to an individual employee
- _ to carry complaints forward, if an employee is unable to do so, and to advocate resolution
- _ to provide prompt, impartial, and confidential assistance
- _ to attempt to help people help themselves
- _ to provide assistance on any problem or issue
- _ to provide mediation assistance where possible and appropriate
- _ to conduct limited fact finding for issues
- _ to serve as the avenue of first resort when employees do not know where to take their problems or complaints or do not know how to approach the appropriate person or committee
- _ to serve as the avenue of last resort when the employee has worked through all appropriate channels, but still feels the problem has not been resolved
- _ to recommend changes in policy and procedure when trends develop regarding issues on campus

Ombudspersons do not:

- _ take sides
- _ represent the institution or its interests
- _ override or enforce College policy
- _ require employee to take any action
- _ breach confidentiality (except as noted above)

For more information on Ombudspersons, please see the Human Resources Department.

124.2 ALTERNATE DISPUTE RESOLUTION (ADR) PROCESS

Alternate Dispute Resolution refers to any activity that results in resolving disputes before the use of the formal grievance program. The ADR process is also an informal method of problem solving that encourages individuals to get involved in developing the solutions to their own concerns; such methods usually involve mediation, negotiation, or consultation. These methods often usually contain a third party to facilitate open communication and assist disputants in resolving the issue at hand. Trained mediators are available on campus, or on occasion where it is appropriate the Human Resources department can obtain mediators from off-campus. Participation in an alternate dispute resolution process is voluntary, but highly encouraged. Research shows that ADR efforts resolve greater than 80% of the problems encountered.

Alternate dispute resolution services are available to all Faculty and Staff. These methods can be used to address any problem or issue except those that are covered by the College's Nondiscrimination and Sexual Harassment policies. Such issues must be referred to the Director of Affirmative Action or the Director of Human Resources.

124.3 STAFF GRIEVANCE PROGRAM AND PROCEDURE

A grievance is a **work-related problem** or condition which a staff member believes to be unfair, inequitable, or a hindrance to his or her effective performance. Grievances are not problems or complaints covered by the College's

Nondiscrimination and Sexual Harassment policy; such matters should be referred to the Affirmative Action Office or Director of Human Resources.

Grievances should be filed in writing within 30 days of the occurrence of said event or circumstance. An Ombudsperson can assist in determining whether a grievance is appropriate and, if appropriate, can help the individual write his or her grievance.

The written grievance must be sent to the Director of Human Resources, or the Vice President of Asset Management and Treasurer if the Director of Human Resources is involved in the issue or is unavailable. A Committee Chairperson will be selected by the Director of Human Resources based upon the nature of the grievance. The Chairperson will meet with the staff member in an attempt to clarify the issue and attempt to resolve the issue without the Committee. Following this meeting:

- _ The staff member may withdraw the grievance.
- _ The staff member may be encouraged to seek Alternative Dispute Resolution/mediation options.
- _ The grievance may be edited and re -filed.
- _ The grievance may remain unchanged.

If the grievance goes forward, the Chairperson will convene a formal staff grievance committee. The matter at hand will be reviewed by a committee of peers. At least seven members will be selected to review each matter. The Committee Chairperson will select the additional 6 members who will sit to review the grievance. The Chairperson may receive input from the parties involved and the Director of Human Resources in selecting the members who will serve. These members will be chosen from a pool of 15 grievance committee members who will be elected from the campus community.

Once the Committee is selected, it will proceed as follows, 1) conduct fact finding; 2) review College policies and procedures; 3) meet with all parties in an attempt to resolve the concern or issue; 4) review and analyze all the information received to date, 5) make a recommendation. However, before proceeding, the Committee may refuse to hear certain grievances if it feels that the matter is not appropriate for this body to review. If so, the matter will be referred to the appropriate administrator within the College.

After the Committee has deliberated, it will form a recommendation. This recommendation will be shared with the grievant before it is presented to the appropriate official(s) within the College administration. After the recommendation has been made and if, and when actions are taken in response to the recommendation, the Committee Chairperson will meet with all major parties to the grievance to share the result of the committee's efforts.

The work of the Committee should be accomplished as soon as possible. Due to vacations and holidays, a specific time frame is not placed on this process. In general, Human Resources will acknowledge the receipt of the staff member's grievance and notify the Chairperson immediately. The Chairperson will attempt to meet with the staff member within one week. The Committee shall attempt to make its recommendations within 30 days of first convening.

Staff members are protected from fear, the threat of retaliation, or reprisal for exercising his or her right to redress their concerns or grievances by College policy and applicable laws. Grievances are treated as privacy matters and are handled privately and with discretion.

125 BATES COLLEGE COMPUTER USE POLICY

Each user of Bates College information systems has two basic rights: (1) the right to privacy with respect to the information stored in their user account, hard drive, or on diskette, as well as their computer output; and (2) the right to a fair share of the system resources. Users who violate the rights of others, either by accessing information to which they have no right, or by using an excessive amount of system resources, are acting in an unethical manner. Information and Library Services reserves the right to take whatever actions are necessary to prevent a user from violating the rights of other users.

To assure each user privacy and a fair share of system resources, all users must comply with Information and Library Services policies. Since Information and Library Services cannot anticipate every possible way in which users might intentionally or unintentionally violate the rights of other users, the guidelines listed below are illustrative, not exhaustive. Any activity that results in loss of privacy or unreasonable reduction in system performance for other users is unethical. Cases involving unethical behavior will be referred to the Office of the Dean of Students, the Dean of the Faculty, or the Human Resources Office, as appropriate.

1. Each user is issued a user account and should always log into the computer under that account. Using any other account is an invasion of the privacy of the individual issued that account. The right to use the Bates College computing facilities is nontransferable: a user should not allow another individual to use his or her account. Each user is held responsible for the computing activities that occur under his or her account, so users should make special efforts to preserve the security of their passwords.
2. All files and computer output belong to someone. They should be assumed to be private and confidential unless the owner has explicitly made them available to others. A user should not alter, manipulate, or inspect the contents of another user's file area without the user's knowledge and explicit permission. Similarly, a user should not alter or manipulate the contents of a public library or directory unless the owner has specifically authorized the user to do so. Users should also take steps to protect their data.
3. Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations may be grounds for sanctions against members of the academic community. (From *Using Software* published by EDUCOM, used with permission.) For example, a user who presents the work of another user as his or her own by simply submitting a duplicate listing of a homework assignment is committing plagiarism. A user who exploits flaws in system or instructor software to obtain answers to an assignment or examination or who manipulates the contents of a file containing grades or other records of course performance is being academically dishonest. For more information, see the Bates College *Statement on Plagiarism and a Guide to Source Acknowledgments*.
4. Information content supplied by users and visible or sent to others over computer networks is subject to the same rules of conduct that apply to any message in any other medium.
5. Networks such as the World Wide Web have greatly expanded the capacity of Bates users to view and interact with computers all over the world. A user should not use the Bates College computing facilities to go beyond normal Internet connections to gain unauthorized access to other computers off campus. Users should notify Information and Library Services staff of any off-campus computing arrangements they have that may have an impact on Bates computing resources. Unauthorized access to, and use of, other computers may result in criminal and/or civil action.
6. A user should not alter the normal functioning of the computing system. This applies to attempts to reallocate storage space, to change the priority levels at which programs run, or to gain unauthorized access to other user accounts, passwords, or system directories. It also applies to attempts to degrade system performance, to "crash" the computer, to disconnect other users from the computer, or to send unsolicited messages and "junk" mail to other users of the system. These restrictions apply to all Bates computers, including public microcomputers. More generally, all users have a responsibility to avoid running programs that are wasteful of system resources, especially when doing so noticeably reduces the performance of the system for other users.
7. A user should not attempt to reserve access to the computer in a public area for his or her own use, and should log out in all locations when the computer is not in use. Generally a user should not use more than one port or microcomputer at a time.
8. Game and other recreational programs have the lowest priority on the system. Anyone using a computer in a public lab for game or conference must relinquish it to another user upon request. Modems may not be used for games, which includes muds and irc. Modems are a limited resource, and may only be used for educational purposes.
9. A user should not abuse or mistreat Information and Library Services equipment. All users should become thoroughly familiar with the proper operating procedure for a given device before attempting to use it. High-speed printers, plotters, multimedia equipment, scanners and similar equipment are quite delicate and easily damaged through careless or rough use. A user is held responsible for any damage to equipment caused by his or her own carelessness.

10. Information and Library Services provides documentation online, in Treat Gallery, at remote sites on campus, and in the Library. A user should not remove documentation from any of these locations. Documentation may also be purchased from Information and Library Services, the Bookstore, and through other commercial channels.
11. Bates College computing systems are available to the Bates community to further the educational goals of the College. Bates College does not permit use of its computing resources to support commercial enterprises of account holders. A user in doubt about a particular case should contact the Information and Library Services Management Team.

System Administration

1. Information and Library Services staff charged with the responsibility for maintenance of the integrity and security of the College's computing systems are permitted to copy or move user files for routine backups and preservation. They are authorized to investigate possible abuse of computer systems, and to take appropriate action. A user can expect that staff will not inspect the contents of their files without proper justification and authorization.
2. Bates College IP addresses are issued and authorized by Information and Library Services staff. They are available for use only by the person to whom they have been issued for uses authorized by Information and Library Services.
3. Most software is protected by copyright law unless it has been placed in the public domain. It is illegal to duplicate or distribute software or its documentation without the permission of the copyright owner. Software acquired by Bates College is licensed to the College. The licenses restrict how and where the software may be used by members of the College community, and Information and Library Services manages the system in order to minimize the number of copies of software needed to support College work. Consult Bates College Information and Library Services for information about the content of particular license agreements.

The guidelines discussed above are intended to insure that each user's rights to privacy and fair share of system resources are protected. Users are requested to inform Information and Library Services staff if they suspect that their rights are being violated.

126 TRAVEL POLICY

For information in regards to traveling on Bates College business, please call the Accounting and Budgeting department.

127 MOTOR VEHICLE SAFETY HANDBOOK AND POLICY

I. Introduction

The Bates College Motor Vehicle Safety Handbook and Policy is based on a loss prevention model which establishes the safety of drivers and passengers as a fundamental priority in the operation of Bates College motor vehicles. For policy purposes, the term "Bates College motor vehicle" includes all motor vehicles owned, leased, or rented by the College.

Experience tells us that motor vehicle accidents are preventable. Working to prevent and reduce the number of motor vehicle accidents helps to lower the incidence of personal injuries, lowers the aggregate cost of property damage, and works to reduce insurance costs while serving as an important part of the larger effort to foster a safe educational environment at the College.

The safety and well being of the College's students, faculty, and staff are important goals for all elements of the College's programs. While it is the responsibility of all community members to participate in safe practices, it is particularly important that every student or member of the College's faculty and staff who accepts the responsibility to operate a Bates College motor vehicle should consider safety a fundamental part of the obligations which obtain in that capacity.

Please read the Bates Motor Vehicle Safety Handbook carefully and take very seriously the responsibility you accept by becoming a driver of a Bates College motor vehicle.

All student drivers as well as faculty and staff under the age of 25 will be required to take a safe driving course and

to sign an Agreement for Operation of Bates College Motor Vehicles form in order to be qualified for driving Bates College motor vehicles.

This Handbook and Policy addresses not only the rules governing the operation of Bates College motor vehicles (part II) but, also, the circumstances under which Bates College students may be approved to drive Bates College motor vehicles in support of academic, co-curricular, and formally organized extracurricular activities of the College (part III).

II. Rules Governing the Operation of Bates College Motor Vehicles

A. Compliance with Traffic Laws

Operators of Bates College motor vehicles will comply with all applicable motor vehicle regulations, laws, and ordinances at all times.

B. Alcohol and Drugs

The use of alcohol and/or drugs by the driver or passengers of Bates College motor vehicles is strictly prohibited, either while in possession or use of the vehicle or within 8 hours prior to such possession or use. Violation of this provision will be grounds for immediate termination of driving privileges under this policy.

C. Safety Belts

In compliance with state law, all drivers are required to use safety belts while operating a motor vehicle for the College. Similarly, all passengers, regardless of placement in the vehicle, must wear safety belts while the vehicle is in motion. It is the driver's responsibility to insure 100% compliance with this aspect of policy.

D. Qualified Drivers of Bates College Motor Vehicles

Bates College students must be qualified in order to drive Bates College motor vehicles. Faculty and staff under the age of 25 must be qualified in order to drive Bates College motor vehicles. Standards and requirements to be certified as qualified are described in this section II-4, below.

Other faculty and staff are authorized to drive Bates College motor vehicles so long as they possess an approved driver's license from one of the fifty states of the United States. Exceptions to this blanket authorization for faculty and staff age 25 years and over may be necessary where there is a demonstrated record of unsafe driving practices by the individual.

To become a qualified driver of Bates College motor vehicles, Bates College students as well as faculty and staff under the age of 25 must:

1. Possess a valid driver's license from one of the fifty states of the United States of America.
2. Have no more than (2) minor moving traffic violations within a thirty-six (36) month period.
3. Attend and satisfactorily complete a Safe Driving Class conducted by the College.

Disqualification: Persons who have been convicted of one or more major violations, i.e., driving under the influence of alcohol or drugs, reckless operation, hit and run, driving under suspension, fleeing from a police officer, or who acquire more than two (2) minor moving violations in the preceding thirty-six (36) month period prior to the application for qualification are not eligible to drive Bates College motor vehicles. Persons who are convicted of a major violation after becoming an approved driver must notify the College's Director of Security and Campus Safety or his designee in which event authorization to drive Bates College motor vehicles will be withdrawn.

E. Authorized Passengers - Only those individuals affiliated with the College, i.e., faculty, staff, students, or invited guests, are to be transported in Bates College motor vehicles. Personal use is strictly prohibited. It is the driver's responsibility to enforce this policy.

F. Accidents Involving College Vehicles - If there is an accident involving a Bates College motor vehicle, the first order of safety is to attend to the injured parties and to take care that all parties are safely out of further harm's way in the area of the accident. Note: injured parties should be moved only by medical personnel except under the most unusual and crisis-like circumstances to prevent added trauma arising to the victim.

Each driver's packet contains information on accident reporting, as well as an insurance card bearing the name of the College's insurance broker. No driver should operate a Bates College motor vehicle for the College unless s/he has the accident reporting kit and the insurance card in their possession.

Bates College policy requires that any accident involving Bates College motor vehicles, regardless of severity, location, or fault, should be reported *immediately* to the law enforcement authority within the jurisdiction where the accident occurred and to Security and Campus Safety at Bates College (207-786-6254).

Other points for consideration in the event of an accident:

1. Make no statement to anyone other than to law enforcement personnel or to the Bates College Security and Campus Safety.

2. Make no statement about payment of damage.

3. Admit no liability.

4. Move the vehicle only when so instructed by police unless your best judgment under the circumstances is that moving the vehicle is the best and safest course of action. Drivers of College vehicles are responsible for all citations received as a result of an automobile accident, excessive speed and other moving violations.

G. Bates College Safe Driving Course - All Bates College students and all faculty and staff under the age of 25 who will drive a Bates College motor vehicles must first successfully complete the Safe Driving Course conducted by the College.

H. Driver Responsibility in Bates College Motor Vehicles - The ultimate responsibility for the safety and well being of all passengers inevitably belongs to the driver of the Bates College motor vehicle. No policy or procedural statements can eliminate that responsibility. All laws must be obeyed and good safety practices followed on an ongoing basis.

The areas listed below further define the driver's responsibilities.

1. Equipment - Any equipment discrepancies, failures, or vehicle damage should be reported to the Office of Security and Campus Safety, and for rented/leased vehicles, to the company owning the vehicle. Inspect the vehicle before using so that pre-existing problems are noted at the outset and, if possible, corrected before vehicle use. Vehicles thought to be unsafe should not be taken out on the road under any circumstances.

2. Luggage - All luggage and equipment shall be stored in a secure fashion so that it does not interfere with the safe operation of the vehicle or endanger the safety of the passengers.

3. Uncooperative Passengers - Passengers who do not, by their actions while being transported in a Bates College motor vehicle, support the safe driving goals of this policy should be reported by the driver to the departmental supervisor who approved the use of the Bates College motor vehicle for College business.

4. Distractions - The driver's attention should always be on the safe operation of the vehicle. Distractions such as eating or drinking should be refrained from while the vehicle is in motion. Smoking is prohibited in College vans.

5. Reflectors - If the vehicle becomes disabled, triangular reflectors, which are located in the vehicle, should be placed to the rear of the disabled vehicle.

I. Unauthorized Use of Bates College Motor Vehicles - Only authorized and qualified drivers may drive Bates College Motor Vehicles. Drivers for whom vehicles have been signed out or rented are not authorized to delegate driving privileges to other drivers except in an emergency and, then, only where the delegated driver is a qualified driver for Bates College Motor Vehicles.

J. Approvals Required for Bates College Students to Drive Bates Motor Vehicles - The College distinguishes between the question of the rules for qualifying Bates College students for driving Bates College motor vehicles (addressed in part II, above) and the processes and policies which will govern the acceptable circumstances wherein Bates College students may be asked to drive Bates College motor vehicles.

Broadly speaking, Bates College students will be authorized to drive Bates College motor vehicles only when absolutely necessary for the direct support of the College's academic, co-curricular, and formally organized extracurricular programs and when faculty or staff personnel are not available to serve in the capacity of driver.

Approval for Bates College students to drive Bates College motor vehicles must be granted in writing by one of the members of the Bates College faculty or staff listed below or his/her approved (faculty or staff) designee. Authorization may be granted only on a date-specific basis; that is, no blanket authorizations may be granted covering extended or open-ended periods of time. Authorization forms (see appendix A...) will be prepared in duplicate. One copy should be

retained by the authorizing party. The other should be submitted, before assuming command of the vehicle, to the Office of Security and Campus Safety in the case of College-owned vehicles or to the auto rental company in the case of rented/leased vehicles.

Only certain individuals are authorized to approve Bates College students to drive Bates College motor vehicles in circumstances consistent with this policy. The list is available in the Campus Safety and Security Department.

128 PARKING REGULATIONS

The College recognizes the use of motor vehicles as a convenience, and it is not obligated to provide parking for all vehicles entering campus. It will, however, make an attempt to provide a reasonable number of parking spaces for properly registered vehicles within the scope of resources and available sites. In order to ensure an orderly flow of motor vehicle traffic and to maximize utilization of the limited parking facilities on campus, all members of the College community must accept the obligation to observe these policies. The regulations are designed to maximize our limited parking space and to avoid detracting from the natural beauty of the campus. Please read these rules and regulations carefully, as they apply to all faculty, staff, students, their guests and visitors. Furthermore, it is understood that the operation of a motor vehicle on campus and utilization of any Bates College Parking facility constitutes an acceptance of these rules and regulations.

128.1 REGISTERING A FACULTY/STAFF MOTOR VEHICLE

All vehicles parked on campus (this includes motorcycles, mopeds, and vehicles belonging to students who live off campus) must be registered with Security. Employees may obtain a permit at the Security and Campus Safety located at 245 College Street.

The parking decal must be properly affixed to the rear driver's side window. If the decal is improperly placed, the owner of the vehicle is in violation of the parking policy. Should there be a question about the placement of a parking decal, call Security and Campus Safety. Any vehicle with an altered parking decal is in violation of College policy and the owner of the vehicle is subject to being fined and/or towed from campus property.

All faculty and staff of Bates College must register their vehicle(s) as described above if they plan to park on campus at any time. Upon registering, they will be issued a Bates College parking permit. There is no fee for a faculty/staff decal. If a vehicle was registered and received a parking permit after September 1, 1993, the registration is valid and does not need to be re-registered.

Unregistered motor vehicles found on campus will be fined \$20.00. The fine for individual parking tickets is \$10.00. Faculty/Staff members are expected to pay their tickets within 14 days. Outstanding fines that are 30 days overdue will result in the suspension of parking privileges and automatically place the vehicle(s) in jeopardy of being towed. Parking privileges will be reinstated upon payment of all outstanding fines.

128.2 REGISTERING A VISITOR'S MOTOR VEHICLE

All visitors desiring to park their motor vehicle on Bates College property must register their vehicle with the Security Office upon their arrival. A temporary parking permit will be issued to the visitor. There is no cost for this temporary permit. Visitors must comply, however, with the College parking regulations. For this reason it is the responsibility of any member of the Bates College community who has invited visitors to the campus to inform them of the parking regulations.

128.3 PARKING SIGNS

Parking signs have been kept to a minimum to preserve the beauty of the campus. Consequently, signs primarily will designate where you are allowed to park, rather than where you may not park. It is the responsibility of each student, faculty, and staff member of Bates College who desires to park on campus to obtain a copy of these regulations and campus parking map. The map clearly designates where faculty, staff, students, and visitors may park, and it will be each person's responsibility to be familiar with the map and the locations on campus where parking is permitted.

For more information on Parking policies, call Security and Campus Safety at 786-6254.

EMERGENCY AND SECURITY INFORMATION

129 EMERGENCY NUMBERS

| | |
|---|--|
| Security and Campus Safety and Bates EMS | ..786-6111 or 786-6254 |
| Health Center | 786-6199 |
| Lewiston Police | 911 |
| Sexual Assault Response Line | Student Advisors: 786-6199 Calls made from the campus: x-7275 |
| Sexual Assault Crisis Center (SACC) | 795-2211 Blue Light emergency phones |

130 BATES COLLEGE SECURITY PERSONNEL

Bates College has full-time, trained Security Officers who patrol the campus on foot, on bicycles, and in a security vehicle 24 hours a day. Communications Officers (dispatchers) staff the security office located at 245 College Street at all times. They answer phone calls directed to Security, including calls from the security phones located throughout the campus, and are in constant contact with security personnel via radio. In addition, there are Watch Officers on campus at various times who monitor buildings, lock and unlock doors, and assist campus personnel in a variety of ways.

131 SECURITY PHONES

There are over 120 security phones strategically located throughout the campus. These phones are connected directly to Security and Campus Safety, and automatically begin to ring when the receiver is lifted or the button is pushed. Security phones may be used to contact Security for any reason, such as to call for an escort, to report a suspicious person, or to report an emergency. Communications Officers can contact the appropriate emergency personnel (security, police, fire, or medical personnel) and direct them to your location. Each security phone has a blue light above it which is clearly visible at night. Employees should become familiar with the locations of the security phones and their operation.

132 SAFEWALKS ESCORT PROGRAM

During critical times of the evening and night, students are available to escort faculty, staff, or students to their destinations on the campus. These students are trained in safety procedures and are equipped with flashlights, security vests, and portable radios. They also patrol the campus when not conducting escorts, acting as eyes and ears for Security by detecting and reporting potential problems. If you wish to have an escort on campus, either by SafeWalks personnel or by Security, simply pick up one of the security phones (they automatically dial Security), or dial 6999 from any campus phone.

133 STUDENT SAFETY PROGRAM

During critical times of the evening and night, students are available to escort faculty, staff, or students to their destinations on the campus. These students are trained in safety procedures and are equipped with flashlights, security vests and portable radios. They also patrol campus when not conducting escorts, acting as eyes and ears for Security by detecting and reporting potential problems.

The program is supervised by a Security Officer. Student Coordinators monitor the shift activities and a Student Dispatcher details the Safewalkers and Saferide Drivers to complete the calls for escorts. If you wish to have an escort on campus, during the evening hours either by student Safewalkers or by Student Saferide Drivers, simply pick up one of the Security Phones (they automatically dial Security), or dial 6999 from a campus phone.

134 WHISTLE ALERT PROGRAM

Bates College has instituted a Whistle Alert Program for all persons on campus. Employees desiring to participate in this program should pick up a whistle from Security, free of charge, and follow the few simple instructions listed below. The procedures described can be used throughout your life, regardless of where you live or work.

The College distributes whistles to promote the general safety and well-being of the community. Responsible use of such whistles is critical to the success of the program. We offer the following guidelines for proper use:

1. Whistles should be used only when immediate threat exists or an actual crime is in progress.
2. If you hear a whistle, respond by:
 - a. alerting Security immediately (786-6111), if a telephone is accessible or by picking up a security phone;
 - b. blowing your whistle if nearby;
 - c. going to the scene, preferably in the company of others.

Please remember a whistle is not a replacement for other safety precautions. False whistle alerts will be met with penalties, including a \$75.00 fine.

135 EMERGENCY RESPONSE PROCEDURES (INTEGRATED CONTINGENCY PLAN)

An Integrated Contingency Plan has been designed to minimize hazards to human health and the environment potentially caused by fires, explosions, natural disasters, bomb threats, and any unplanned release of hazardous material to air, soil, surface water, or groundwater at or from the facility. The provisions of this plan will be carried out whenever there is a fire, explosion, or release of hazardous material at or from the facility that could threaten human health or the environment.

The important thing to remember in any emergency situation is to dial **786-6111** on your Bates College telephone. The **x-6111** number is to the Security and Campus Safety Office who are trained to respond to any emergency on campus. Dialing **x-6111** is as an effective way of responding since the Security Department will contact the appropriate emergency personnel (security, police, fire, or medical personnel) and direct them to the appropriate location.

There are additional procedures requested of faculty and staff members who receive a bomb threat. Please refer to section 136 of this handbook for more information on Bomb Threats. For a more complete description of the Integrated Contingency Plan, please refer to section 515 of this handbook.

136 BOMB THREAT PROCEDURES

When a bomb threat is received:

1. Contact Security immediately by calling 6111.
2. All on-duty Security Officers will be dispatched immediately to the scene.
3. 911 will be notified by the Dispatcher as soon as the Security Officers have been dispatched.
4. The Dispatcher will contact the Director of Security immediately. In his/her absence, the Associate Director will be notified. In his/her absence, the Assistant Director will be notified. The Director will contact the offices of the President, the Dean of the Faculty and the Dean of Students and/or activate the SERG committee. The Director or

his/her designee will inform the Office of College Relations of the incident.

5. Once on the scene the Security Officer in charge will coordinate with outside emergency agencies to assess/investigate the threat.

6. The appropriate College authority along with the Security Officer in charge will determine the course of action, including:

- a. Evacuation of the building
- b. Search methods to be utilized, if any
- c. Safety measures
- d. Need for other agencies

To evacuate a building:

Emergency personnel will evacuate the building by repeatedly blowing a whistle provided by Security. Personnel will simultaneously check each room beginning with the lowest floor and advise anyone remaining in the building to leave immediately in a calm manner. The fire alarm shall NOT be pulled in an effort to evacuate the building and all electronic devices must be turned off prior to entering the building. This includes but is not limited to two-way radios, pagers, and cell phones.

To search a building:

The search method(s) agreed upon will be executed by personnel chosen by the Security Officer in charge.

Each person who searches a building will be issued a whistle.

If you find a suspicious object or condition:

- a. Do not touch, move, or handle the object or anything attached to it.
- b. Blow your whistle three times in succession to evacuate search team members.

All media inquiries will be handled by the Office of College Relations.

137 EMERGENCY RESCHEDULING OF CLASSES

This procedure was drafted to address the rescheduling of classes in non-weather emergencies.

- The establishment of an emergency situation will be authorized by the Dean of Faculty or Dean of Student's office and communicated to the Registrar and Student Financial Services (RSFS) Office.
- In advance, a link with the title "emergency information" will be placed on the No Line On Line login page and the Bates community informed that this is the place to look for scheduling information.
- The RSFS staff will attempt to reschedule all courses as needed and will update it on the web.
- The initial schedule will be copied and given to the DOS office for campus distribution in key areas with a note to refer to the web link for updates.
- Faculty will be instructed to check with RSFS if they have special needs for that day.
- DOS will continue to send out a voice mail and an e-mail to the Bates community and will remind them of the emergency link on No Line On Line for scheduling information.
- In advance, RSFS staff will determine the contact person for using the Gray Cage and other spaces on campus not typically used for classes such as rooms in Chase Hall, lounges, library and computer labs. Each of those contact people will be informed that in an emergency situation, classroom scheduling takes precedence.
- RSFS staff will be trained to use the Banner system to identify spaces that can be used at each time. Every attempt will be made to follow the usual class schedule.

138 COLLEGE EMERGENCY PROCEDURES & POLICIES *(INCLUDING WEATHER EMERGENCIES)*

A Senior Emergency Response Group (SERG) is established to determine the existence and nature of an emergency (including weather emergencies) affecting the College, and to initiate appropriate action and communication regarding such emergencies. The Group will continue to serve during the emergency, to coordinate the College's efforts, and to advise the President on decisions regarding the emergency.

Members of the Senior Emergency Response Group

President, Vice President for Asset Management and Treasurer, Vice President for Academic Affairs, Dean of Students, Director of College Relations, Director of Human Resources, Director of Physical Plant, and the Director of Security.

SERG Operating Procedures

1. Following consultation with Security the President or, if the President is unavailable, the Vice President for Academic Affairs, Dean of Students and the Vice President for Asset Management (in that order) will determine whether to convene SERG. In their absence, the director of security will activate the SERG committee. The Director or his designee will inform the Office of College Relations of the incident. In the event of imminent danger to individuals or groups of individuals, public safety procedures will take precedence over immediately activating SERG.
2. Bates Security and Campus Safety will contact the SERG and other necessary personnel.
3. If SERG is convened, they will meet in the Bates Security and Campus Safety Office during the emergency or crisis.
4. Immediate objectives of SERG, once convened:
 - Identify the nature and scope of the emergency.
 - Establish priorities and coordinate crisis response efforts.
 - Activate the emergency telephone system in the event of a power failure. If this system fails, activate the campus phone tree or courier system.
 - Interact with outside agencies including, but not limited to, the American Red Cross, law enforcement, fire department, and the Emergency Management Agency.
 - Determine the times and means to report efforts and progress to the campus community.

Depending on the nature of the emergency, additional members of SERG may be added, including, but not limited to, the head of Bates Emergency Medical Service (EMS), Director of Health Services, or the Vice President for External and Alumni Affairs.

Weather Emergencies

At the announcement of a weather emergency, the Senior Emergency Response Group (SERG) will determine whether or not College services are to be open or closed. The announcement will be made on radio and television (see below), as well as by Security when contacted. ***If College offices are closed, only those personnel already defined in advance by the director of the department as "essential" should report for work; no other personnel should report. "Essential" personnel will be needed only to preserve safety, health, and maintenance functions. If College offices are declared open, all personnel should assume that they report to work.***

Guidelines for Staff

When Bates College declares a weather emergency, only "essential" personnel should report for work as scheduled.

If the President, or his or her designee, declares a weather emergency and the College closes its offices, each department head will have determined, in advance, on the basis of typical categories of situations (e.g., weather emergencies), who in the department is to be considered "essential." However, it is understood there will be

unanticipated categories of emergency that may require the director of the department to make last-minute contact with key employees.

Employees not asked to report to work (except temporary employees) will receive their regular pay. If an employee is on vacation or sick leave during a declared weather emergency (and College offices are closed), the day(s) of emergency will be added to the employee's vacation or sick leave balance.

Regular **non-exempt** employees who are required to work during a weather emergency will receive pay at 2 1/2 times the straight time rate of pay. This is figured by adding 1 1/2 times pay (the overtime rate) and an added 1 time (straight-time) pay to make allowance for the excused time pay received by other nonexempt employees during the emergency.

If Bates does not declare that College offices are closed as a result of a weather emergency, weather conditions nevertheless may cause employees to be concerned about traveling to and from work depending on the distance of travel, the hazards of driving or other subjective factors. In such cases, the employees will have to make their own judgments about whether to stay home or to leave work early. An employee's decision, based on individual circumstances, will be respected when shared with his or her supervisor. If an employee chooses not to travel or decides to leave work early because of concerns about the weather, he or she may use accumulated vacation time, make up the time on other days within the same week (or its practical equivalent) if approved by the supervisor, or take leave without pay.

Temporary employees may be required to report for work during weather emergencies if they are declared essential. Temporary employees who work during the weather emergency will receive time-and-one-half pay for hours worked, in accordance with the normal pay policies and practices of the College.

Classes. Because Bates is a residential college, the College may be in session (during the academic term) when a declared emergency occurs; the operating assumption will be that classes will still be held. On rare occasions, the College, through SERG, may have to announce an emergency so severe that classes are canceled. The announcement of the cancellation of classes will be a separate announcement from the declaration of the closing of College offices. [Announcements would be "Bates College offices are closed; classes remain open. Only essential personnel should report to work."; -- or "Bates College offices are closed; classes are canceled. Only essential personnel should report to work."]

Even if classes are not canceled, individual instructors whose travel to the campus would be hazardous, or who (for other reasons) are unable to meet their classes, may decide to cancel their classes and reschedule them later. This information would be most effectively addressed to the Office of the Dean of the Faculty. On the unusual condition of the official declaration of the cancellation of classes, radio announcements, electronic and telephonic postings, as well as written postings on campus buildings will be made.

Professional services at the College. Unless an emergency has been declared which closes College services, the assumption should be that offices and services are open. If the College is open, individuals may decide not to come to work when travel risks or other weather-related factors make it inadvisable. Professional service providers, who are unable to come to work when a weather emergency has not been declared, will use vacation or sick time.

Independent contractors not providing services, whether or not an emergency has been declared, should not bill for that time.

Special events and programs (including non-resident Summer programs) will be canceled if the College closes its services; while an effort to provide appropriate notice will be made canceling a specific event, the assumption shall be that if College offices are closed, then the special event will be canceled.

Volunteers. Employees not asked to work as a result of the emergency situation, and who wish to volunteer to assist, may volunteer at the central communications center (see below). A member of the Human Resources staff will be available to coordinate deployment of volunteers.

Parking restrictions during a weather emergency will be announced by Security and posted throughout the campus.

Announcements

Announcements will be made that the College has declared a weather emergency and closed basic services and/or has declared a weather emergency, closed basic services, *and* canceled classes. These announcements will be:

- First news media notification will be made to WCSH TV-6.
- Broadcast over **radio stations**: WLAM-AM 870, WRBC-FM 91.5 — as well as **television stations** — WCSH-TV (Channel 6) , WGME-TV (Channel 13) and WMTW-TV (Channel 8), Fox TV-51.
- If power is available, emergency messages will be on the campus **e-mail** network and on **voicemail** so many employees can dial in from home. The College Web page will also carry the relevant information.

The Security Office, or a designated alternate site, will be the College's central communications center. An emergency telephone information number will be provided and published in College publications which can be used to obtain current information.