Bates

Employee Handbook

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GENERAL POLICIES

This Employee Handbook ("Handbook") applies to all faculty, staff, and volunteers of Bates College ("the College"). Certain sections of the handbook apply to staff members only and are duly noted by the 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 Assistant Vice President of Human Resources.

While informative, the Employee Handbook does not constitute a contract between Bates College and any or all of its employees. The College reserves the right to interpret, modify, revoke, suspend, or terminate any or all of the plans, policies, and procedures described in this handbook, in whole or in part, at any time and without notice, 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 a new practice or policy, and normal College practice or policy will prevail.

Nothing in this handbook is intended, and should not be interpreted or applied, to interfere with the rights of employees to engage in concerted activity that is protected under the National Labor Relations Act.

100 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.

101 DIVERSITY STATEMENT

Bates values the diversity of persons, perspectives, and convictions. Critical thinking, rigorous analysis, and open discussion of a full range of ideas lie at the heart of the College's mission as an institution of higher learning. The College seeks to encourage inquiry and reasoned dialogue in a climate of mutual respect.

102 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 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.

103 DISABILITY ACCOMMODATION

NOTE: This Policy should be read and applied, when relevant, in conjunction with Policy 704.1, Injury and Illness Return to Work Program, Bates College does not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. The College will conduct its affairs in compliance with the Americans with Disabilities Act ("ADA") and the Maine Human Rights Act ("MHRA").

The College will make reasonable accommodation(s) that are medically necessary for the known physical or mental impairments of an otherwise qualified individual with a disability so that they can perform the essential functions of a job, unless the College determines in its sole discretion that such accommodation(s) would result in undue hardship to the College. An employee who seeks an accommodation should notify Human Resources or the Office of Title IX and Civil Compliance. In connection with a request for an accommodation, an employee is required to provide written documentation from a medical provider supporting their need for an

accommodation. The written documentation must include the name of the medical provider, the anticipated duration of the need for an accommodation (e.g., for a specified period of time or permanently), the medical basis for the accommodation and the specific part of the employee's job for which the employee believes the accommodation is necessary. The medical information required in this step of the process must be given to Human Resources and should not be given to the employee's supervisor. All medical information provided to the College will be kept confidential in a separate file and will only be shared with other employees at the College on a need to know basis. All requests will be evaluated on an individual basis, through an interactive process. An interactive process means communications among the employee, supervisor, Human Resources and (when necessary) medical providers to discuss the functional limitations caused by the disability and potential reasonable accommodations, if any, that are available and that would not impose an undue hardship on the College. The College will then approve the requested accommodation, offer a reasonable alternative, or deny the requested accommodation. Human Resources will notify the employee in writing of the College's determination. Employees should not assume that an accommodation has been granted until they receive written confirmation from the College.

All employees are required to comply with workplace safety standards. Employees who because of a disability pose a direct threat to their health or safety, or the health and safety of other individuals in the workplace, which cannot be eliminated by reasonable accommodation, will not be permitted to continue to work so long as the direct threat exists. The determination of whether a direct threat exists may involve a medical judgment, which may require the input of a qualified medical provider.

The offices of Human Resources and Title IX and Civil Rights Compliance are responsible for implementing this policy, including the resolution of reasonable accommodation, safety, and undue hardship issues.

The terms used in this policy are defined as follows:

- "Direct threat" means a significant risk to the health or safety of the employee or others.
- A "qualified individual" means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- "Reasonable accommodation" is defined in Policy 704.1.
- "Undue hardship" means an action requiring significant difficulty or expense by the College. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the College; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire College; and (8) the relationship of the particular facility to the College.
- "Essential job functions" means the basic job duties that an employee must be able to perform, with or without reasonable accommodation.

104 RELIGIOUS ACCOMMODATION

Bates respects the religious beliefs and practices of all employees and will make, upon request, a reasonable accommodation, provided that it does not create an undue hardship for the College. An employee whose religious beliefs or practices conflict with the job, work schedule, or with the College's policy or practice on dress and appearance, or with other aspects of employment, should make a request for an accommodation to their supervisor. The request should describe the issue and the employee's suggested accommodation. In consultation with Human Resources, the supervisor will evaluate the request and will consider whether an accommodation is available which is reasonable and which would not create an undue hardship on the College. Examples of accommodations may be a change in job, adjustment to a schedule, using paid leave or leave without pay, or allowing an exception to the dress and appearance code which does not impact safety.

In cases where the supervisor decides that the request for accommodation should be denied, the supervisor should first consult with the Assistant Vice President of Human Resources.

105 NON-DISCLOSURE AND CONFIDENTIALITY

The protection of confidential information (defined below) is vital to the interests and the success of Bates College and its employees. All confidential information is the property of the College, and employees are obligated to maintain the confidentiality of this information at all times during and after their employment with the College. Subject to the Immunity language below, 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.

For purposes of this Policy, "confidential Information" means all non-public information of the College and its licensors and suppliers that is disclosed or otherwise made available to employees in the course of their employment and that has been identified as being proprietary or confidential or that by the nature of the circumstances surrounding the disclosure or receipt, or by the nature of the information itself, would be treated as proprietary and confidential by a reasonable person. Without limitation, confidential information includes any personally- identifiable employee, student, and parent records, financial records (including social security and credit card numbers), and health records; all confidential educational records under FERPA; contracts; research data; alumni and donor records; information protected from disclosure by the HIPAA, ADA, and all other federal and state laws governing the confidentiality of employee information; College financial data; computer passwords, College proprietary information/data; trade secrets (as defined under the Defend Trade Secrets Act or the Maine Uniform Trade Secrets Act); confidential information of third parties regarding which the College has accepted obligations of confidentiality; information regarding claims, lawsuits, and internal or external investigations relating to the College; and any other information for which confidentiality obligations are imposed on the College or employees by law or College policy.

The College is not interested in acquiring from employees any trade secrets or confidential business information that they may have acquired from others. Therefore, employees shall not, during their employment with the College, improperly use or disclose any proprietary information or trade secrets of any former employer, or any other person or entity with whom they have an agreement or to whom they owe a duty to keep such information in confidence.

To protect confidential information, employees, contractors and volunteers are expected to comply with the following data security standards:

- Always lock computer or log out when leaving your computer unattended.
- Never share confidential information, including personal information, with another employee unless the employee has been authorized by the department head that collects and maintains the data.
- Strictly limit the amount of confidential information, including personal information, stored on desktop/laptop computers and network drives to that which is necessary to accomplish the legitimate purpose for which it was collected or extracted from institutional databases and remove confidential data from the desktop/laptop computers and network drives upon completion of the work.
- Never store confidential data, including personal information, on portable storage devices such as portable hard drives, USB flash drives, CDs, DVDs, mobile phones, and personal digital assistants.
- Avoid sending confidential data and never send personal information in an electronic mail message; password protect or encrypt email attachments that contain confidential or sensitive data.
- Never transmit confidential data, including personal information, to third-party service providers unless all of the following conditions are met: there is a legitimate business purpose, the data is encrypted during transmission (such as using a secure website or secure file transfer protocol), and the recipient encrypts or stores the data on a secure host or in a secure location.
- Report information security breaches to your department head and Information Technology Services. You may report an incident at https://www.bates.edu/helpdesk/report-an-information-security-incident/ or by calling
- (207) 786-8222 or by email at helpdesk@bates.edu. If reporting after hours (5:00 p.m. - 8:00 a.m.), please contact the Bates Security Office at (207) 786-6254.

Violations of College policies are addressed according to the procedures outlined in this handbook and may result in disciplinary action, up to and including termination of employment. Some offenses are punishable under state and federal laws.

106 EMPLOYMENT AT WILL

Unless otherwise agreed to in writing signed by an officer of the College, 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 advance notice and for any lawful reason or no reason. Employment at will is a statement of the voluntary nature of the relationship between Bates College and its employees.

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 employment with a specific term or permanent employment. Nothing in this handbook should be read or interpreted as to alter an employee's at-will status.

107 CONFLICTS OF INTEREST

It is the policy of the College that its officers, faculty, staff and others acting on its behalf have the obligation to avoid ethical, legal, financial or other conflicts of interest and to ensure that their activities and interests do not conflict with their obligation to the College or to its welfare. An actual or potential conflict of interest occurs when an employee, a close relative, or a person or organization with whom the employee is associated has an existing or potential financial or other interest or obligation which relates to or influences the employee's College responsibilities. 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. This policy does not prohibit an employee from pursuing those teaching, research, and professional and public service activities which will not result in such a conflict, nor prohibit an employee from accepting pay, compensation, fees, honoraria, or reimbursement of expenses which may be offered in connection with such activities, provided that any such activities do not otherwise violate this Handbook or other College policy. The College has additional policies related to grant funding that may be found in the policies maintained by the Sponsored Programs and Research Compliance (SPaRC) office.

If an employee believes a conflict of interest may exist, the employee shall promptly and fully disclose the conflict to the appropriate administrator - generally the employee's supervisor or departmental head - and shall refrain from participating in any way in the matter to which the conflict relates until the conflict question has been resolved. An employee may consult with the Assistant Vice President of Human Resources to identify the appropriate administrator if the sensitivity of the situation suggests the employee's supervisor may not be appropriate. An employee may also signal a perceived conflict of interest through the Whistleblower policies described in Section 115.

If it appears that a material conflict may arise between the personal interest of an employee and the employee's responsibilities to the College, the employee shall notify the appropriate administrator by submitting a written statement describing the nature of the possible conflict.

If an employee is in doubt as to whether the employee is confronted with a potential conflict of interest, the employee shall consult with the appropriate administrator to determine if the outside interests could conflict impermissibly with the employee's obligations to the College.

The appropriate administrator shall promptly notify the employee or associate in writing that: (a) there is no conflict and the employee may proceed; (b) there may be a conflict and further consultation is necessary prior to reaching a determination; or (c) there is a conflict and the employee shall not proceed. In some cases it may be determined that after full disclosure, the College's interests are best served by participation of the employee despite the conflict or appearance of conflict.

The employee may appeal the administrator's decision to the Vice President for Finance and Administration and Treasurer.

The employee must report any significant changes in the outside interest that occur during the year and consult with the appropriate administrator if the undertaking of a new outside interest is considered.

Any significant violations of this policy shall be reported to the Vice President for Finance and Administration and Treasurer.

To avoid a potential conflict of interest where an employee may have access to confidential employee information, employees may not be nominated or seated on the Alumni Council or Board of Trustees while employed by the College. Former employees may be nominated if they are in good standing at the time of their departure from the College's employment and a period of three years has elapsed since their departure.

108 OUTSIDE EMPLOYMENT

A staff member may hold a job with another organization or work as an independent contractor as long as they notify their supervisor of outside employment, satisfactorily perform their job responsibilities with the College, and are not creating a conflict of interest. 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 the Faculty of their employment outside of Bates College.

If the College determines that an employee's outside work interferes with performance or the ability to meet the requirements of the College as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to

remain with the College. Outside employment will present a conflict of interest if it has an adverse impact on the College. Staff are prohibited from working in any paid capacity for another employer or in a self-employed capacity while on an authorized leave (excluding vacation and personal time) from the College. Exceptions to this policy may be granted by the Assistant Vice President of Human Resources.

109 WORK SCHEDULES

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

The regular workweek for all full-time, regular, nonexempt staff members at the College is forty hours. 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. Alternative work schedules must be pre-approved by the supervisor.

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 are advised to work with the Human Resources Department when a long- term alternative schedule is being considered, to make sure all concerns are covered.

110 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the College expects staff members to be reliable and punctual in reporting for scheduled work. If an employee is unable to report to work for any reason, it is their responsibility to notify the supervisor as soon as possible prior to the start of the workday. If the employee is unable to reach the supervisor, they should follow the department's procedure for notification.

Failure to notify the College of an absence before the start of the workday means the absence is unauthorized and can lead to disciplinary action. A staff member who is absent for three days or more without notifying their supervisor shall be considered to have voluntarily terminated their employment.

Absenteeism and tardiness place a burden on other staff members and on the College. Unscheduled absences are considered time away from work which is not scheduled in advance or approved by the staff member's supervisor. Tardiness is defined as not being in the workplace and ready to work by the start of the staff member's scheduled workday; leaving work prior to the end of scheduled work time without prior approval; or taking an extended meal or break period without approval. Patterns of use of sick time or tardiness that may indicate potential abuse may be reviewed by the supervisor and may lead to disciplinary action. When considering discipline for absenteeism or tardiness, the supervisor should not count any days that are protected by an approved leave (e.g., FMLA or military leave, medical leave of absence, disability accommodation or work-related injury).

111 RECORDINGS AT WORK

Although Maine law requires the consent of only one participating party in recording conversations, Bates College prohibits employees from secretly recording communications or meetings with other employees, students, or other members of the College community. At Bates College, any employee who wishes to record a communication must notify all other participants and obtain their consent prior to doing so. If any party to the communication objects to being recorded, then recording is prohibited. This policy applies to the use of tape or digital recorders, cell phones, smartphones, computers and other devices capable of making audio and video recordings.

112 EMPLOYEE CONDUCT AND WORK RULES (PROFESSIONAL STANDARDS OF CONDUCT)

Employees are expected to adhere to the highest standards of personal, professional and business ethics, and to always use good judgment about the way they conduct themselves when doing their work and representing the College. The College's success is undermined by unethical conduct. Our standards require careful observance of the spirit and letter of all applicable policies,

procedures, laws and regulations, as well as a thorough 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, faculty members and all other 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 personal, professional and business ethics and conduct is the responsibility of every College employee.

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
- Dishonesty, fraud, or unethical conduct
- Falsification of timekeeping records or any other employment or work records
- Any material misrepresentation on an employment application or curriculum vita or in connection with scholarship or academic background or credentials
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, use of, or impairment by, 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 or distracts others from doing their work
- Negligence or improper conduct leading to damage of College, student, or employee-owned property
- Insubordination or other disrespectful conduct
- Failure to comply with an investigation and participate in good faith
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful harassment or discrimination
- Possession of weapons or explosives on the College campus which includes all buildings, spaces and motor vehicles on College property. In accordance with Maine State law, an employee with a valid concealed firearms permit may keep a firearm in the employee's vehicle as long as the vehicle is locked and the firearm is not visible
- Possession of dangerous or unauthorized materials in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized or improper use of telephones, email system, or other College-owned equipment
- Unauthorized disclosure of confidential information
- Use of College supplies, equipment, property, or services to carry out private business ventures
- Violation of personnel policies. Including without limitation the provisions of this Handbook
- Unsatisfactory performance or conduct
- Violation of local, state, or federal laws
- Any willful behavior that results in the destruction of College property or brings injury to another employee

113 PERSONAL AND PROFESSIONAL APPEARANCE

Employees are expected to use their best judgment and dress appropriately to conduct their job and to ensure we maintain the image expected of the College. 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. If an employee needs any reasonable accommodation(s) in connection with a sincerely held religious belief, including religious dress and grooming practices or exceptions to the College's professional appearance policy, the employee should contact their supervisor or department head to request such accommodation(s).

114 OFFENSIVE CONDUCT

Offensive conduct, while it may not be unlawful, is not appropriate in the workplace. Therefore, the College prohibits conduct that a reasonable person would find offensive and unrelated to the College's legitimate business interests, even if such conduct is not related to any protected characteristic.

Examples of prohibited offensive conduct include: repeated verbal abuse, such as the use of derogatory remarks and insults; verbal or physical conduct that a reasonable person would find threatening or intimidating, that does not meet the definition of sexual or other unlawful harassment; persistent, malicious mistreatment that degrades or humiliates an employee; personal attacks (i.e., angry

outbursts, excessive profanity, or name-calling); unreasonable interference with an employee's ability to do their work; and deliberate sabotage or undermining of a person's work performance. A single act usually does not constitute offensive conduct, unless that single act is severe and egregious. Any person who engages in offensive conduct may be subject to disciplinary action, up to and including, termination of employment.

Supervisors and managers have the right and duty to manage employee performance. This includes directing the way in which work is performed, undertaking performance reviews, providing feedback (even if negative), and disciplining and counseling employees. Such practices, when done in a reasonable manner, do not constitute offensive conduct even if an employee disagrees with the supervisor or manager.

The College strongly encourages employees to promptly report offensive conduct in the workplace to their supervisor, manager, or Human Resources. Employees should always feel free to ask anyone who is engaging in offensive conduct to stop.

115 WORKPLACE VIOLENCE PREVENTION

Bates College is committed to providing a workplace that is free from acts of violence or threats of violence. Accordingly, employees are strictly prohibited from threatening violence or committing any act of violence in the workplace, while on duty, while on College-related business, or while off-duty if the College determines that the incident may adversely affect the interests of the College. This policy applies to all employees, including supervisors, and non-supervisory employees. It also applies to third parties, including employee guests, independent contractors, and anyone else who is on College property or engaged in College business. The College has zero tolerance for individuals and employees who make threats, engage in threatening behavior, or commit acts of violence against employees, visitors, guests, or other individuals. Compliance with this policy is every employee's responsibility.

You are required to immediately report to a supervisor, or to the Human Resources Department, any incident involving a threat of violence or violent behavior. If you are confronted with a potentially violent situation, you should not attempt to handle the situation, but should report it immediately to a member of management and call 911 if the situation warrants police involvement. If a report is made to a supervisor or member of administration, that individual must immediately inform the Human Resources Department, and the matter will be investigated promptly and appropriate corrective action, if required, will be taken. This action may include disciplinary action, up to and including immediate termination of employment.

If you become aware of any workplace security hazards, or if you have suggestions for increasing security in the workplace, please speak with your supervisor or Campus Safety. The College encourages employees to help make the workplace as safe and secure as possible.

In accordance with applicable state law, employees who have a valid concealed firearm permit may keep the permitted firearm in the employee's vehicle as long as the vehicle is locked and the firearm is not visible. Under no circumstances may an employee keep a firearm in a College vehicle.

In order to ensure the safety of all College employees, students, and College community members, any employee with a valid concealed firearm permit who chooses to bring their firearm to work and store the firearm in their locked vehicle must notify Campus Safety and provide proof of a valid concealed weapons permit. The employee may only bring and store those firearm(s) for which they have a valid concealed weapons permit. The College prohibits all employees from bringing any firearms into the College facility.

You are required to report any violation of this policy, including any incidents involving actual or threatened violence. The College prohibits retaliation in connection with a good faith complaint regarding actual or threatened violence.

116 IMPAIRMENT IN THE WORKPLACE (DRUG AND ALCOHOL POLICY)

Bates College is committed to providing a safe work environment and to fostering the well-being and health of its faculty and staff, as well as compliance with the Drug Free Workplace Act of 1988. That commitment is jeopardized when any member of the Bates community uses illegal drugs or alcohol on the job, comes to work with these substances present in their body, or possesses, distributes, or sells drugs in the workplace. Bates has established the following guidelines with regard to alcohol and other drugs to ensure that we can meet our obligations to faculty and staff, students, our community, and the public.

The goal of these guidelines is to balance our respect for individuals with the need to maintain a safe, productive and impairment-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message

that illegal drug use and alcohol abuse are incompatible with working at Bates.

- It is a violation of our policy for any employee to possess, sell, trade, offer for sale, furnish, or engage in the use of illegal drugs, alcohol, or other controlled substances (including marijuana*) in the workplace.
- It is a violation of our policy for anyone to report to work under the influence of/impaired by drugs, alcohol or other controlled substances (including marijuana*).
- It is a violation of our policy for anyone to use prescription drugs illegally. This policy does not prohibit employees from the lawful use and possession in the workplace of prescribed medications (other than marijuana*). Employees must, however, promptly notify Human Resources if the prescribed medication may affect the employee's ability to perform their job. Human Resources will not disclose the nature of an employee's medication but may inform the employee's supervisor of any required restrictions of duty.
- Violations of this policy are subject to disciplinary action up to and including termination of employment. If the supervisor has a reasonable belief that any employee may be abusing substances, the supervisor should encourage such an employee to seek help. One available resource is the Employee Assistance Program (EAP). Because all employees are expected to be concerned about working in a safe environment, they should encourage their fellow employees who may have an alcohol or other drug problem to seek help.
- 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, will generally in turn report the conviction to any Federal Agency funding any program in which the employee participates. Finally, the College will generally 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.

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 Finance and Administration and Treasurer for all other employees, for review and action.

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.

*In accordance with State of Maine law, the College recognizes prescribed medical marijuana as a legally prescribed medication, however the College prohibits the smoking of marijuana for medical purposes on the College premises in accordance with the College's Smoking Policy as well as the Maine law. The College is not required to accommodate the ingestion of medical marijuana in the workplace or any employee working while under the influence. The College also prohibits the use, consumption, possession, trade, display, transportation, sale or growing of marijuana for recreational purposes in the workplace. The College prohibits employees from working under the influence of recreational marijuana in the workplace.

117 WORKPLACE MONITORING

You should be aware that surveillance in the workplace is a legitimate method of gathering information about employees' performance and compliance with policies and guidelines issued by the College. Therefore, consistent with applicable law, the College may monitor the premises, both inside and outside. The College will not use video equipment in areas where employees have a reasonable expectation of privacy, such as restrooms. However, the College reserves the right to install video equipment at other locations in the workplace.

In addition, the College reserves the right to conduct a lawful search or inspection when: the property of student(s), employee(s), or the College is missing; the College suspects that information or equipment is being removed from the premises; or the College suspects that an employee possesses an item in violation of College policy or applicable federal or state criminal laws. Such search or inspection might include a search of the employee's locker or other personal possessions, on the College's premises or on property rented or leased by the College.

118 WHISTLEBLOWERS PROTECTION POLICY

The College requires all employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the College, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

118.1 Reporting Responsibility

It is the responsibility of all employees to comply with the law and to report violations or suspected violations of the law in accordance with this Whistleblower Policy.

As a recipient of Federal grants, the College has an obligation to disclose to Federal awarding agencies all violations of Federal criminal law involving fraud, bribery, or gratuity violations that could potentially affect one or more Federal grants. The institutional officials responsible for making mandatory disclosures to Federal agencies will be the Dean of the Faculty, in any cases involving Faculty of the College, or the Vice President for Finance and Administration, in any cases involving other employees of the College.

118.2 No Retaliation

This Whistleblower Policy is intended to encourage and enable employees to raise serious concerns within the College prior to seeking resolution outside the College.

Employees are protected from harassment, retaliation and adverse employment action because they have:

- Reported to College management in good faith what they reasonably believe to be a violation of the law
- Reported to College management in good faith what they reasonably believe to be a condition or practice that risks someone's health or safety
- Refused in good faith to carry out a directive or to carry out an activity that would be a violation of law or that would expose someone to a condition that would result in serious injury or death, after trying unsuccessfully to get management to correct the illegal activity or dangerous condition

Employees are also protected if they are involved in an investigation or hearing conducted by the government. An employee who retaliates against someone who has made such a report or participated in such an investigation or hearing is subject to discipline up to and including termination of employment.

118.3 Reporting Violations

Employees are encouraged to share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. In cases of suspected research misconduct, defined as the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results, the appropriate person is the Research Integrity Officer in the Office of the Dean of the Faculty, as defined in the Faculty Handbook.

Employees who are uncomfortable speaking with their supervisor or not satisfied with their supervisor's response are encouraged to speak with Human Resources or another member of management to whom they are comfortable speaking.If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers must report suspected violations to the Assistant Vice President of Human Resources, who oversees the investigation of all reported violations.

If you have reason to believe that management will not correct the problem, you are encouraged to report the problem to the proper oversight agency.

In addition, as it relates to federal grants, according to the National Defense Authorization Act, P.L. 112-239 (PDF), employees are protected from reprisal for disclosure of information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

Specifically, Section 828(a) of the NDAA, Pilot Program for Enhancement of Contractor Employee Whistleblower Protections, provides that, "An employee of a contractor, subcontractor, or grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing the aforementioned types of information to:

a) A Member of Congress or a representative of a committee of Congress.
b) An Inspector General.
c) The Government Accountability Office.
d) A Federal employee responsible for contract or grant oversight or management at the relevant agency.
e) An authorized official of the Department of Justice or other law enforcement agency.

f) A court or grand jury.
g) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct."

A person who believes that they have been subjected to a reprisal prohibited by subsection (a) may submit a complaint to the Inspector General of the executive agency involved. Procedures for submitting fraud, waste, abuse, and whistleblower complaints are generally accessible on agency Office of Inspector General (OIG) Hotline or Whistleblower Internet sites, such as these:

- National Institutes of Health: http://oma.od.nih.gov/public/DPI/Pages/default.aspx
- National Science Foundation: http://www.nsf.gov/oig/
- Environmental Protection Agency: http://www.epa.gov/oig/hotline.html
- National Aeronautics and Space Administration: http://oig.nasa.gov/contact.html
- Department of the Interior (National Parks Service): http://www.doi.gov/oig/hotline/index.cfm
- Department of Commerce (National Oceanic and Atmospheric Administration): http://www.oig.doc.gov/Pages/Hotline.aspx

118.4 Acting in Good Faith

Anyone filing a complaint of wrongful conduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates wrongful conduct. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

118.5 Confidentiality

Reports of wrongful conduct or suspected wrongful conduct will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

118.6 Immunity Under the Defend Trade Secrets Act

An individual shall not be held criminally or civilly liable under any Federal or State trade secret law for the disclosure of a trade secret that is made in confidence to a Federal, State, or local government official or to an attorney solely for the purpose of reporting or investigating a suspected violation of law. An individual shall not be held criminally or civilly liable under any Federal or State trade secret law for the disclosure of a trade secret that is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal. An individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if the individual files any document containing the trade secret under seal; and does not disclose the trade secret, except pursuant to court order.

119 CONFLICT RESOLUTION

Problems, misunderstandings, and frustrations may arise in the workplace. It is the College's intent to be responsive to employees and their concerns. Open communication and informal, proactive, and flexible approaches are consistent with the Bates culture and are the hallmark of conflict resolution. Employees are encouraged to resolve any issues or concerns that they may have at the earliest opportunity with each other or with their immediate supervisor. While most conflicts can be solved in discussion with an individual's immediate supervisor, staff members are also welcome to discuss concerns with the next levels of management, and/or Human Resources.

At any time, an employee may seek support and guidance from Human Resources for assistance in resolving issues or concerns.

120 OMBUDS PROGRAM

Ombudspersons are employees who help fellow employees with problems related to their employment at Bates College. Discussions with Ombudspersons are confidential, except in cases where there is imminent harm to the employee or to others, or to the welfare of the College, or in situations where the law requires the matter to be reported. An employee may ask the Ombudsperson to share information in order to help resolve a problem. The Ombudsperson keeps no formal written records.

The functions of Ombudspersons are:

- to listen; to provide assistance on any problem or issue; to identify options for the employee
- to provide answers to questions or to assist in finding someone who can
- 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 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 recommend changes in policy and procedure when trends develop regarding issues on campus

For more information on contacting an Ombudsperson, please see https://www.bates.edu/hr/reference/ombuds/.

121 ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY

The anti-harassment and non-discrimination policy applies to all Bates College faculty, staff, students, College contractors, and visitors. Bates College is committed to providing an equitable and inclusive opportunity and an educational and work environment free from any discrimination against, harassment of, or retaliation against any member of the College community on the basis of actual or perceived race, color, religion, ancestry, national or ethnic origin, religion, sex, sexual orientation, gender identity, gender expression, primary or native language, marital status, parental status, age, physical disability, mental disability, genetic information, veteran status, citizenship status, HIV status, past workers' compensation claims, past whistleblowing, medical support notice for child, and any other legally-protected characteristic or activity. Bates College shall adhere to all applicable state and federal equal opportunity laws and regulations. Note: "sexual orientation, gender identity, and/or gender expression" shall have the same meaning as the term "sexual orientation" as defined in the Maine Human Rights Act, as amended.

Discrimination, harassment, and retaliation are illegal and will not be tolerated. Each member of the College community has a responsibility to maintain an academic and work environment free from illegal discrimination, harassment, and retaliation. The College will take corrective action necessary to stop, prevent, and address discriminatory, harassing, and retaliatory behavior. Any person, who engages in or encourages any act constituting discrimination, retaliation, or harassment, including sexual harassment, will be subject to disciplinary action, up to and including, discharge.

Illegal discrimination refers to the denial of equal employment or educational opportunities based upon an individual's actual or perceived legally-protected characteristic or activity as described in the above paragraph. The College is dedicated to ensuring access, fairness and equity for all persons in its educational programs, related activities and employment, including those groups who have faced historical barriers to full and fair integration and participation. Bates College maintains a continuing commitment to identify and eliminate discriminatory practices in every phase of College operations.

Illegal harassment refers to verbal, written, visual, or physical conduct based on or motivated by an individual's actual or perceived legally-protected characteristic or activity as described in paragraph one of this policy. Harassment is unwelcome conduct or behavior which is personally offensive or threatening and which has the effect of impairing morale, interfering with an employee's work performance, or creating an intimidating, hostile or offensive working environment. Examples of harassment include, but are 18 not limited to: conduct or comments that threaten physical violence; offensive, unsolicited remarks; unwelcome gestures or physical contact; display or circulation of written materials, items or pictures degrading to any person's legally protected characteristic or activity; verbal abuse or insults about or directed to any student, employee or other individual, or groups of students, employees or other individuals; repeated slurs, or taunts in the guise of jokes, or disparaging references to others; negative references to customs.

Sexual harassment refers to any unwelcome sexual attention, sexual advances, requests for sexual favors, verbal, visual or physical comments or conduct of a sexual nature, or other offensive behavior of a sexual nature when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a College program or activity; (2) submission to, or rejection of, such conduct by an individual is used as the bases for employment or educational decisions affecting such individual, such as position, pay, promotion, training or assignment; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or equal opportunity to participate in or benefit from College employment, programs or activities. That is, the conduct is sufficiently serious, pervasive or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive work, academic,

residential, or social environment. Sexual harassment also includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex/gender or sex/gender stereotyping, even if the acts do not involve conduct of a sexual nature. Examples of conduct that may constitute sexual harassment as defined above may include a severe, persistent or pervasive pattern of unwelcome conduct that includes one or more of the following:

a. Physical conduct

- Unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements;
- Unwanted sexual advances within the employment or academic context;

b. Verbal conduct

- Making or using derogatory comments, epithets, slurs or humor;
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations;
- Objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes;
- Repeatedly asking another employee for a date after the employee has said no;

c. Visual or non-verbal conduct

- Leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons or posters in a public space or forum;
- Severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate; and

d. Written conduct

- Letters, notes or electronic communications containing comments, words, or images described above.

Sexual harassment may also include what is commonly referred to as “quid pro quo” conduct, which means unwelcome sexual advances or propositions by a supervisor or person of authority toward a subordinate where the superior: (a) Expressly or impliedly conditions an offer of employment or academic benefit in exchange for sexual favors; (b) Makes submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose; or (c) Makes or threatens reprisals after a negative response to sexual advances.

The Associate Vice President of Title IX and Civil Rights Compliance is responsible for administering and monitoring Bates College’s sexual harassment policies and procedures. Inquiries about or complaints alleging violation of the College’s policies should be directed to the Director of Title IX and Civil Rights Compliance. The full Bates College Equal Opportunity, Non-Discrimination, and Anti-Harassment Policy may be found at: https://www.bates.edu/here-to- help/policies/equal-opportunity-policy/

Bias Incident refers to any event of intolerance or prejudice, not involving violence or other criminal conduct, intended to threaten, offend or intimidate another because of that individual’s race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, gender expression, age, physical disability or mental disability. Examples of bias incidents include hate speech, gay bashing, racist epithets, religious slurs, sexist jokes or cartoons, hate mail, offensive graffiti, or disparaging remarks on social media sites. Such incidents create a socially divisive atmosphere for members of the community targeted and negatively affect the campus climate.

Hate Crime refers to the violence of intolerance and prejudice, intended to hurt and intimidate, committed against a person, property or society that is motivated by an offender’s bias against a specific characteristic of an individual or a group because of 19 their race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, gender expression, age, physical disability or mental disability. Hate crimes are criminal offenses that include acts such as physical assault, stalking, cyberstalking, criminal threatening, intimidation, terrorizing, criminal use of explosives, arson, vandalism or other damage to property, reckless conduct, harassment, verbal abuse or insults, or hate mail.

In Maine, several statutes provide civil and/or criminal remedies for bias incidents and hate crimes, including the Maine Human Rights Act,5 M.R.S. §4551 et seq., Maine’s Protection from Harassment Act, 5 M.R.S. §4651 et seq. and the Maine Civil Rights Act, 5 M.R.S.§4681 et seq.

Federal statutes also provide support and protection for targets of bias incidents or hate crimes, including the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq., as amended, the Violent Crime Control and Law Enforcement Act (1994) and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (2009).

If you feel that you have been the target of an incident of hate, bias, discrimination or intolerance, or if you know of a situation you feel constitutes such an incident, please report it in one of the following ways:

- Contact the Associate Vice President of Title IX and Civil Rights Compliance | Lane Hall 202A | 207-786-6445;
- Contact the Vice President of Equity and Inclusion | Lane Hall 200A | 207-786-6031;
- Contact Human Resources | 220 College Street | 207-753-6935;
- Contact Bates Security and Campus Safety | 245 College Street | 207-786-6254;
- Report anonymously either online at bates.ethicspoint.com or by phone at 844-251-1879. Please also be aware that any submitted information is governed by EthicsPoint privacy statement.

Retaliation against an individual for or in connection with any good-faith report of illegal discrimination or harassment, including allegations of sexual misconduct or harassment, or who cooperates with an investigation or resolution of a report, is strictly prohibited, and will in itself constitute cause for appropriate disciplinary action. An individual reporting harassment or discrimination is entitled to protection from any form of retaliation following a report that is made in good faith, even if the underlying allegations are later not proven to be a violation of College policy. Individuals accused of illegal discrimination and/or harassment are warned that any form of retaliation taken against a person submitting a complaint or participating in an investigation of a complaint will be grounds for disciplinary action, up to and including, dismissal. Any form of retaliation should be reported to the Director of Title IX and Civil Rights Compliance.

Management Responsibility. All managerial and supervisory employees are responsible for creating a working environment free of harassment and discrimination. Should a supervisor or manager become aware of harassing conduct, the manager or supervisor is required to promptly report it to the Director of Title IX and Civil Rights Compliance. The Director will work in consultation with the Human Resources Department to take prompt steps to address the situation. In addition to being subject to discipline for engaging in conduct that violates this policy, supervisors and managers will also be subject to discipline for failing to report suspected sexual harassment, other unlawful harassment, or retaliation to the Human Resources Department or otherwise knowingly allowing sexual harassment, other unlawful harassment, or retaliation to continue.

Employee Responsibility. Any student, faculty member, or staff employee, who believes they are the target of illegal discrimination and/or harassment, or who witnesses illegal discrimination and/or harassment in the workplace, should report the incident promptly in the manner most comfortable to the individual. All administrators, faculty members, and supervisors are aware of their responsibility to assist students, other faculty, and staff employees in reporting alleged incidents of sexual harassment to the Associate Vice President of Title IX and Civil Rights Compliance. Any employee who becomes aware of other types of discrimination and/or harassment must contact the Director of Title IX and Civil Rights Compliance and/or Human Resources. Reports of sexual harassment, other unlawful harassment, or retaliation may be made orally or in writing.

Investigation of Complaint. In the event that the College receives a complaint of harassment or discrimination, or otherwise has reason to believe that harassment or discrimination may have occurred, it will take steps to ensure the matter is promptly investigated and addressed. Care will be taken to protect the identity and privacy of the person with the complaint and the accused party or parties. Some disclosure may be necessary to successfully complete the investigation and take appropriate responsive action. Employees are required to fully cooperate in all investigations of harassment.

College Response to Harassment. If warranted by the investigation, disciplinary action, up to and including termination of employment, may be taken against the employee found to have engaged in discrimination and/or harassment. The College will also take appropriate corrective action to address unlawful harassment by non-employees. The College also recognizes that false accusations, especially of sexual harassment, may have serious effects on innocent persons. 20 Any employee found to have made bad faith false accusations of sexual harassment, other unlawful harassment, or retaliation may also be subject to appropriate disciplinary action, up to and including termination of employment.

Legal Protections and External Remedies. Complaints of illegal harassment and discrimination may also be filed with the Maine Human Rights Commission, 51 State House Station, and Augusta, Maine 04333-0051, and/or the U.S. Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203-0506.

122 EMPLOYEE RESPONSIBILITIES FOR CHILDREN AT WORK

There are safety, health, and environmental concerns for minors in the workplace. Some areas are inappropriate for non-employees of any age, but particularly for minors. 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. The presence of children may be restricted or prohibited in certain areas at the discretion of the appropriate supervisor.

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.

123 CHILD ABUSE/NEGLECT REPORTING

Bates College strives to safeguard the well-being of children under the age of 18 who are Bates College students, or at Bates College-sponsored activities (whether on or off-campus), or on Bates College campus for any reason. This Child Abuse/Neglect Reporting Policy addresses Bates College employees' mandatory reporting obligations when child abuse or neglect is suspected.

Duty to Report
In accordance with Maine law, the College's employees (including, but not limited to its faculty, staff, administrators, counselors, etc.) are required to immediately report suspected abuse or neglect of children under the age of 18. This duty is triggered when there is reasonable cause to suspect that a child has been or is likely to be abused or neglected or that a suspicious child death has occurred. An employee is required to immediately notify their supervisor or Assistant Vice President of Human Resources (or designee) who then will cause a report to be made in the manner consistent with the law. Such employee may also make a report directly to the Department of Child and Family Services (DCFS) (if the alleged perpetrator is a person responsible for the child) or to the district attorney's office (if the alleged perpetrator is a person not responsible for the child).

The employee must acknowledge in writing that the College has provided confirmation to them that another individual from the College has made a report to the DCFS or to the district attorney's office. The confirmation will include, at a minimum, the name of the individual making the report to the DCFS or to the district attorney's office, the date and time of the report and a summary of the information conveyed. If the employee does not receive the confirmation from the College within 24 hours of the notification, the employee is required to immediately make a report directly to the DCFS or to the district attorney's office.

Procedure
Upon receipt of a report of suspected child abuse or neglect, or if the College administration otherwise becomes aware of suspected child abuse or neglect, the supervisor will review such information immediately and may consult with their supervisor or the Assistant Vice President of Human Resources, and, if appropriate, legal counsel and/or a consultant specializing in the care and protection of children also may be involved in these reviews.
Efforts will be made to protect the confidentiality of the child and their family to the extent permissible under the law.

If the College determines that a report should be made to the DCFS or to the district attorney's office, the Assistant Vice President for Human Resources (or designee) will make the report to the DCFS by telephone call (Child Protective Intake at 1-800-452-1999) or to the district attorney's office. In the event it is not clear whether conduct reaches a level of reportable abuse or neglect or there is a disagreement between an employee and the College's administration, any party who believes that the incident rises to the threshold for making a report must make the report.

124 VISITORS IN THE WORKPLACE

Visitors and the public are welcome at the College. Personal visitors, including family and friends of employees, must not decrease productivity for both employees and co-workers or create a potential liability for the College and risk of harm to the visitors.

Employees' personal visitors are allowed in the workplace for short visits that do not impede the work of the employee or others. Individual department managers may impose restrictions, which are considered appropriate to the successful operation of the individual unit, on visitors in the workplace. Other kinds of visits are not permitted.

The College offers numerous parking areas for visitors to park. These areas are marked with signs indicating the parking lot. If a visitor is staying for an extended period of time, the visitor should go to Campus Safety and obtain a visitor permit for their vehicle.

125 ANIMALS ON CAMPUS

There are safety, health, and environmental concerns for pets on campus and in the workplace. Owners should realize that not all members of the campus community are comfortable with the presence of pets, and some will have negative reactions. Owners who bring pets to campus will be held liable for damage to property or physical injury to others if caused by the animal. Owners must be sensitive and courteous to other members of the campus community; owners should take steps to avoid putting employees who may not be comfortable with the presence of animals in a situation where they may come into contact with an animal.

The College requires that animal owners comply with the city of Lewiston's leash law when on campus. The owner must remove waste produced by the animal(s) on campus; the maintenance and custodial staff of the College will not be asked to clean up after animals brought to campus by faculty and staff members. In outside areas of the College, owners are expected to bring receptacles with them to care for and clean up after their animal(s).

Supervisors and department heads may place restrictions on the presence of animals in their workspaces consistent with the work being performed and the demands of that work area.

125.1 Service Animal in Place of Public Accommodation

In accordance with applicable law and subject to the provisions of this policy, the College accommodates service animals in connection with all College facilities, programs, and activities for individuals with a disability. For purposes of this policy, a service animal is a dog or a miniature horse that is individually trained to do work or tasks for the benefit of an individual with a disability, including an intellectual, medical, mental, psychiatric, sensory, or physical disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this policy. The work or task performed by a service animal must be directly related to the individual's disability. Examples of such work or tasks include but are not limited to, assisting an individual who is totally or partially blind with navigation and other tasks, alerting an individual who is deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items such as medicine or a telephone, providing physical support and assistance with balance and stability to an individual with a mobility disability, and helping a person with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behavior. The crime deterrent effects of an animal's presence and the provision of comfort, emotional support, well-being, or companionship do not constitute work or tasks for the purposes of this policy and in accordance with the ADA and Maine Human Rights Act.

An individual who requires the assistance of a service animal is responsible for keeping the animal leashed or harnessed at all times unless these devices interfere with the animal's work or the person's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls. In addition, the College may permit miniature horses where reasonable. Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds. The factors in determining whether miniature horses can be accommodated in the College facilities include: whether the miniature horse is housebroken; whether the miniature horse is under the owner's control; whether the facility can accommodate the miniature horse's type, size, and weight; and whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the facility.

Individuals who require the assistance of a service animal should follow the ADA accommodation process and register their service animal with Human Resources.

125.2 The Removal of Service Animals and Pets from Campus

The College reserves the right to have a service animal or pet removed from the premises if: (a) the animal is out of control and its handler does not take effective action to control it, or (b) the animal is not housebroken. A service animal also may be removed from the premises if: (a) it is a direct threat to the health or safety or others, (b) it would result in substantial physical damage to the property of others, or (c) it substantially interferes with the reasonable enjoyment of College facilities, programs, or activities by others. This will be based on the particular animal's behavior, and not breed-based fears or assumptions.

125.3 Accommodation to Perform the Essential Functions of the Job

Qualified applicants and employees with disabilities who seek services or assistance of an animal as an accommodation to enable them to perform the essential functions of their job should review the Disability Accommodation policy in this Handbook for more information.

125.4 Assistance Animals in Employee Housing

In accordance with applicable law, an employee with a disability may have the assistance of a service animal or an assistance animal if such animal is necessary to allow the employee to enjoy the benefits of the College-provided employee housing. An assistance animal means: (a) an animal that has been determined necessary to mitigate the effects of a physical or mental disability by a physician, psychologist, physician assistant, nurse practitioner or licensed social worker; or (b) an animal individually trained to do work or perform tasks for the benefit of an individual with a physical or mental disability. This can include the types of externally observable work service animals provide but also can include providing emotional support, well-being, comfort, or companionship related to an invisible disability (such as depression, anxiety, and certain phobias); they can - but do not always - have special training to perform tasks that assist people with disabilities.

An assistance animal or service animal may be removed from the College-provided employee housing and its premises if: (a) it is a direct threat to the health or safety of others, (b) it would result in substantial physical damage to the property of others, or (c) it substantially interferes with the reasonable enjoyment of the housing by others.

Please contact Human Resources to request accommodation(s) under this section.

126 SOLICITATION AND DISTRIBUTION POLICY

The College wishes to protect its employees from unwelcome solicitation. Our intent is to carry out our primary educational objectives in an environment that is free from undue distraction and interference. The following definitions are given to provide clarity to this policy:

- "Solicitation" includes approaching anyone for any of the following purposes: offering anything for sale, asking, for donation, collecting funds, canvassing or seeking to promote, encouraging or discouraging (i) participation in or support for any organization, activity or event, or (ii) membership in any organization or group. Handing out or delivering membership cards or applications for any organization is considered solicitation.
- "Distribution" includes the passing out or delivering to anyone any literature, leaflets, documents, or any other printed or written materials (except that handing out or delivering membership cards or applications for any organization is considered solicitation).
- "Working Time" is any time that an employee is performing job duties. It does not include mealtime, break time, time before or after work, or other specified periods during the work day when the employee is properly not engaged in performing their work duties.
- "Working Areas" are all areas where employees perform duties for Bates. Areas where employees gather during non-work time, such as cafeterias, break and smoking areas are not considered working areas.

Solicitation of or distribution to employees on College property by non-employees is expressly prohibited at all times. The guidelines in this policy apply to the limited circumstances in which an employee may encounter solicitation or distribution by a coworker.

Solicitation & Distribution Chart

As detailed in the table below, employees are prohibited from soliciting or distributing literature or other materials regarding any activities during their working time and during the working time of the employee(s) being solicited or receiving the distribution.

Moreover, employees are prohibited from distributing literature or other materials at any time in the College's working areas.

	Working Time*			Non-Working Time		
	Working Area	Non-Working Area	**Mixed Use Area	Working Area	Non-Working Area	**Mixed Use Area
Solicitation	No	No	No	Yes	Yes	Yes
Distribution	No	No	No	No	Yes	Yes

*This includes the working time of the employee making solicitation or distribution as well as the working time of the employee being solicited or receiving the distribution.
***Mixed Use Areas are locations where work is performed and where employees may also take breaks.*

Vendors invited to campus for student activities must be approved in advance by a Vice President.

All employees have the right to say no to unwelcome solicitation and distribution. Supervisors have the additional responsibility of administering this policy and of assuring that concerns about solicitation and distribution are addressed. Human Resources staff are available to support these efforts.

127 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 advance approval of the appropriate Vice President or Dean.

128 CASH MANAGEMENT

Money, funds, checks, or other resources solicited, requested, invoiced, donated, designated, intended or obtained under the auspices of resources paid or transferred for the benefit of the College or any of its affiliated programs or activities must be made payable to Bates College and deposited with the appropriate office in Cashiering, Student Financial Services, Advancement, or College designated point of sale or online location. Under no circumstances should financial resources be deposited into or directed through personal or business bank accounts outside the College's name, tax ID number, control, or established bank accounts. Occasionally a resource provider may issue a check payable to a College employee with the College's name included as an additional payee for which the College will attempt to cash. In the rare case where the College is not named as an additional payee, the check must be returned and reissued payable to Bates College.

In the event that there are unusual circumstances that require special consideration or are subject to interpretation, the payee should consult with the Treasurer's Office or Accounting Department; in all cases, consultation and disclosure are the responsibility of the payee.

129 ACCEPTABLE USE POLICY

Purpose
Information Technology resources (IT resources) are provided to members of the Bates College faculty, staff, and student body and to authorized guests to support the teaching, scholarship, research, education, and administrative functions of the College (for this policy, the term "Users" encompasses all of the foregoing). Such resources include, but are not limited to, College-owned data, computer hardware, data networks, information systems and classroom audio-visual equipment and are available to authorized users. Users of Bates College IT resources are expected to conduct themselves in a manner consistent with the College's Statement of Community Principles, this Acceptable Use Policy, all other College policies, and applicable state and federal law.

The purpose of this policy is to provide members of our community guidelines for responsible and respectful use of these IT resources. This policy is also available at:
https://www.bates.edu/ils/policies/access-use/acceptable-use-policy/

Responsibilities
Users are expected to exercise care to help safeguard the reliability and security of IT resources. Users assume personal responsibility for the use made of their college-allocated computer accounts. This responsibility begins with selecting a unique and secure password, and involves maintaining the confidentiality of that password to ensure the continued security and privacy of the account. Users are not to use their Bates password for non-Bates accounts, share passwords with other users, utilize the password for any other account and no one has the right to ask for them.

IT Resource Monitoring – No Expectation of Privacy

All materials, data, communications and information, including but not limited to e-mail (both outgoing and incoming), telephone conversations and voice mail recordings, instant messages, and internet and social media postings and activities, created on, transmitted to, received or printed from, or stored or recorded on IT resources ("content") for or on behalf of the College is the property of the College.

Users are expressly advised that in order to prevent misuse, the College reserves the right to monitor, intercept and review and delete, without further notice, all content on IT resources. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of messages, communications, postings, log-ins, recordings and other uses of the IT resources as well as keystroke capturing and other network monitoring technologies. Therefore, you should have no expectation of privacy whatsoever in any content on the IT resources.

Access must be given to the College in instances where a user has added personal security protection (encryption, password, or pin) to hardware, files and folders, or to College data in any format or location. The College does not monitor the contents of files as a matter of course but non-intrusive monitoring of campus network traffic occurs routinely, to assure acceptable performance and to identify and resolve problems and to prevent misuse.

Acceptable Uses
All users may…

- Use IT resources to support educational, scholarship, research, and administrative functions of the College.
- Use IT resources for reasonable personal computing if it does not entail an excessive cost to the College, impede network operations, or violate this or other College policies.

Unacceptable Uses
IT resources may not be used in any manner prohibited by state and federal law or disallowed by licenses, contracts, or College policy. This section, while not all-inclusive, lists examples of misuse that may constitute a violation of College policy.

- Attempting to gain access to any IT resource to which you do not have proper authorization;
- Intentionally distributing viruses, malware, malicious software, hoaxes or other items of a destructive or deceptive nature;
- Sharing your passwords with the specific exception of shared accounts in which the password is common among a small number of individuals;
- Using another person's computer account, user ID or data without appropriate permission (e.g., using an account found "logged in" on a public lab machine or classroom computer);
- Theft, including the illegal duplication, downloading or sharing of copyrighted material, or propagation, use, or possession of illegally copied software or data;
- Sending threatening messages or other material intended to harass, defame, intimidate or threaten. To be clear, the College's policies against sexual and other types of harassment fully apply to the use of the College's information system;
- Tampering with, willful destruction of, or the damaging of files, data networks, software, or equipment;
- Use of any IT resource as a staging ground to hack (break into) any other system;
- Using a personal email account to conduct any business on behalf of the College, or sending or forwarding College-related business information to personal email accounts;
- Storing on College devices and information systems any trade secrets or confidential information that users may have acquired from their former employer or any other person or entity to whom they owe a duty to keep such information in confidence, unless such storage is explicitly authorized by the College and/or the third party and in accordance with applicable law.

Investigations
The College and its contractors maintain certain system and data backups and logs of e-mail and network traffic. If the College is made aware of violations of the law and is presented with a valid subpoena or court order requiring that such information be produced or preserved, or directing that the College assures that its employees produce or preserve such information, the College may be bound by law to comply.

Similarly, the College also may be obligated to disclose the identity of an account-holder or identity of the person who owns a computer or other registered network device, is responsible for a College owned device, or holds a College assigned account used in some network transaction.

Policy Violations
Any use of College devices and information systems is subject to this policy even if such use occurs during non-work hours or off College property. All users are required to comply with this important policy. If violations are discovered or suspected, College

personnel may report the activity to appropriate College officials or external authorities where violations will be handled through standard disciplinary processes as outlined in the student handbook and the applicable staff and faculty handbooks. Information and Library Services staff may take immediate action to protect information security, privacy, system integrity, and operational continuity.

130 INTELLECTUAL PROPERTY POLICY

The Bates Intellectual Property Policy has been established to provide equitable responsibilities and rewards among inventors and creators, their academic units, Bates, and any external organizations that have sponsored and financed research activities at the College. This policy is published and may be found at:
https://www.bates.edu/grants/intellectual-property-rights-and-responsibilities-of-bates-College-faculty-and-staff/

131 SOCIAL MEDIA POLICY

This policy applies to all kinds of electronic communications, including but not limited to multimedia, social media applications, social networking channels, and blogs for both professional and personal use. Consistent with other College policies, internet postings may not disclose any information that is confidential or proprietary to Bates College or to any third party that has disclosed information to the College. Internet postings must respect copyright, privacy, fair use, financial disclosure, and other applicable laws. Employees may not claim nor imply that they are speaking on behalf of the College on personal social media accounts.

Social media accounts on behalf of the College require approval of the Chief Communications Officer prior to initiation. Bates College reserves the right to request certain subjects be avoided, certain posts be withdrawn, and inappropriate comments be removed on Bates College social media accounts.

Examples of prohibited activity include, but are not limited to:

- Inappropriate posts that may include discriminatory remarks, harassment, or threats of violence
- Posts that could contribute to a hostile work environment on the basis of race, sex, national origin, religion, sexual preference, gender identity or any other status protected by applicable law or by Bates College policy
- Posts that could be viewed as malicious, obscene, threatening, or intimidating
- Offensive posts meant to intentionally harm someone's reputation

The College, in its sole discretion, will determine whether a particular Internet communication violates Bates College policies.

Hiring managers and members of a search committee should not examine or search private and personal social media user profiles (does not include professional social media user profiles) when evaluating candidates for employment or promotion. Human Resources staff, upon request, may conduct a social media search and provide business-related information to hiring managers. Bates College will not compel any employee or applicant to disclose any information about their private social media accounts, except in relation to an investigation of workplace related violations or misconduct in accordance with applicable law.

132 EMPLOYEE PHOTOGRAPHS

All employees are deemed to consent to the use of their images in photos and videos for College purposes, but may, on an event by event basis, withdraw that consent by notifying the photographer at the time photos are being taken.

133 USE OF COLLEGE NAME/LOGO

The Bates wordmark, shown below, is the official logo for the College. It should appear on any official communication or marketing material, print, or digital.

Bates

The wordmark has been created from a non-specific font and uses the letters "B, a, t, e, s" with the lead letter uppercase and the remaining letters lowercase.

Other treatments of "Bates" have been developed for specific uses, but should always appear with the official Bates wordmark in

marketing materials. These marks include the graphic treatment currently used with Admission materials (Knockout font); the treatment developed specifically for athletics and "spirit" materials; and the Bates Magazine masthead.

Bates logos, or wordmarks, are available for download, found at https://www.bates.edu/communications/design-services-1/downloads/#primary-marks-pdf-files, in EPS (encapsulated PostScript) and PNG format. For projects that will be printed, use the EPS file. For digital presentations use the PNG file. They may be placed directly into page layout or word processing documents. Since EPS is a vector format, you may scale the logos to any size you may require.

College marks and logos must not be altered without written permission from the Bates Communications Office. All use of the College marks and logos must also adhere to the Brand Identity Guidelines, found at https://www.bates.edu/communications/design-services-1/brand-identity-guide/. Bates College's logos, designs, and visual images are protected by trademark and/or copyright law. Unauthorized uses may constitute trademark and/or copyright infringement as well as unfair business practices.

The name Bates College is also protected by law and College policy. Attaching the Bates College name to an event, project or publication implies a close connection with the College, such as sponsorship or endorsement. The name Bates College should be used only when it refers to activities for which the College itself or one of its delegated authorities is accountable. Activities with which the name Bates College is associated with must maintain standards consistent with its educational purposes.

Examples of approved purposes for which the Bates College name may be used include the following:

- Sponsored student events for purposes of identification
- Registered student groups, when making a true and accurate statement of the staff member's relationship with, or employment by, the College in the course of application for other employment, or stating the employee's experience or qualifications for any academic, governmental, business, or professional credit or enrollment
- Stationery, business cards, and other materials used by the College in the ordinary course of business
- Official publications of the College (e.g., newsletters, catalogues, and related materials)
- Materials prepared specifically for use in connection with courses conducted by the College.

Unless authorized to do so, employees may not use the College's name or their affiliation with the College in a manner that suggests, implies, or indicates College endorsement, support, favor or association with, or opposition to any activity, program, event, policy, political and/or social movement product, service, candidate for political office, or the like.

134 TRAVEL POLICY

The fundamental principle governing travel reimbursement expense is that an individual traveling on College business should neither gain nor lose personal funds as a result of official College business travel. The College will reimburse all employee travel and entertainment expenses that are reasonable and actually incurred for transportation, local travel, meals, lodging and other necessary business expenses within the parameters of this travel policy.

Assuming a reasonable level of safety, comfort and convenience for the traveler, every effort should be made to make business travel arrangements which keep College expenses to a minimum. When itineraries are altered to accommodate personal matters, the traveler is expected to pay any additional costs incurred. Family members are not eligible to be reimbursed or to incur expenses on behalf of the College. For more information about the College's travel policy, please visit: https://www.bates.edu/accounting/travel-and-expense-2/travel-policy/

135 USE OF MOTOR VEHICLES

Bates College uses 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 priority.

Employees are expected to abide by all local and state laws, including speed limits, distracted driving, and use of mobile phones. All 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 certified for driving Bates College motor vehicles.

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. 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.

The most current policy is located at:
https://www.bates.edu/campus-safety/driver-training-program-policy/

136 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 make an attempt to provide a reasonable number of parking spaces for properly registered vehicles within the scope of resources and available sites. The regulations are designed to maximize our limited parking space and to avoid detracting from the natural beauty of the campus. The operation of a motor vehicle on campus and utilization of any Bates College Parking facility constitutes an acceptance of these rules and regulations.

Parking signs are kept to a minimum to preserve the beauty of the campus, and designate allowed parking, rather than designating no parking zones. 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 the regulations and campus parking map. The map is found at https://www.bates.edu/map/

Any person using the campus parking facilities shall cooperate during periods of snow removal or required maintenance by moving their vehicle promptly when required. Any vehicle impeding snow removal or required maintenance will be towed without warning at the owner's expense. All driveways are considered fire lanes. Parking is prohibited, posted or not, in driveways, walkways, building exits, grass or any such place that would inhibit the access of Security or emergency vehicles. In such cases, the vehicle will be towed and stored at the owner's expense. Regulations are in effect and enforced 24 hours per day 365 days per year. Parking announcements may be sent by email; those who have a car or plan to have a vehicle on campus are responsible for all information in parking emails.

The most current parking policies are located at https://www.bates.edu/campus-safety/parking-campus/

137 PUBLIC RELATIONS GUIDELINES

All news and information to be released to the media on behalf of the College must be authorized and coordinated through the Bates Communications and Marketing Office (BCM). When the media contacts employees directly, please notify BCM at 786- 6330 or communications@bates.edu to assist with official responses to press inquiries.

If an employee receives a contact or inquiry initiated by the media concerning concerted activity protected by the National Labor Relations Act, and if the employee chooses to respond to such contact or inquiry, the employee is required to make clear that the employee is speaking for themselves only and not on behalf of the College.

Employees should contact BCM if they observe an unescorted member of the media on campus. If BCM cannot be reached, the employee should contact Security. A member of these teams will check in with the reporter, assess their purpose, and assist them if necessary.

138 ACCOMMODATIONS FOR NURSING AND LACTATING EMPLOYEES

Bates College is pleased to be a lactation-friendly campus and is committed to maintaining a family-friendly workplace and supporting the health and well-being of faculty and staff members. The College provides clean, private lactation space for

nursing/lactating faculty and staff members. The College supports the practice of nursing children and /or the expression of human milk by employees when they return to work after the birth of their child and for at least three years thereafter. Additionally, the College prohibits discrimination and harassment of employees who exercise their rights under this policy.

Successful operation of lactation rooms depends on the voluntary efforts of the users. Lactating employees are responsible for cleaning their own supplies and for overall maintenance of the room. To coordinate access to a lactation room, please contact Human Resources. You may also reserve space in a lactation room here.

The employee is responsible for arranging with their supervisor appropriate and reasonable break times or flexible scheduling for expressing milk. Supervisors are responsible for providing reasonable paid break times each day for employees wishing to express milk. When possible, breaks should be scheduled during normal break and meal times and/or when workflow allows. Typically, an employee may need to take a 20- to 40-minute break, dependent on the amount of travel time to and from the room to be used, every three to four hours.

139 REASONABLE ACCOMMODATION FOR PREGNANCY OR A CONDITION RELATED TO PREGNANCY

Bates is committed to ensuring the protection and equal treatment of pregnant individuals, people with pregnancy-related conditions, and new parents. In compliance with Title IX, the Americans With Disabilities Act (ADA), the Pregnancy Discrimination Act, the Pregnant Workers Fairness Act (PWFA), the Maine Act to Protect Pregnant Workers, and the Maine Human Rights Act (MHRA), as well as other federal and state laws and regulations pertaining to pregnancy, the college will work collaboratively to make reasonable accommodations for individuals who are pregnant or experiencing pregnancy-related conditions. All accommodations are made on an individual basis.

Reasonable accommodations for a pregnancy-related condition may include, but are not limited to providing more frequent or longer breaks; temporary modification in work schedules, seating, or equipment; temporary relief from lifting requirements; temporary transfer to less strenuous or hazardous work; and provisions for lactation in compliance with applicable laws.

To request an accommodation for your pregnancy or a condition related to your pregnancy, please contact the Human Resources Department and/or the Associate Vice President for Title IX and Civil Rights Compliance. Upon your request for an accommodation, you and the College will engage in a timely, good faith, and interactive process to determine an effective, reasonable accommodation to enable you to perform the essential functions of your job.

EMPLOYMENT

The intent of this section of the Employee Handbook is to clarify the definitions of employment classifications and to provide an outline of the hiring and selection process.

200 EMPLOYMENT CATEGORIES

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

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

200.1 Faculty

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

200.1 b. The President, the Deans, the Chief Financial Officer, the Registrar, the Librarian and the Principal Assistant Librarian are also designated as members of the Faculty by the By-Laws. For employment purposes, these employees are defined as exempt administrative staff members (see 200.2a) unless they also are appointed to a rank specified in 200.1a.

200.1 c. The Faculty of the College may allow certain staff members to attend meetings of the Faculty. Such an invitation is a courtesy extended by the Faculty as a body, and does not define an employment category or employment relationship for invitees.

200.2 Staff

200.2 a. Exempt Staff Members are non-faculty employees who do not earn overtime compensation. Exempt staff members serve in positions exempt from the overtime pay provisions of the Fair Labor Standards Act and applicable Maine law because their executive, administrative, professional, or managerial responsibilities meet the exemption requirements of the law. Exempt employees are paid on a salary basis and are expected to fulfill the duties of their position regardless of the hours worked.

200.2 b. Nonexempt Staff Members are non-faculty employees serving in positions covered by the overtime provisions of the Fair Labor Standards Act and applicable Maine law. Non-exempt employees must be paid at least the minimum wage. Where an employee is subject to both the state and federal minimum wage laws, the employee is entitled to the higher minimum wage rate. Non-exempt employees are required to account for time worked and are to be compensated at the rate of time-and-one-half for hours worked over 40 hours in a workweek.

200.3 Student Employee are persons whose primary status is as registered students at Bates College or who are classified as students in accordance with Federal regulations. All students are classified as temporary employees.

201 EMPLOYMENT STATUS

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

201.1 Regular Employee

Regular employees are those who are not in a temporary status and are in positions which the College anticipates will continue in the future. The College always has the right to eliminate these positions, and this definition is not intended in any way to alter any employee's employment-at-will status.

201.1 a. Full Time Employees refer to those expected to work 40 hours per week for a full calendar year. Full-time employees are scheduled to work at least 2,080 annual hours in a calendar year and hold a 1.0 Full-Time Equivalent (FTE) position. Full-time employees are benefits-eligible.

201.1 b. Three Quarter Time Employees refer to those expected to work between 26.6 and 39 hours a week for a full year, and at least 1,383 hours up to a total of 2,079 hours per year. Three-Quarter-time employees hold positions greater than .67 FTE but less than a 1.0 FTE. Three-quarter-time employees are benefits-eligible.

201.1 c. Half Time Employees refer to those who are expected to work between 20 and 26.5 hours a week with a minimum of 1040 hours and up to but not exceeding 1,382 hours per year. Half-time employees hold positions of .50 to .66 FTE. Half-time employees are benefits-eligible.

201.1 d. Part Time Employees are those who are regularly scheduled to work less than 20 hours per week or less than 1,040 annual hours. Part-time employees hold positions of less than .50 FTE. Part-time employees working less than 1,000 annual hours are not eligible for benefits except legally mandated benefits as described in the Benefits section of this handbook

201.1 e. Academic Year Staff Members refer to employees who are typically scheduled to work 10 months of the year from mid-August to mid-June. Academic year employees may work 40 hours per week or less. Academic year employees expected to work between 1,383 and 2,079 annual hours are considered to be three-quarter-time employees. Academic year employees expected to work between 1,040 and 1,382 annual hours are considered to be half-time employees. Academic year employees expected to work less than 1,000 annual hours are considered to be part-time employees.

201.2 Special or Contracted Employees

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

201.3 Temporary, Term, and Seasonal Employees

Non-regular employees employed in positions where the College does not anticipate a continuing need for the position. Any employees employed in these categories will be terminated if they have not been paid for two or more years. This is in line with background check and employment eligibility verification guidelines. The supervisor will be notified before the employee is terminated.

201.3 a. Temporary Employees refer to non-regular employees employed in positions for short-term assignments and generally have defined start and end employment dates. Temporary employees generally work less than 12 months. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees who exceed 12 months should be classified or transferred to a term appointment status. Any change of status must be in writing by the Human Resources Department. Temporary employees receive only legally mandated benefits as described in the Benefits section of this handbook.

201.3 b. Term Appointment Employees refer to employees hired for an assignment of a specific duration over 12 months. Term appointments may be extended; however, the employment status of an employee who works longer than the period originally expected and designated will not automatically change. A term appointment employee is eligible for benefits if the expected work hours for the position are at least 1,000 hours in a year. Term appointment employees who are expected to work less than 1,000 annual hours receive only legally mandated benefits as described in the Benefits section of this handbook.

201.3 c. Seasonal Employees are employees who are hired to work for less than six months only at certain times of the year in annually recurring work. For example, employees who are hired to work in Facility Services to work on the summer grounds crew are seasonal employees. Seasonal employees work less than 1,000 annual hours per anniversary year. Seasonal employees receive only legally mandated benefits as described in the Benefits section of this handbook.

201.3 d. Per-Diem Employees are employees working in a position that requires occasional duty on an as needed, day-by-day, or intermittent and/or unpredictable basis. Per-diem employees typically do not have a regular, pre-determined work schedule and generally work less than 1,000 hours in an anniversary year. The College makes no promise to provide a specific number, or any, hours of work for per-diem employees. Per-diem employees receive only legally mandated benefits as described in the Benefits section of this handbook.

202 FORM 1-9 AND THE IMMIGRATION REFORM & CONTRACT ACT OF 1986

In accordance with the Immigration Reform and Control Act of 1986, it is Bates College policy to hire only those individuals who are authorized to work in the United States and to comply with applicable laws and regulations requiring the verification of employment eligibility and related recordkeeping for employees hired to work in the United States.

On or before the first day of employment, each new employee hired in the United States after November 6, 1986 must fully complete Section 1 ("Employee Information and Attestation") of Form I-9.

No later than 3 business days from the first day of employment, an authorized Bates representative must complete Section 2 ("Employer or Authorized Representative Review and Verification") of Form I-9. The employee must personally present original documentation establishing the employee's work eligibility and identity to the authorized Bates College representative. This documentation must reasonably appear to be genuine and relate to the employee.

Employees may be asked to complete Section 1 of Form I-9 or to present Form I-9 documentation only after an offer of employment has been made and accepted by the employee.

If an individual is authorized to work in this country for a limited period of time, before the expiration of that period, they will be required to submit proof of continued employment authorization in order to remain employed. Bates College will not discriminate based upon national origin and citizenship. Bates will not require more or different documents than the documents specified on Form I-9, and the employee may choose what valid document or combination of documents to present for Form I-9 purposes.

203 EMPLOYMENT AGENCY PERSONNEL

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

204 INDEPENDENT CONTRACTORS

Individuals who perform specified services for the College and do not occupy an identified regular or temporary position at the College may be considered independent contractors, rather than employees of the College. Independent contractors are responsible for their own taxes, do not receive employee benefits, and are paid through accounts payable. Federal and state regulations governing independent contractors are complex and several criteria must be met. These include a high level of control over the work being performed; engagement in an independently established trade, occupation, profession or business; financial opportunity for profit and loss; responsibility for hiring and managing employees associated with the independent contractor's business; and the offering of their services to other customers. Independent contractors should have a background check on file with their business prior to beginning work at the college, or may be subject to a background check initiated by Bates Human Resources.

Department heads and hiring managers **must** consult with Human Resources prior to engaging an independent contractor for services to verify the correct classification of the individual or business.

205 RECRUITING, ADVERTISING, AND POSTING POSITIONS

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Internally, position openings may be posted on the web and/or via e-mail to the campus. Externally, open positions may be advertised via a variety of recruitment venues at the discretion of Human Resources.

On occasion, certain positions will be open to internal candidates only and will be identified as such in the advertisement. Internal Candidates Only postings are designed to encourage current staff members to apply for positions on campus. It is the prerogative of

the hiring manager to have an open search, an internal search, or a combined internal and external search based upon the time involved in the search process, as well as the needs and demands of the particular department.

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

206 EMPLOYMENT APPLICATIONS

Bates College relies upon the accuracy and completeness of the information provided by applicants in online employment applications and/or résumés as well as the accuracy and completeness of other data presented by applicants and/or employees throughout the hiring process and during employment (including but not limited to academic credentials). Any misrepresentations, falsifications, or material omissions in any of this information or data, regardless of when or how discovered, may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. Employment applications are required of all regular staff positions through the College's online application system.
Paper resumes and applications will not be accepted. The College will provide resource assistance for using the online system as requested. No unsolicited resumes and applications will be accepted.

207 INTERNAL CANDIDATES

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

Employees who have a written warning or reprimand on file within the most recent 6-month period of time are not eligible to apply for posted jobs. This does not apply to an employee applying to change shifts for the same position. Employees who are on suspension are not eligible to apply for posted jobs. Staff members in their first 6-months of employment with the College are ineligible to apply for internal postings without prior approval from the Assistant Vice President of Human Resources.

Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies, and qualifications as advertised or listed in the position announcement. To apply for an open position, employees should follow the instructions in the position posting. The hiring manager will review internal applications in a manner consistent with external applications. There is no guarantee of an interview for internal applicants; however, the hiring manager is advised to contact the internal applicant directly in the event they are not selected for an interview.

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

208 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join Bates College are well qualified and have a strong potential to be productive and successful, it is the policy of Bates College to check the employment references of the final candidate(s) for a position. It is the hiring manager's responsibility to ensure that references are checked. This effort is often delegated to members of search committees, but it is ultimately the responsibility of the hiring manager. The hiring manager may request Human Resources to check the employment references of the final candidate(s) for a position.

When checking references, it is the practice of the College to require at least one reference from a former supervisor of the prospective employee. Past supervisors can provide certain qualitative information that is critical in reference checking. In situations where candidates desire to not have their current supervisor notified, an offer of employment can be tendered contingent upon a satisfactory reference check from the supervisor.

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

209 PRE-EMPLOYMENT BACKGROUND SCREENING

Offers of employment at Bates College are contingent on a successful background check screening. This process is conducted to verify the accuracy of the information provided by the applicant. Upon receiving an offer of employment, applicants must authorize in writing this background investigation. Bates will ensure that all background checks are held in compliance with all federal and state statutes.

The type of information that can be collected includes, but is not limited to, that pertaining to an individual's past employment, education, character, finances, reputation, etc.

The following factors will be considered for those applicants with a criminal history in determining whether to hire the external applicant or transfer or promote the internal applicant:

- The nature of the crime and its relationship to the position;
- The time since the conviction;
- The number (if more than one) of convictions, and;
- Whether hiring, transferring or promoting the applicant would pose an unreasonable risk to the business.

The College will inquire only about convictions and probation status, if any, and not about arrests unless required by applicable laws. Inquiries regarding criminal records will only occur after a conditional offer of employment has been made.

The applicant will be given an opportunity to review the criminal background check results and submit an explanation. If any applicant is found to have falsified any information regarding conviction history, the applicant will not be considered for employment. If an employee seeking a transfer or promotion to a position requiring a criminal history record check is found to have falsified any information regarding conviction history, employment may be terminated.

Information obtained from the reference and background check process will only be used as part of the employment process and kept strictly confidential. Only authorized personnel at Bates College will have access to this information.

210 JOB PLACEMENT ASSESSMENTS

After an offer of employment has been made to an applicant entering certain positions requiring physical exertion or work with hazardous materials, a job placement assessment will be performed by a health professional of the College's choice and at the College's expense. The offer of employment and assignment to duties is contingent upon satisfactory completion of the assessment by all potential employees.

The job placement assessment is a medical evaluation and will indicate whether the individual is able to safely perform the essential functions of the position. Job placement assessments are valid, job-specific evaluations of the abilities of the conditionally hired employee to perform the essential functions of the job safely and efficiently, and are compliant with ADA (American's with Disabilities Act) guidelines. To help ensure that employees are able to perform their duties in a safe and adequate manner, job placement assessments are required for certain positions that involve significant physical demands.

A copy of the assessment results will be placed with the candidate's medical records should the individual be hired. Any information on an employee's medical condition or history is kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

211 INITIAL EMPLOYMENT PROCESSING

Federal law, Immigration Reform and Control Act of 1986, requires all personnel to complete an I-9 Employment Eligibility Verification form and present documentation establishing identity and employment eligibility within 72 hours of commencing employment with Bates College. At that time, the employee will complete a Federal W-4, Maine Form W-4ME, and direct deposit enrollment.

Former employees who are rehired must complete these forms. Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department.

212 HIRING TEMPORARY PERSONNEL

212.1 Bates College Temporary Employees

Hiring an individual into a temporary position is subject to the same regulations and laws as hiring regular employees. However, often due to the time demands and the ad hoc nature of temporary assignments, the appointment of temporary persons without a search is permitted. Hiring managers should contact Human Resources for assistance in hiring temporary employees.

212.2 Agency Temporary Personnel

On occasion, Bates College will lease employees from an outside employment agency. Such agency temporary personnel are acquired from employment agencies to provide support for various departments for a defined period of time. The Human Resources Department is the liaison between the hiring department and the Employment agency. For additional information please visit the Human Resources website.

213 HIRING EMPLOYEES INTO A SECOND POSITION

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

Employees are required to inform their current supervisor prior to applying for a second job at the College so issues regarding work schedules and overtime pay may be explored.

214 EMPLOYMENT OF FAMILY MEMBERS

The College has no prohibition against hiring relatives of existing employees but understands that employment of relatives in the same area of the College may impact departmental functioning. To minimize any potential issues with regard to relatives working together, immediate family members are prohibited from having supervisory responsibilities for another family member including making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, promotion, demotion, or salary of the other. Immediate family is defined as:

- the staff member’s spouse/domestic partner;
- the staff member’s parent, child, sibling, grandparent, grandchildren;
- the staff member's son-in-law or daughter-in-law;
- the staff member’s mother-in-law, father-in-law, brother-in-law, sister-in-law.

Additionally, staff members are prohibited from having supervisory responsibilities for any other staff member residing in their household.

Hiring supervisors shall seek the most highly qualified and competent candidates for vacant positions, with consideration to qualified individuals regardless of their relationship to other employees at the College. Departments hiring members of the same family must comply with the College's personnel policies. The Assistant Vice President of Human Resources will make the determination of whether good faith recruitment efforts have been exhausted before the hiring of a family member is approved.

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

215 EMPLOYING BATES COLLEGE RETIREES

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

216 STUDENT EMPLOYMENT

The Student Employment Office (SEO) acts as a resource for both students and employers of students at Bates College, and as a centralized office through which issues concerning student employment are channeled. The primary function of this office is to assist Bates students in finding on-campus student employment and to facilitate and regulate the application process.

217 NEW EMPLOYEE ORIENTATION

New employee orientation is typically offered bi-monthly for new employees. Staff are required to attend orientation, and supervisors should make every possible effort to accommodate their change in schedule on the day of orientation.

218 FACULTY AND STAFF DIRECTORY

The College publishes an online telephone directory that contains information about all regular employees of the College. This information is available online at the Bates College website and is accessible to persons who access the website from a Bates College address or @bates.edu entry point. The information that is included is name, title, department, office telephone numbers, office and email address.

All information for the directory is drawn from the College's official database contained in the BANNER information system. Only official information will be listed in the directory, except in the case of personal preference for nicknames or preferred names. New employees are asked to provide appropriate information upon hire by completing the Employee Confidential Information Form.

219 PERSONAL DATA CHANGES

It is the responsibility of each employee to make sure that their personal data is up to date in Bates College Systems. Employees should review and update, if necessary, the following fields in Garnet Gateway: Chosen First Name, Personal Pronouns, Marital Status, Gender Identification, Home Address, Cellular Phone, Emergency Use Text Messaging, Personal Mailing Address, Personal Physical Address (if different from Personal Mailing Address), Ethnicity and Race, Veteran Classification, and Emergency Contact.

Certain changes must be conveyed to Human Resources in writing. Changes to your Legal Name must be submitted in writing, and you must bring verification (Legal documentation, Social Security Card) to Human Resources as verification of this change. Changes to campus information, such as address and phone number, should be submitted in writing via the Current Staff Action Form found here.

220 ACCESS TO PERSONNEL FILES

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

Personnel files are the property of Bates College and access to the information they contain is restricted. Generally, only supervisors and management personnel in the chain of supervision who have a business reason to review information in a file are allowed to do so and are restricted to information related to the inquiry only. No medical information is available to supervisors.

Employees who wish to review their own file should contact their Human Resources Partner or the Assistant Vice President of Human Resources. Employees may review and/or copy their own personnel file in the Human Resources department in the presence of an individual appointed by Bates College to maintain the files within ten (10) days of the request.

221 PERFORMANCE DEVELOPMENT

Bates College encourages annual written performance evaluations for regular staff members. It is the College's goal to have performance discussions with employees at six-month intervals between the annual written performance evaluations. These meetings allow employees and supervisors to establish performance expectations and goals for the future and to review previously communicated performance expectations and development plans.

222 EMPLOYEE DISCIPLINARY ACTION

Bates College strives to ensure the fair treatment of all staff members and to make certain that disciplinary actions are prompt, uniform, and impartial. The goal of any disciplinary action is to correct a problem, prevent recurrence, and support staff members in meeting workplace expectations.

Just as employment with Bates College is based on mutual consent and both the staff member and Bates College have the right to terminate employment at will at any time, with or without advance notice and for any lawful reason or no reason, Bates College may use disciplinary action at its discretion.

Disciplinary action may call for any of five steps -- verbal warning, written warning(s), performance improvement plan (PIP), suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. Supervisors, in consultation with their Human Resources Partner, will determine the most appropriate level of discipline commensurate with the situation; progressive discipline is not required and steps may be skipped if warranted by the circumstances.

Disciplinary actions may be accompanied by an action plan called a performance improvement plan (PIP), intended to address the issues at hand. The plan may detail what the issues are and what steps will be taken to deal with the issues and a follow-up or evaluation plan of these action steps.

While it is impossible to list every type of behavior or problem that may occur, the Employee Conduct and Work Rules Policy in this Handbook includes examples of problems that may result in immediate termination.

Employees who are actively engaged in a performance improvement plan (PIP) as of May 1st of the applicable fiscal year are ineligible to receive an annual increase until the pay period immediately following the successful completion of the PIP.

Employees who have received a final written warning as of May 1st of the applicable fiscal year are ineligible to receive an annual increase for a period of 6 months.

Employees who have received a final written warning, and/or performance improvement plan (PIP) are ineligible for a promotion or transfer to another department for a period of 6 months. The College reserves the right to make exceptions to this policy at the discretion of the Assistant Vice President of Human Resources, including when necessary to provide a reasonable accommodation.

223 LEAVING YOUR EMPLOYMENT WITH THE COLLEGE

When an employee leaves Bates College they must notify the Human Resources Department of their departure in writing. Employees must return property belonging to the College and complete exit and benefits processing.

Since employment with Bates College is based on mutual consent, both the employee and Bates College have the right to terminate employment at will at any time, with or without notice and for any lawful reason or no reason. The College asks that non-exempt employees who leave the College will provide the College with at least a two week notice of their departure and exempt employees to provide the College with four weeks or more notice when possible. Resignation without notice may render an employee ineligible for rehire. During the notice period employees are expected to devote enough time to complete or transition their work, and the College reserves the right to relieve an employee of all duty prior to the end of their notice period.

Staff are prohibited from using sick accruals during the resignation notice period preceding termination of employment. Exceptions may be made if the staff member provides medical documentation of the need to be out of work, if the employee had a previously scheduled request for vacation, or if the employee's leave is protected by applicable law. An employee's actual termination day must be the last day worked, and cannot be extended by the use of vacation, sick, or personal leave, or a holiday.

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

- credit cards
- equipment
- Bates identification card
- keys
- manuals
- cellular phones or other electronic devices
- passwords and pass codes to safes

- protective equipment
- laptops, tablets and audio-visual equipment
- tools
- uniforms
- library materials
- written materials
- vehicles
- parking stickers/permits

All College property must be returned by employees on or before their last day of work. Unless an agreement has been signed by the employee, Bates College will not withhold pay for the cost of any items that are not returned when required. Departments will be fined $50 for each lost key and $250 for each lost master key. Bates College may take all action deemed appropriate to recover or protect its property.

To facilitate the employee's exit processing, the employee and their supervisor should complete a Bates College Termination Procedure Checklist. This checklist ensures that the employee has completed all of their exit processing and that the appropriate departments within the College are notified.

The employee's last check will be paid on the next regular pay period after their last day worked. Before an employee receives their last check, they must complete appropriate exit processing. The last paycheck (as distinguished from the vacation payout) may be direct deposit, unless otherwise directed by the employee.

All accumulated and unused vacation pay will be paid to the employee upon termination of employment. This vacation pay will be included in a final check that will normally be paid in the pay period following the staff member's last day of work. Vacation payouts are taxed at the supplemental rate.

224 EXIT INTERVIEWS

A departing employee may request an exit interview with a member of the Human Resources team. Exit interviews provide an opportunity for employees to share feedback about their overall employment experience with the College. Except in circumstances where disclosure is required by law or College policy, information shared during an exit interview will not be communicated prior to the employee's final day of employment. Feedback gathered through exit interviews is used to identify trends and support ongoing improvements to the work environment and employment practices at Bates College. Exit interview information is reviewed and reported in a manner that does not identify individual employees.

225 REFERENCES FOR FORMER EMPLOYEES

Bates College will provide factual information about a former employee's employment at the College to a prospective employer as requested. All requests for references for employees who have worked for or are leaving the College should be referred to Human Resources. Human Resources will provide general information about dates of employment and position held.

226 BRIDGING OF SERVICE PERIODS

The length of time a staff member or faculty member has been an active employee in a regular position is a determinant of eligibility for:

- participation in the Educational Assistance Program for Bates College employees
- the accrual rate of vacation time for staff
- retiree eligibility

An employee's service is the length of time, beginning with the date of hire, that the individual has been continuously employed by the College in a regular position, including periods of authorized leaves of absence. College service ends with termination of employment.

Periods of College service may be joined together (or "bridged") when an individual with one or more years of regular service terminates College employment and then returns to service in a regular position within a period of 364 calendar days. Any unused sick time at the time of termination will be restored to the employee's accrual bank.

The bridging of service credit under this policy only affects a staff member's years of service for benefits specifically stated in this policy.

227 TELECOMMUTING

The College has found that enabling certain employees to fulfill their job responsibilities from home by telecommuting may be beneficial for both the College and those employees. Telecommuting is considered on a case by case basis, as it is not appropriate for all types of jobs or all individuals.

All of the College's rules, policies, practices and instructions apply to telecommuters regardless of where an employee works. Any violation of the College's rules, policies, practices and instructions may result in loss of the ability to telecommute, as well as possible disciplinary action, up to and including termination of employment.

The College decides, in its sole discretion, whether a telecommuting arrangement is a viable option, based on several factors, including:

- The College's needs;
- The employee's circumstances including where the employee lives;
- The employee's ability to define goals, organize tasks and work independently to achieve them;
- The employee's past and present level of job performance; and
- The nature of the job, including whether successful performance requires the employee to be physically present, whether it can be assessed in terms of identifiable outcome measures, and other job-specific factors.

A telecommuting agreement is required for any work from home arrangement that involves more than occasional, de minimis hours. A written agreement is required and must be approved by Human Resources as well as the employee's direct manager and Department Head. If the College agrees to a telecommuting arrangement, the employee must sign a Telecommuting Agreement which will detail the arrangement including but not limited to the schedule, office equipment, safety, and business expenses.

Approval of the telecommuting arrangement is conditioned upon working in a particular location that has been approved by the College and memorialized in the Telecommuting Agreement. An employee who seeks to relocate during employment under a Telecommuting Agreement is required to obtain advance approval from their manager to telecommute from a different location. Failure to do so may jeopardize employment with the College.

The College reserves the right to deny a request for continued telecommuting following a relocation based on business and/or operational needs.

A telecommuting arrangement can be terminated at any time for any reason by the College.

BATES BENEFITS

The following section describes the benefits provided by Bates College. The intent of this section is to provide a general description of available benefits, but it does not take the place of official benefit plan documents. If there is a conflict between the handbook and a benefit plan document, the plan document governs. Additional benefit plan documents are available in the Human Resources Department. Please note that whereas the benefit plans may not change often, Bates College reserves the right to change, adjust or end benefit plans at any time.

Your benefit eligibility is determined by your employment classification, hours worked in an employment year and whether your position is considered regular or temporary. Some benefits are only available to employees in a Full Benefit status while contributions to other benefits are prorated for employees in Three-Quarter or Half Benefits status (as defined below).

300 BENEFIT ELIGIBILITY

For the purpose of benefits eligibility, employees must be in a regular full-time, three-quarter-time, or half-time position in an active status or a special or contracted employee who is identified as benefit eligible in an active status. Please note that for coverage under the various insurance plans an employee can be treated as either an employee or a dependent but not both at the same time.

300.1 Benefits Eligibility for 12-month Staff

The following descriptions are for benefits eligibility only and do not represent employment categories, descriptions or status. A Full-Time Equivalent employee (FTE) is defined as an employee who is expected to work 52 weeks x 40 hours per week = 2,080 hours in an employment year.

Full Benefits over 33 hours per week and 1,716 hours in a calendar year for an FTE of .826 - 1.00
Three-Quarter Benefits 26.6 33 hours per week and 1,383-1,715 hours per calendar year for an FTE of .67 - .825
Half Benefits 20 26.5 hours per week and 1,040 – 1,382 hours per calendar year for an FTE of .50 - .66
***Not eligible for benefits** (Part-Time) fewer than 20 hours per week and fewer than 1040 hours per calendar year for an FTE of .00 - .49 are not eligible for Bates College benefits.

300.2 Benefits Eligibility for Faculty

Faculty eligibility is based on using 5 course equivalents as = 1.0 FTE.

Full Benefits – consists of teaching more than 4 courses (or course equivalents) or more per academic year in any combination.
Three-Quarter Benefits – teaching 3.5 – 4 courses per academic year for an FTE between .67 - .825
Half Benefits – teaching 2.5 – 3 courses per academic year for an FTE between .50 - .66
Not eligible for benefits – fewer than 2.5 courses per year are not eligible for Bates College benefits for an FTE between .00 - .49.

For faculty personnel the following apply: 1) Benefits are determined by the employment terms denoted in the faculty members agreement, and the employment terms are binding in regards to eligibility for benefits: 2) If the length of the agreement is one semester only, and the teaching responsibilities are for 2.5 – 3 course equivalents, the faculty member receives full benefits for that semester; 3) If the length of the agreement is for one academic year, and the teaching responsibilities are for 2.5 – 3 course equivalents during any part of the academic year, the faculty member is eligible for half benefits for the length of the agreement as specified.

Note: The standards set out here, an FTE of .67 - .825 equaling three-quarter benefits, .5 - .66 FTE equaling half benefits and .49 or less equaling no benefits, is the same standard used for all employees at Bates.

300.3 Benefits Eligibility for Academic Year Staff Members

An Academic Year Employee generally works 9-10 months of the year from mid-August to mid-June. As department needs dictate, the 9-10 months may be worked over a different period of time. All Academic Year schedules are approved in advance by the department in conjunction with Human Resources. Below are examples of Academic Year schedules.

Full Benefits – 40 hours a week for 44 weeks for an FTE of .846 (must be greater than 1,716 hours)

Three-Quarter Benefits – 36 hours per week for 44 weeks for an FTE of .76 (hours worked between 1,383 – 1,715)
Half Benefits – 30 hours per week for 44 weeks for an FTE of .63 (hours worked between 1,040 – 1,382)
***Not eligible for benefits (Part-Time) –** working fewer than 1,040 hours per calendar year for an FTE of .00 - .49 are not eligible for Bates College benefits.

Note: The above schedules are generally those worked by Academic Year employees. The benefit status would remain the same if their actual schedule does not fall below the thresholds for 12-month staff.

300.4 Temporary and Per Diem Employees

Temporary and per diem employees receive only legally mandated benefits, which are social security, Worker's Compensation, and unemployment benefits. The only exception to this policy is that temporary employees may voluntarily participate in the Bates College 403(b) Retirement Plan by contributing their own earnings, but they are not eligible to receive a match from the College.

Time served as a temporary or on call employee is not credited as years of service to determine benefit or leave eligibility or accrual.

300.5 Domestic Partners

Domestic Partners (of the same or different sex as the employee) are eligible for certain benefits at Bates College. In order to receive such benefits, an Affidavit of Partnership must be completed, attesting to living in a committed relationship, that each is, and intends to remain, the other's sole Domestic Partner, neither of the two are married to someone else, both are 18 years of age, and share joint responsibility for one another's common welfare and basic needs.

Under federal tax law, domestic partner insurance coverage is not available on a pre-tax basis and COBRA benefits do not apply to domestic partners. Benefits extended to Domestic Partners include dental, vision, hospital indemnity plan and life insurance, a Bates College identification card, and access to facilities and services.

300.6 Dependent Children

Unmarried children (of employees that are eligible for a Bates identification card) under the age of 21 are eligible for a Bates College Identification Card for use of the Library and Athletic Facilities. You may cover your children in the Bates medical, dental, vision, hospital indemnity plan and life insurance plans up to age 26 without regard to whether they are full-time students, married or dependent upon you for support.

** By federal law, employees who work more than 1,000 hours in an employment year are eligible to receive pension benefits. Regular or temporary employees working between 1,000-1,040 hours in an employment year are eligible to receive pension and matching retirement plan benefits beginning the first of the month following their employment year anniversary in addition to those legally mandated as identified above.*

301 BATES FLEXIBLE BENEFITS PLAN

Bates College offers employees a Flexible Benefit Plan. This is a variation of a cafeteria plan that allows benefits to be provided on both a before and after-tax basis, or you may opt out of a benefit. All employees who are in a benefit status of half or more are eligible to participate in this plan. Benefits are prorated for those employees who are in a less than full-time benefit status.
The benefits that are provided under the College's Flexible Benefits Plan are as follows: Health Insurance, Dental Insurance, Voluntary Vision Insurance, Hospital Indemnity Plan, Life Insurance & Accidental Death and Dismemberment Insurance (AD&D), Long Term Disability Insurance (LTD), Medical Flexible Spending Account (MFSA), Limited Purpose Flexible Spending Account (LFSA), Dependent Care Flexible Spending Account (DCFSA), and the Dependent Care Subsidy that is provided by the College.

302 OPEN ENROLLMENT

Open Enrollment is the time of year when employees are allowed to make changes to some benefits without the requirement of a Life Status Change. All benefits under the Flexible Benefits Plan, with the exception of Long-term Disability may be enrolled in or modified during Open Enrollment.

303 LIFE STATUS CHANGES

Generally, you cannot change your election under the Flexible Benefits Plan during the calendar year. There are a few exceptions. You may voluntarily change your elections during the calendar year if you satisfy the following conditions (prescribed by federal law):

a) You experience a "Life Status Change event" that affects your eligibility under this Plan and/or a Benefit Option; or
b) You experience a significant cost or coverage change; and
c) You complete and submit a written Election Change Form within 31 days of the Life Status Change.

A Life Status Change is any event that affects the number of dependents employees have or the employment status of the employee or their spouse or domestic partner if the employment status change affects their eligibility for benefits. Examples of life status changes include, but are not limited to, marriage, separation, divorce, birth, adoption, a dependent child losing their dependent status, a permanent change in work hours for the employee or their spouse/domestic partner, the spouse/domestic partner obtains a job with benefits elsewhere, a significant increase in the cost of coverage or the termination of your spouse's/domestic partner's employment. Note that a requested change in benefits must be consistent with the type of Life Status Change.

For information on whether a change in your circumstances qualifies as a Life Status Change, please contact the Human Resources Department as soon as possible, because changes can only be made within 31 days of the event.

304 HEALTH INSURANCE

Health insurance coverage is a mandatory benefit within the College's Flexible Benefits program for faculty and staff who are classified as Half Benefits or more. Employees who provide proof of health coverage elsewhere may opt- out of the Bates College Health Insurance Plan.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between Bates College and the insurance carrier. A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Details of the health insurance plan are described in a Summary Plan Description (SPD). Information on the cost of coverage is provided in advance of enrollment to eligible employees. Contact someone from the Benefits team in the Human Resources Department for more information about health insurance benefits.

305 DENTAL INSURANCE

Dental insurance coverage is a mandatory benefit within the College's Flexible Benefits program for Faculty and Staff who are classified as Half Benefits or more. Employees who provide proof of dental coverage elsewhere may opt- out of the Bates College Dental Insurance Plan.

Eligible employees may participate in the dental insurance plan subject to all terms and conditions of the agreement between Bates College and the insurance carrier. A change in employment classification that would result in loss of eligibility to participate in the dental insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Details of the dental insurance plan are described in a Summary Plan Description (SPD). Information on the cost of coverage is provided in advance of enrollment to eligible employees. Contact the Human Resources Department for more information about dental insurance benefits.

306 BASIC LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

Basic Life insurance and Accidental Death and Dismemberment (AD&D), insurance is available to Faculty and Staff who are classified as Half Benefits or more. The College pays the cost to purchase Basic coverage of one (1) times their salary up to a maximum $400,000. Please note that for employees who are less than full-time; coverage is not prorated and is provided at 100% of the employee's salary up to the maximum $400,000. The value of Basic Life Insurance in excess of $50,000 is taxable per IRS Table I

guidelines and will be included in the calculation of gross taxable earnings. Accidental Death and Dismemberment (AD&D) Insurance provides protection in cases of serious injury or death resulting from an accident.

309 VOLUNTARY BENEFITS

In addition to the mandatory benefits listed above, benefit-eligible employees may elect to participate in several voluntary benefit plans. These include the Vision Insurance Plan, Hospital Indemnity Plan, Supplemental Life and Accidental Death & Dismemberment Insurance (AD&D), Dependent Life and AD&D and Flexible Spending Accounts.

309.1 Vision Insurance: Vision insurance may be purchased to help pay for the cost of glasses or contacts (note your annual vision exam is covered under the medical plan. To receive the highest benefit available under the vision plan you must go to a vision network provider.

309.2 Hospital Indemnity Plan: The Hospital Indemnity Plan provides a benefit if you or a covered family member are admitted to the hospital (note: You must be formally admitted to the hospital for the plan to pay a benefit. There are circumstances where you may be in the hospital overnight and not be admitted that would not qualify for a benefit). Additional days in the hospital after being admitted would qualify for additional benefits.

309.3 Supplemental Life, AD&D and Dependent Life insurance: Additional supplemental Life, AD&D and dependent life coverage may be purchased subject to the plan provisions. Supplemental insurance is limited to 3 times the employee's salary up to total coverage of $850,000 when combined with basic coverage. Dependent life insurance is limited to 100% of the employee's total up to $100,000 for a spouse/domestic partner and $20,000 for children. During your initial enrollment you may elect Life Insurance Amounts up to the lesser of 3x your Salary or the guaranteed issue amount without providing a Personal Health Statement. Amounts in excess of the guaranteed issue amount will require completion of a Personal Health Statement and will be subject to the insurance carrier's underwriting guidelines prior to becoming effective.

Eligible employees may participate in the Life, AD&D and Dependent Life Insurance Plans subject to all terms and conditions of the agreement between Bates College and the insurance carrier. Details of each insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Department for more information about life insurance benefits.

309.4 Flexible Spending Accounts: Bates College provides Flexible Spending Accounts (FSA) that allow employees to have pre-tax dollars deducted from their salaries to pay for eligible out-of-pocket expenses. Flexible spending accounts can be used to pay for predictable non-reimbursed health care and dependent care expenses during the plan year for which the account was created. Participation in the Medical Flexible Spending Account, the Limited Purpose Flexible Spending Account and/or the Dependent Care Flexible Spending Account is optional. Employees desiring to participate in a FSA must enroll/re-enroll each plan year. The amount an employee may contribute to a FSA is set by IRS regulations. Care must be given in determining how much to contribute to an FSA because unused contributions are subject to forfeiture. (The accounts help employees pay less in taxes and, as a result, the IRS regulations are very restrictive).

It is recommended that employees make conservative elections to these accounts because of the "use it or lose it rule," which is a federal law and not a policy of the College. Employees have until March 31st to file claims for the prior year's contributions (expenses incurred prior to becoming eligible are not eligible for reimbursement). Details of the Flexible Spending Accounts are described in the Summary Plan Description (SPD). Contact someone from the Benefits team in the Human Resources Department for more information about Flexible Spending Accounts.

In order to be reimbursed for Medical or Dependent Care, employees must submit receipts with a claim form to the third-party administrator of the College's Flexible Spending Accounts. When claims are submitted for reimbursement for dependent care, they must include the dates of service, cost, and tax identification number of the dependent care provider. Reimbursement Claim forms can be found on the Human Resources Benefits Website or at the Benefits Office. Claims may either be mailed or faxed as described on the claim form or through the third-party administrator website.

309.5 Dependent Care Subsidy: Bates College provides dependent care assistance to faculty and staff who are classified as Half Benefits or more. To participate in the Bates College Dependent Care Subsidy, the employee must contribute a minimum of $100 in a Dependent Care Reimbursement Account. The subsidy is provided to help offset the costs of dependent care to employees in maintaining employment. The amount of the subsidy varies based on the number of eligible dependents and total household income. The Dependent Care Subsidy benefit is prorated for employees who work

less than full-time.

An application for a Dependent Care subsidy must be submitted along with a copy of the first page of the employee's most recent tax return. If tax information is not provided, the subsidy will be based on the highest income bracket on the chart.

The combined amount of subsidy and the employee's contribution to a DCFSA cannot exceed the maximum allowed by law. For tax filers who file single and married couples filing a joint return, the IRS will allow contributions up to $7,500 per year. For married couples filing separate returns, the IRS will only allow contributions up to $3,750.

The subsidy is based on total household income and the number of dependents that are eligible to be covered; children 12 years old or younger that you claim on your tax return.

The following is a chart of the Dependent Care Subsidy Contributions:

Total Annual Benefit Based on Last Year's Tax Return Gross Household Income

Number of Dependents (annual/monthly)	**$0 - $30,000**	**$30,00 - $45,000**	**$45,000 - 60,000**	**$60,000 and over**
1st Dependent	$1,300/108.34	$ 1,040/86.67	$ 780/65.00	$520/43.34
2nd Dependent	$2,340/195.00	$1,872/156.00	$1,404/117.00	$936/78.00
3rd Dependent	$3,120/260.00	$2,496/208.00	$1,872/156.00	$1,248/104.00
4th Dependent	$3,640/303.34	$2,912/242.67	$2,184/182.00	$1,456/121.34
5th Dependent	$3,900/325.00	$3,120/260.00	$2,340/195.00	$1,560/130.00
6th Dependent	$3,900/325.00	$3,120/260.00	$2,340/195.00	$1,560/130.00

310 TRAVEL ACCIDENT INSURANCE

All benefit eligible employees are covered by a Group Travel Accident policy when traveling on College business only. Bates College pays the entire cost of this plan. The plan provides for $250,000 coverage for loss of life. The College has written guidelines for those who travel for the College as a part of their work, and who attend professional development meetings and conferences.

311 FACILITIES ACCESS

All regular employees and retirees, their spouses/partners and dependent children (up to age 21) have access to Bates athletic facilities and circulation privileges in the Library. The athletic facilities include Merrill Gymnasium, Alumni Gymnasium, Gray Gymnasium, Underhill Arena, Davis Fitness Center, Wallach Tennis Center, and Russell Street Sports Complex and Track.

A valid Bates ID card is required to access these facilities and services. Guidelines for employee and dependent eligibility for a Bates ID card are available in Human Resources. Current students, faculty, and staff may bring one guest per visit to the athletic facilities. Additional information regarding access and use of the athletic facilities and bringing guests is available on the Athletics website.

In addition to facilities access, there are events of all types that faculty and staff members, retirees and their families are invited and encouraged to attend, such as athletic competitions, lectures, art exhibitions and other events.

312 RENTAL REAL ESTATE

The primary purpose of the College's acquisition and ownership of residences surrounding the campus is to provide space for future expansion of buildings, green space and other College needs. The secondary purpose is to provide housing that is consistent with the needs of the College. Employees are eligible to rent available properties and are required to pay their rent through payroll deduction.

All tenants are "tenants at will". Faculty are able to stay in College housing for 7 years or the length of their contract, whichever is shorter. The seven years will include any years that the tenant may be on leave, or otherwise absent. Staff are able to stay in College housing for 2 years. Senior staff and selected positions may be granted tenancy for the duration of their employment due to the need for their close proximity to campus.

Once a person is no longer an employee of the College, they must vacate the unit within 30 days or by June 30th whichever comes first.

313 COMPUTER PURCHASE PROGRAM

This program offers Bates employees assistance in purchasing computers through payroll deduction. The College offers short-term loans to regular full-time, three-quarter-time, or half-time staff members who have completed 6 months of continuous employment. This program enables the staff member to purchase computers, tablets, printers and connecting cables for their personal use, not for resale. Please see the benefits website for details and access to the digital form

313.1 Options

Employees have two options for purchasing computers:

Option 1: Employee purchases a computer and associated hardware and through completion of the Computer Purchase Agreement receives a reimbursement for the purchase price minus at least 10% of the total cost.
Option 2: An employee provides a firm quote from a local vendor and receives an amount from the College equal to the total purchase price minus at least 10% of the total cost. Within a week of purchase, the employee is required to provide the HR representative with a final store receipt. Any discrepancy between the firm quote and final purchase price will result in the immediate reimbursement to the College of the difference. Failure to provide the receipt will result in the immediate full reimbursement of the entire loan within the limits of federal law.

313.2 Terms and Conditions

- Employees must pay at least 10% of the purchase price of the equipment to initiate this agreement. The balance will be repaid to the College through a payroll advance.
- The balance must be paid within a 24-month (2-year) period or less, through a payroll deduction. Payments must be at least $50 per month.
- Only one computer, or computer combination such as computer and printer, will be approved at a time. The balance of an outstanding loan must be completely paid before another purchase loan is approved.
- If the employee terminates employment at Bates before the loan is paid, the remaining balance becomes due. The signed loan agreement authorizes the College to deduct any remaining balance from the employee's final paychecks. If the final paychecks are not large enough to cover the balance, the employee must make arrangements to cover the balance.
- The employee must attach proof of purchase or a firm quote from a local vendor to the application. In the case of a firm quote, a final bill of sale is required to complete the transaction.
- Failure to complete the Terms and Conditions of this policy may result in disciplinary action up to and including termination.

For more information on the Computer Purchase program or to obtain an application and instruction sheet call Human Resources.

314 TRAINING, DEVELOPMENT, AND EDUCATION OF STAFF

Bates College recognizes that the skills and knowledge of its employees are critical to the success of the College. The College provides opportunities for professional development through training and educational programs.

Individual courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable future position in the organization in order to be eligible for 100% reimbursement educational assistance. Bates College has the sole discretion to determine whether a course relates to an employee's current job duties. Employees should contact the Human Resources Department for more information or questions about educational assistance.

Staff members are expected to grow and develop their professional skills as a condition of employment, to ensure that their contributions remain aligned with the needs of their department and the College. Supervisors are encouraged to develop accurate job descriptions and professional development goals for each employee and provide the appropriate support and opportunities to ensure employees develop their skills and competencies in line with the College's mission and goals. While educational assistance is expected to enhance an employee's performance and professional abilities, Bates College cannot guarantee that participation in formal education will entitle the employee to automatic advancement to a different job assignment, or pay increases.

315 EDUCATIONAL ASSISTANCE PROGRAM FOR BATES COLLEGE STAFF

Recognizing that knowledge and skills are essential to institutional success, Bates College values learning as a lifelong endeavor and actively supports the professional growth and academic goals of its workforce. The Educational Assistance Program provides assistance to eligible staff members undertaking approved courses that offer mutual professional and institutional benefit.

This benefit program is not designed to substitute for departmental funding allocated for instruction, short courses, or specialized training specifically requested by a supervisor to address immediate operational needs.

Special conditions:

- Staff actively undergoing a performance improvement plan (PIP) are excluded from Educational Assistance Program participation throughout the duration of the PIP, unless coursework is mutually agreed upon with their supervisor as an element of the improvement plan.
- Staff members on an authorized leave of absence are ineligible to receive this benefit.
- An individual's total annual benefit within a single calendar year is capped at $5,250, or the maximum threshold established by Internal Revenue Service regulations.
- Program funding remains limited and dependent upon the College's institutional operating budget. Fulfilling basic eligibility requirements does not ensure approval or allocation of funds, and Human Resources reserves the right to prioritize or restrict requests based on available resources and institutional priorities.
- To maintain eligibility, employees must submit a request and obtain formal authorization prior to the commencement of any coursework.
- The Human Resources Department retains final authority to evaluate eligibility, determine course qualification, and decide if an expense should instead be borne by the departmental budget.

Three types of educational programs are covered:

315.1 Job Specific Courses

Undergraduate, graduate, or approved non-credit classes or coursework directly relevant to and supportive of the staff member's present job duties. Such courses may be taken at an outside accredited educational institution or approved program provider.

Job Specific Courses are intended to provide formal education that supports an employee's current role. This benefit is not intended to cover training that is required, directed, or primarily intended to meet a department's operational needs.

Training and development expenses that are the responsibility of the employee's department generally include required job training; professional certifications or certification preparation programs required or requested by the department; certification renewals or continuing education required to maintain a license or credential; compliance, regulatory, or safety training; conferences, seminars, workshops, and special one-day courses; vendor, software, systems, or equipment training; and training associated with the implementation of new programs, systems, equipment, or departmental responsibilities.

A supervisor's request or endorsement does not automatically make a course eligible for Educational Assistance Program funding. A department may not use this program as a substitute for departmental operating or professional development funds. The final determination regarding whether a course qualifies as a Job Specific Course rests with Human Resources.

Eligibility: Regular employees, immediately.

Cost: The approved tuition or course fee is fully paid by Human Resources, subject to available Educational Assistance Program funding and the annual benefit limit. Tuition is normally paid directly to the educational institution or approved provider prior to the beginning of the course.

Books, supplies, travel, lodging, meals, technology, examination fees, certification fees, and other related expenses are not covered unless specifically approved in writing by Human Resources.

Application: Employees must apply to Human Resources and receive approval prior to the start of the course. Applications submitted after a course has begun are not eligible.

The Assistant Vice President of Human Resources hears appeals regarding eligibility and participation in this program. The final decision regarding whether a course qualifies under this program lies with Human Resources.

Time: Whenever possible, courses should be taken outside regular working hours. When an approved Job Specific Course is required to be taken during working hours, the employee will receive pay for the time spent in class, subject to advance approval by the employee's supervisor and Human Resources.

Approval of educational assistance does not automatically authorize a schedule change or paid release time.

Special conditions: The employee is required to provide proof of completion and, if a grade is issued, a grade of C or better, or its equivalent, at the end of the course.

If an employee cannot provide proof of satisfactory completion, the employee may be required to repay the funds to the College and will not be eligible to receive additional funds through this program for a period of 18 months from the course's scheduled completion date.

315.2 Courses at Bates

A course or series of courses taken at Bates College at the employee's initiative.

Eligibility: Regular employees, after one year of regular employment.

Cost: One course per semester at Bates, for credit as a special student, will be paid for by the College for regular full-time employees. The cost of the benefit is prorated for regular part-time employees. The benefit includes the applicable special student application fee.

There is a limit of six courses that may be accumulated with special student status.

Participation is subject to course availability and does not guarantee admission or enrollment.

Application: Employees apply for special student status through the Registrar's Office by completing the required application process. Qualified employees are admitted on a first-come, first-served basis, as space permits. Written permission of the instructor is required for all special students.

Employees are responsible for meeting all registration, enrollment, and academic requirements established by the Registrar's Office.

Time: Whenever possible, courses should be taken outside regular working hours.

Courses occurring during regular working hours may be taken provided that the employee and supervisor can establish a satisfactory arrangement for rescheduling or otherwise making up missed work time while ensuring that the responsibilities of the employee's position and the operational needs of the department are met.

Participation in a Bates course does not automatically authorize paid release time or a change in work schedule.

Special conditions: Employees participating in Courses at Bates are expected to comply with applicable academic, attendance, registration, and conduct requirements of Bates College. Continued participation in this benefit may be denied if an employee does not satisfactorily complete an approved course or does not remain in good standing.

315.3 Elective Courses

Undergraduate, graduate, or approved non-credit classes or courses related to the employee's potential professional or career development, taken at another educational institution at the employee's initiative.

Elective Courses are distinguished from Job Specific Courses in that they are not required for the employee's current position. They are intended to support broader professional development or future career growth.

Elective Course funding is not available for department-required or department-directed training, professional certifications or recertifications, conferences, seminars, workshops, compliance training, vendor or systems training, or other expenses that are primarily related to a department's operational needs. Such expenses are the responsibility of the employee's department.

Eligibility: Regular employees, following three years of continuous regular employment.

Cost: Fifty percent (50%) of approved tuition will be reimbursed directly to the employee upon satisfactory completion of the course, subject to available Educational Assistance Program funding and the annual benefit limit.

Books, supplies, travel, lodging, meals, technology, examination fees, certification fees, and other related expenses are not eligible for reimbursement unless specifically approved in writing by Human Resources.

Application: Employees must apply to Human Resources and receive approval prior to the start of the course. Applications submitted after a course has begun are not eligible.

Approval is based on the employee's eligibility, the nature and purpose of the course, consistency with the Educational Assistance Program, and available funding.

Time: The course must be completed on the employee's own time. Work schedules may be rearranged with the supervisor's advance approval as long as the responsibilities of the employee's position and the needs of the department can be met.

Approval for Educational Assistance Program funding does not guarantee approval of a work schedule adjustment.

Special conditions: To receive reimbursement, the employee must provide proof of tuition payment, proof of course completion, and, if a grade is issued, documentation of a grade of C or better, or its equivalent.

If an employee cannot provide proof of satisfactory completion, no reimbursement will be processed.

If funds have already been paid on the employee's behalf and the employee does not meet the completion requirements, the employee may be required to repay the funds to the College and will not be eligible to receive additional funds through this program for a period of 18 months from the course's scheduled completion date.

316 DEPENDENT HIGHER EDUCATION BENEFIT PROGRAM FOR CHILDREN OF EMPLOYEES (WITH SUPPORT FROM THE HARRY W. ROWE TUITION GRANT FUND)

The Harry W. Rowe Tuition Grant Fund Program

The following describes the Dependent Higher Education Benefit Program, which is supported in part by the Harry W. Rowe Tuition Grant Fund Program (the Rowe Fund) which is provided by Bates College for its employees on behalf of their children attending College.

316.1 Eligibility and Participation

Assistance from the Dependent Higher Education Benefit Program toward tuition for dependent children is available to each active or retired full-time Faculty, Administrative Staff, and Support Staff member (or two persons sharing a single full-time employment appointment treated as a single full-time employee) who has met the applicable service requirement at Bates College. An active employee is one who is either employed as defined above or is on authorized leave, not exceeding one year in duration and from which the employee will return to full-time employment. For purposes of this Program, a retired full-time employee is one who separates from full-time employment by the College on or after January 1, 2000, and does not continue in the workforce. Effective January 1, 2000, assistance is extended to the dependent child or children of a deceased active or retired full-time member of the Faculty, Administrative Staff, or Support Staff who has met the applicable service requirement and whose date of death occurs on or after January 1, 2000.

316.2 Service Requirement

For a Faculty, Administrative Staff, or Support Staff member employed on or before June 30, 1988, eligibility for participation begins after two years of consecutive service. For a Faculty, Administrative Staff, or Support Staff member starting employment after July 1, 1988, eligibility for participation begins after five years of consecutive service.

316.3 Benefits Available

Bates College will provide tuition assistance at Bates or at any fully-accredited baccalaureate-degree granting institution on behalf of an eligible employee for the purpose of undergraduate educational assistance for dependent children.

For purposes of this program a dependent child is defined as one:

a) Who is a blood descendant of the first degree (i.e., a son or daughter), a stepchild, or the legally adopted child of an active full-time member of the Faculty, Administrative Staff, or Support Staff of the College or such a child of an active full-time member of the Faculty, Administrative Staff, or Support Staff who retires on or after January 1, 2000, and/or who dies on or after January 1, 2000;

AND

b) Who either
- has not attained the age of 19 at the close of the calendar year; or
- is a student (as defined in Section 151(c)(4) of the Internal Revenue Code) who has not attained the age of 24 at the close of the calendar year;

AND

- more than half of whose support for the calendar year was received from the active full-time or retired member of the Faculty, Administrative Staff, or Support Staff of the College or that member's surviving spouse;

-OR-

c) has not attained the age of 25 and both of whose parents are deceased.

For a Faculty, Administrative Staff, or Support Staff member employed on or before June 30, 1988, Dependent Higher Education Benefit Program payments equal the greater of either:

a) 50% of the tuition and mandatory academic fees of the College or university attended, up to a maximum of one- half of the Bates tuition (Bates tuition = single fee as stated in the College catalog less charges for room and board)

-OR-

b) 10% of the Bates College single fee as stated in the College catalog.

For a Faculty, Administrative Staff, or Support Staff member starting employment after July 1, 1988, Dependent Higher Education Benefit Program payments equal 10% of the Bates College single fee as stated in the College catalog.

For each dependent child, the benefits of the Program are limited to not more than four years of full-time undergraduate study, leading toward the baccalaureate degree, at accredited institutions of higher education. If a student receives other grants, the sum of the Dependent Higher Education Benefit Program grant and other such support shall not exceed 100% of the College's or university's tuition and mandatory academic fees (see payment of benefits below for definition on a mandatory academic fee). For example, if tuition at an institution for the semester was $5,000 and your child received a grant for $3,500 for that semester then the maximum benefit remaining under the Dependent Higher Education Benefit Program would be $1,500.

316.4 Payment of Benefits

Payments under the Dependent Higher Education Benefit Program are made directly to the College or university attended by the eligible child. Bates College pays the grant upon confirmation of enrollment of the student and confirmation of amounts due for tuition and mandatory academic fees. Payments are generally calculated for the academic year; one-half is paid prior to September 1, and the balance is paid prior to January 1. Mandatory academic fees are those that are directly associated with a class such as a lab or specific course fee. General fees charged by the institution such as technology fees, activity fees or any other fees that are not 100 percent related to a specific course are not eligible. Dependent Higher Education Benefit Program benefits together with other grants and scholarships may not exceed 100% of tuition and eligible fees.

316.5 Administration and Information

The Dependent Higher Education Benefit Program of Bates College is administered by the College's Human Resource Department.

317 EMPLOYEE ASSISTANCE PROGRAM (EAP) 1-888-238-6232

All employees of Bates College, regardless of their benefit status, are eligible to use the services of the EAP program. Bates College cares about the health and well-being of its employees and recognizes that a variety of problems can disrupt their personal and work lives. Through the Employee Assistance Program (EAP), Bates College provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is also available to employees' immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard the employee's privacy and rights. Information given to the EAP counselor may be released only if allowed by the employee in writing. All counselors are guided by a Professional Code of Ethics. **Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.**

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available and will try to coordinate services with the Bates College health plan. The counselor will let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if ignored. No issue is too small or too large, and a professional counselor is available to help when needed. **Call 1-888-238-6232** to contact an EAP counselor.

318 BERNIE CARPENTER EMPLOYEE FINANCIAL ASSISTANCE PROGRAM

This endowed fund established in 1997 honors the memory and tradition of helping fellow co-workers practiced by Bernie Carpenter for "giving help, when and how it is needed most, to those most in need." It is available to all employees and is intended for emergencies such as major illnesses, accidents, or similar catastrophes.

318.1 Requesting Funds

Requests for emergency grants or loans will be made to the Assistant Vice President of Human Resources in writing with a description of the emergency need. The request will be held in confidence and a standing panel of three employees will review the request. The panel's decision is final, without the possibility of appeal.

All attempts will be made for the panel to meet and make a decision within seven days.

318.2 Repayment of Funds

Repayment is an expectation but is not a condition of receiving funds. Recipients are encouraged to contribute, when and how they can, to the fund after the emergency situation is resolved in order to increase opportunities for other employees in the future. If funds have not been repaid within one year, the amount of funds received will be added as income to the employee's next W-2.

318.3 Panel

The panel will consist of one faculty member, one staff member, and one representative from the Human Resources Department. The names of panel members are confidential.

319 BENEFITS FOR RETIREES

An employee is considered eligible if they have worked a minimum of 5 continuous years, not in an on-call or per diem position, and their years of continuous service plus their age is at least 70 years. After an employee has officially retired from the College, they may be eligible for certain College benefits. The eligibility for benefits recognizes the retiree's contributions to the College and encourages the individual to retain membership with the Bates community.

- Gift upon retirement [requires 5 years of continuous service to the college]
- Bates College identification card
- Facilities access to library, gym, and recreation facilities
- Staff retirees may add a personal email address to the All Staff Email listserv
- Mailings and invitations to events, lectures, and gatherings
- Access to group health plan, at the retiree's expense up to age 65 [Requires 15 years of service and 55 years of age]
- Dependent Higher Education Benefit Program for children of retirees [Requires 15 years of service and 55 years of age]

319.1 Retiree Health Benefits

Eligible retirees may continue their enrollment in a Bates medical, dental, or voluntary vision plan upon retiring from the college. Retirees are responsible for paying the full premium for the plan(s) they choose to continue on a monthly basis. Enrollment in benefits must be completed within ninety days of retirement from Bates. Information on how to continue benefits after retirement can be found at bates.edu/hr/benefits or by reaching out to benefits@bates.edu.

320 RETIREMENT BENEFITS

Bates College maintains two separate plans providing retirement benefits, the Bates College Money Purchase Pension Plan (Pension Plan) and the Bates College 403(b) Retirement Plan (403(b) Plan). In order to participate in the Pension Plan, or receive a College matching contribution from the 403(b) Plan, the employee must be classified in a benefit status of half-time or more. All employees regardless of their status can contribute to the 403(b) Plan.

320.1 Bates College Money Purchase Pension Plan

Eligibility starts on the first of the month following one year of employment in a benefits-eligible position. If a non-benefit eligible employee exceeds 1000 hours in an employment year, they will become eligible to participate in both the Pension Plan and receive a College matching contribution on the first of the month following the anniversary of their employment year.

The pension plan is a 401(a) money purchase pension plan. Under this plan, employees are guaranteed a defined contribution into the plan and the employee directs the investment of their contributions. The College contribution is 9% of your eligible wages (base salary plus overtime and shift differential).

To set up your investment elections and designate your beneficiaries you must enroll online at www.tiaa.org/bates. If you fail to make investment elections your contributions will be defaulted into the Lifecycle Fund that most closely matches your expected retirement date at age 65. Information on how to enroll, the Lifecycle Funds and the Qualified Default Investment Notice are available in Human Resources or found on our web-site at www.bates.edu/hr/benefits or at TIAA at www.tiaa.org/bates.

Complete details of the pension plan are described in the Summary Plan Description provided to eligible employees. Contact benefits@bates.edu for more information.

320.2 Bates College 403(b) Retirement Plan

The Bates College 403(b) Retirement Plan is a 403(b) Tax Deferred Annuity plan, which provides employees with an additional opportunity to save for future financial security for retirement. All employees are eligible to participate in the Bates College 403(b) Retirement Plan; to participate employees must complete the appropriate on-line enrollment at www.tiaa.org/bates.

AUTOMATIC ENROLLMENT: Employees who are newly hired have 30 days from their date of hire to enroll in the Bates College Savings Plan or opt out of it. If no action is taken, employees will be automatically enrolled in the plan at a 6% contribution amount, ensuring that they will get the full match amount of 3%. Contributions can be adjusted at any time by going to tiaa.org/bates.

If you fail to enroll online and make investment elections your contributions will be defaulted into the Lifecycle Fund that most closely matches your expected retirement date at age 65. Information on how to enroll, the Lifecycle Funds and the Qualified Default Investment Notice are available in Human Resources or found on our web-site at www.bates.edu/hr/benefits or at www.tiaa.org/bates.

Contributions can be made on a pre-tax or a post-tax (Roth) basis. Pre-tax contributions reduce your taxable income now; post-tax (Roth) contributions are taxed upfront but grow tax-free. Amounts must be in the form of a percentage of wages. Pre-tax contributions are not exempt from Social Security or Medicare Taxes. The maximum that an employee may contribute to the Bates College 403(b) Retirement Plan is limited each year by law.
As an incentive to encourage you to save for retirement, the College matches eligible employee's contributions by 1/2 up to a maximum College matching contribution of 3% of your salary (i.e. if you contribute 6% the College will contribute 3%).

To be eligible for the match, the employee must be enrolled in and contributing to the Bates College 403(b) Retirement Plan. Eligible participation starts on the first of the month following one full calendar month of employment.

Complete details of the Bates College 403(b) Retirement Plan are described in a Summary Plan Description provided to eligible employees. Contact benefits@bates.edu for more information.

321 LEGALLY MANDATED BENEFITS

The College is required to provide the following legally required benefit plans on behalf of all employees.

321.1 Workers' Compensation Insurance

Bates College provides a comprehensive Workers' Compensation insurance program at no cost to employees. This program covers an injury or illness sustained in the course of employment. Subject to applicable legal requirements, Workers' Compensation insurance provides benefits after a seven day or 56 hour waiting period or, if the employee is hospitalized, immediately. Employees are able to use sick and vacation during the waiting period. In accordance with state law, Workers' Compensation provides 80% income replacement for eligible participants up to a State of Maine specified maximum amount.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

321.2 Social Security and Medicare Taxes

In compliance with the Federal Insurance Contribution Act, Bates College withholds 7.65% of the employee's earnings for social security (6.2% for Social Security and 1.45% for Medicare). On behalf of the employee, the College matches the employee's contributions and deposits both contributions with the Internal Revenue Service.

321.3 Unemployment Benefits

The College is required to reimburse the state of Maine for all unemployment benefits and all costs of unemployment compensation, which the State pays to terminated employees who qualify for unemployment benefits.

321.4 Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Bates College health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation; and if a dependent child becomes ineligible for health care coverage because of age. Under COBRA, the employee or beneficiary pays the full cost of coverage at the Bates College group rates, plus an administration fee. Bates College provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for continuing coverage under the Bates College health insurance plan. The notice contains important information about the employee's rights and obligations. COBRA benefits do not apply to domestic partners.

321.5 Affordable Care Act (ACA)

Under the Affordable Care Act (ACA) employees may qualify or be able to continue in the Bates Medical Plan outside of the normal eligibility rules. Coverage may be gained if an otherwise ineligible employee works over 1,560 hours during a 12-month measurement period. Employees who participate in the medical plan and then transfer to a non- benefit eligible position may be able to continue their participation in the medical plan for a period of time. If an employee eligible for the medical plan terminates and then is rehired by the College within 26 weeks of their termination, they may temporarily qualify to participate in the medical plan. Contact Human Resources if you have questions regarding medical eligibility under the ACA.

TIME AWAY FROM WORK

This section covers time away from work policies for benefit eligible staff members. Any leave or holiday policies that apply to faculty members are located in the Faculty Handbook of Bates College, except as specifically noted below (i.e. LTD, FMLA).

400 HOLIDAYS FOR STAFF MEMBERS

There are generally a total of 12 holidays per calendar year. The College typically observes the following days as holidays:

- New Year's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving
- Day after Thanksgiving (staff appreciation day)
- Christmas Eve
- Christmas

In addition to the typically observed holidays, the College will grant four (4) additional paid holidays to regular staff members that are scheduled between Christmas and New Year’s Day. Coverage for some areas of the College is required on holidays. The College reserves the right to schedule staff members as needed to work on holidays. Directors and department heads will determine and make arrangements to schedule appropriate personnel to work when needed by the College. Certain staff members are required to work as a condition of employment for events such as the beginning of the academic year or Commencement weekend.

Holiday pay for staff members is one day of pay at the employee's normal rate. Holiday pay is prorated for staff members working less than fulltime. If an eligible nonexempt staff member actually works on a recognized holiday, the staff member will receive holiday pay, plus wages at one and one-half times their regular rate of pay for the hours worked on the holiday. Holiday pay does not constitute hours worked for purposes of calculating eligibility for overtime. If an employee works on the holiday and the holiday falls

during a workweek in which the employee works more than 40 hours, the holiday premium paid (*i.e.* one-half the regular rate) will be credited toward any overtime due. In lieu of receiving regular holiday pay, an employee may request to take another day as their actual 'holiday' during the same work week, provided that the request is approved by their supervisor in advance. In all cases, holiday hours that are not worked are intended to supplement, not extend, the employee's regular schedule. The combined total of holiday hours not worked and hours actually worked in the workweek may not exceed the employee's regularly scheduled workweek except when approved by the employee's supervisor.

If a recognized holiday falls during an eligible staff member's paid absence (such as vacation, sick, personal day, short-term disability (STD), or parental leave), holiday pay will be paid in lieu of the vacation, sick, personal day, short-term disability, or parental leave hours that would have applied.

401 RELIGIOUS HOLIDAYS

A staff member may arrange for time off without pay in observance of religious holidays, or may use these days from accrued vacation or personal time. Personal leave may be used to celebrate religious holidays. Requests for time off for religious holidays must be requested and approved in advance by an employee's supervisor. Supervisors must consult Human Resources if approving the time off would create undue hardship on the department.

402 VACATION LEAVE

Accrual and Eligibility
For new staff members starting their employment at the beginning of the month, vacation eligibility and accrual begins immediately after the first day of employment. For staff members who begin working either on or after the 15th day of a given month, the vacation time accrued will be prorated. Service as a temporary staff member is not credited toward benefit or leave eligibility.

Vacation leave is accrued when a staff member is actively working, on approved Maine Paid Family Medical Leave (ME PFML) or while using accrued paid time.

The following charts illustrate the maximum amount of vacation accrual per pay period, and the total hours/days staff members are able to accrue. Vacation leave is only accrued when a staff member is actively working or using accrued time.

Exempt Staff members

Exempt	**Accrual Per Pay Period**	**Maximum Accrual**
Full Benefits Eligible	16 Hours	192 Hours/24 Days
Three-Quarter Benefits Eligible	12 Hours	144 Hours/18 Days
Half Benefits Eligible	8 Hours	96 Hours/12 Days

Exempt Academic Year Staff members

Exempt	**Accrual Per Pay Period**	**Maximum Accrual**
Full Benefits Eligible	13.34 Hours	160 Hours/20 Days
Three-Quarter Benefits Eligible	12 Hours	144 Hours/18 Days
Half Benefits Eligible	8 Hours	96 Hours/12 Days

Non-exempt Staff Members

Non-Exempt	**Accrual Per Pay Period***	**Maximum Accrual**
Full-Time Benefits Eligible		
0-3 years service	3.34 Hours	192 Hours/24 Days
4-8 years of service	4.67 Hours	192 Hours/24 Days
9 - 15 years of service	6 Hours	192 Hours/24 Days
Beginning of 16th year	8 Hours	192 Hours 24 Days

Three-quarter-Time Benefits Eligible		
0-3 years service	2.5 Hours	144 Hours/18 Days
4-8 years of service	3.5 Hours	144 hours/18 Days
9 - 15 years of service	4.5 Hours	144 Hours/18 Days
Beginning of 16th year	6.0 Hours	144 Hours/ 18 Days
Half-time Benefits Eligible		
0-3 years service to Bates College	1.67 Hours	96 Hours/12 Days
4-8 years of service	2.34 Hours	96 Hours/12 Days
9 - 15 years of service	3 Hours	96 Hours/12 Days
Beginning of 16th year	4 Hours	96 Hours/12 Days

** Non-exempt staff members accrue vacation twice a month as part of their bi-weekly pay. In instances when there are three pay cycles in a single month no accruals will be earned for the third pay.*
** An employee's years of service is calculated using positions held which were benefits-eligible. Temporary, per diem, seasonal, and non-bates eligible positions are not counted towards an employee's years of service.*

Non-exempt Academic Year Staff Members

Non-Exempt	**Accrual Per Pay Period***	**Maximum Accrual**
Full-Time Benefits Eligible	3.18 Hours	160 Hours/20 Days
0-3 years service to Bates College 4-8 years of service	4.44 Hours	160 Hours/20 Days
9 - 15 years of service	5.72 Hours	160 Hours/20 Days
Beginning of 16th year	7.62 Hours	160 Hours 20 Days
Three-quarter-Time Benefits Eligible	2.86 Hours	144 Hours/18 Days
0-3 years service to Bates College 4-8 years of service	4.0 Hours	144 hours/18 Days
9 - 15 years of service	5.15 Hours	144 Hours/18 Days
Beginning of 16th year	6.86 Hours	144 Hours 18 Days
Half-time Benefits Eligible	1.91 Hours	96 Hours/12 Days
0-3 years service to Bates College 4-8 years of service	2.67 Hours	96 Hours/12 Days
9 - 15 years of service Beginning of 16th year	3.43 Hours 4.58 Hours	96 Hours/12 Days 96 Hours/12 Days

** Non-exempt Academic Year staff members accrue vacation twice a month as part of their bi-weekly pay. In instances when there are three pay cycles in a single month no accruals will be earned for the third pay.*

For exempt staff personnel, leaves accrue each monthly pay period. For non-exempt staff, leaves accrue in the first two pay dates of each month. Leaves are earned on a prorated basis, based on the number of hours worked during the pay period.

Unused vacation leave will accumulate until the staff member has accrued their maximum limit. If the staff member's leave reaches the maximum, further accrual of vacation leave will be suspended until the staff member has reduced the balance below the limit. Upon termination of employment, staff members will be paid for unused vacation time that has been earned through the last day of work in the pay period following termination.

Use of Earned Paid Leave
For scheduled time off, staff members should request advance approval from their supervisors. Vacation schedules are coordinated within individual departments, with position, seniority, and workload used as guidelines in determining vacation schedules within departments. The College reserves the right to change work schedules, regulate vacation schedules, and request overtime and holiday work when necessary. Vacation time may also be used for any reason, including unscheduled emergencies.
Vacation leave is based on hours, so staff members must record their vacation time in hours and not days. Vacation time can be used in minimum increments of one-quarter hour. For staff members who work less than full-time, they can only take sick or vacation leave up to the amount of hours normally scheduled per day.

Staff members are not allowed to take more time than they have accumulated and register it as vacation time in anticipation of

earning it later. Staff members should refer to their last paycheck statement for their vacation leave balance. Unpaid time is not available unless it is a part of an approved leave of absence.

Staff members may use their accrued vacation leave to supplement their Maine Paid Family Medical Leave (ME PFML) and/or short-term disability (STD) benefits up to 100 percent of wages. In no instance will a staff member ever be permitted to receive more than 100 percent of their regular wages from a combination of benefits including ME PFML, STD and vacation leave.

403 SICK LEAVE

Accrual and Eligibility
Sick leave benefits are intended to provide income protection in the event of illness or injury, and may not be used for any other absence.

Sick leave is accrued when a staff member is actively working, on approved Maine Paid Family Medical Leave (ME PFML) or while using accrued paid time.

The following chart illustrates sick leave accrual per pay period, and the total hours/days staff members are able to accrue. Sick leave is accrued based upon the **number of hours** worked in each pay period. Sick leave is accrued when a staff member is actively working or using accrued paid time.

Exempt	**Accrual Per Pay Period**	**Maximum Accrual**
Full-Time Benefits Eligible	6.67 Hours	400 Hours/50 Days
Three-Quarter-Time Benefits Eligible	5 Hours	300 Hours/37.5 Days
Half-Time Benefits Eligible	3.34 Hours	200 Hours/25 Days

Academic Year Exempt	**Accrual Per Pay Period**	**Maximum Accrual**
Full-Time Benefits Eligible	5.56 Hours	333.33 Hours/41.67 Days
Three-Quarter-Time Benefits Eligible	5 Hours	300 Hours/37.5 Days
Half-Time Benefits Eligible	3.34 Hours	200 Hours/25 Days

Non-Exempt	**Accrual Per Pay Period***	**Maximum Accrual**
Full-Time Benefits Eligible	3.34 Hours	400 Hours/50 Days
Three-Quarter-Time Benefits Eligible	2.5 Hours	300 Hours/37.5 Days
Half-Time Benefits Eligible	1.67 Hours	200 Hours/25 Days

** Nonexempt staff members earn sick leave in 24 of the 26 annual pay periods*

Non-Exempt Academic Year	**Accrual Per Pay Period***	**Maximum Accrual**
Full-Time Benefits Eligible	3.18 Hours	333.33 Hours/41.67 Days
Three-Quarter-Time Benefits Eligible	2.5 Hours	300 Hours/37.5 Days
Half-Time Benefits Eligible	1.67 Hours	200 Hours/25 Days

** Nonexempt Academic Year staff members earn sick leave in 21 pay periods*

Eligible staff members begin to accrue sick leave from their first day of employment (or when they enter an eligible employment classification) according to the schedule listed in the chart above.

Use of Earned Paid Leave
Sick leave may be used for the following: (1) when the staff member is ill or injured; (2) when an office visit to a doctor, dentist, vision care professional, or other medical professional treating a physical condition must be scheduled during normal working hours; (3) when it is necessary that the staff member provide or secure care for an ill member of their immediate family. The

definition of immediate family for the purposes of this policy is your spouse or partner, children or parent; or (4) when a visit to an Employee Assistance Program service provider must be scheduled during working hours.
Accrued sick leave can be used in minimum increments of one-quarter hour.
In the event that the staff member has no available vacation or sick leave, the staff member may take time off with approval from their supervisor. In such case, the time off will be unpaid. Staff members are not allowed to take extended unpaid time unless it is part of an approved leave of absence.

Staff are prohibited from using accrued sick leave during the resignation notice period preceding termination of employment. Exceptions may be made if the staff member provides medical documentation of the need to be out of work during such period.

Staff members may use their accrued sick leave to supplement their ME PFML and/or short-term disability (STD) benefits up to 100 percent of wages. In no instance will a staff member ever be permitted to receive more than 100 percent of their regular wages from a combination of benefits including ME PFML, STD and paid sick leave. Accrued sick leave can be used in minimum increments of one-quarter hour.

Employee Notice
Requests for foreseeable and pre-scheduled sick leave should be made to the staff member's direct supervisor as early as possible, but no later than before the scheduled start of the employee's workday. If the need for sick leave is not foreseeable, the staff member should notify their supervisor as soon as practicable under the circumstances. When using sick leave for multi-day absences, staff members must contact their direct supervisor to provide notice of the expected duration of the absence or provide notice at the beginning of each additional day of absence. Staff members may be required to submit a health care provider certification for three or more consecutive sick days. Before returning to work from an extended sick leave of more than 5 business days, a staff member may be asked to provide a physician's verification, indicating that they may safely return to work. The College reserves the right to ask any staff member for a written statement from a physician certifying the need for sick leave. Patterns of absence that indicate abuse of the policy can be reason for requiring a second medical opinion at College expense, requiring a medical certification for each absence, and/or taking disciplinary action.

Pay and Benefits
Sick leave is paid at the staff member's base rate of pay at the time of the absence. It does not include overtime or any special forms of compensation such as incentives, commissions or bonuses.

Unused Earned Paid Leave
Sick leave which is accrued but not used by the end of the year will carry over to the next year until the staff member has earned their maximum accrual of sick leave as specified in the chart above. If the staff member reaches this maximum, further accrual of sick leave benefits will be suspended until the staff member has reduced the balance below the limit. Accrued but unused sick leave benefits do not represent a cash reserve and will not be paid out to staff members at the end of the year, upon termination of employment, or at any other time.

Interplay with Other Leave of Absences
Any leaves granted under Bates College policies may count toward the staff member's entitlements under the Maine Family Medical Leave Law and the federal Family and Medical Leave Act.

Staff requesting leave related to a serious health condition are required to complete a request for Family and Medical Leave and Short-Term Disability. Staff who qualify for Short Term Disability may not opt to use accrued sick leave in lieu of the STD benefit.

404 PERSONAL TIME OFF (PTO) LEAVE DAYS

The College grants regular benefits eligible staff members up to 16 hours of personal time off leave each calendar year to be used as personal holidays. Personal time off leave is granted on January 1st of each year and must be used in the year granted. Personal time off leave do not accumulate, roll over from year-to-year, nor constitute a cash reserve payable upon termination of employment.

Personal time off leave is similar in nature to vacation leave, but give staff members more discretion in taking care of their personal affairs. It is helpful if personal time off leave is scheduled in advance, however, it is not required to be. Personal time off leave can be used in quarter hour increments when filling out timesheets.

Personal time off leave can be used in lieu of, or in conjunction with, vacation or sick leave. Staff members may use their

personal time off leave to supplement their Maine Paid Family Medical Leave (ME PFML) and/or short-term disability (STD) benefits up to 100 percent of wages. In no instance will a staff member ever be permitted to receive more than 100 percent of their regular wages from a combination of benefits including ME PFML, STD and paid sick leave.

Staff members who work less than full-time will be granted personal time off leave on a prorated basis. New staff members starting before July 1st each year will be granted two personal time off leave days for the current calendar year, new staff members starting on or after July 1st will be granted one personal leave day for the calendar year. New staff members are granted personal leave following 30 days of employment with the College.

If one's employment status changes in any given year, the personal time off leave will be adjusted up or down to match the employee's new status (e.g. employee moves from half-time to full-time, any remaining personal hours will be adjusted to cover an 8-hour day).

Certain departments with 24-hour coverage requirements may institute procedures for scheduling the use of personal leave, so as to avoid adverse impact on other staff members who would be forced to provide coverage if leave were taken unexpectedly by a relief person. Each department head may restrict the use of personal leave when the granting of such leave would have an adverse impact on department operations. An example of times when personal leave may be restricted is Commencement weekend or when circumstances or demands leave a department unable to perform its function.

405 FEDERAL FAMILY AND MEDICAL LEAVE

The federal Family and Medical Leave Act (FMLA) entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. The FMLA allows eligible employees to take up to 12 weeks of job-protected leave in the applicable 12-month period for any qualifying situation arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty. FMLA allows eligible employees to take up to 26 weeks of job-protected leave in a single 12-month period to care for a wounded service member with a serious injury or illness.

405.1 Employee Eligibility

To be eligible for FMLA benefits, (a) an employee must:

- Have worked for Bates College for a total of 12 months; and
- Have worked at least 1,250 hours over the previous 12 months; and

(b) The college employs at least 50 employees within a 75-mile radius of where the employee works.

405.2 FMLA Leave Entitlement

Bates College will grant an eligible employee up to a total of 12 work weeks of unpaid leave during any rolling backward 12-month period for one or more of the following reasons:

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a child for adoption or foster care;
- to care for a spouse/partner, child, or parent with a serious health condition; or
- to take medical leave when the employee is unable to work because of a serious health condition.

The maximum amount of leave that may be taken in a rolling 12-month period for all of these reasons combined is 12 weeks.

Married employee couples/partners will not be restricted to a combined total of 12 weeks leave within any 12-month period for childbirth, adoption, or placement of a foster child, as allowed under law. Thus, married employees/partners are each entitled to their own 12 weeks of FMLA eligibility.

In certain circumstances, eligible employees are entitled to take up to 12 work weeks of unpaid family military leave within a rolling backward 12-month period to address qualifying exigencies where the employee's spouse/partner, child, or parent is on active duty or called to active duty status as a member of the National Guard/Reserves in support of a military operations. Additionally, in certain circumstances, the College will grant an eligible employee who is a spouse/partner, child, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard/Reserves, with a serious injury or illness up to a total of 26 work weeks of unpaid leave within a single 12-month period to care for the service member.

When medically necessary, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the usual weekly or daily work schedule. When leave is needed for planned medical treatment, employees must make a reasonable effort to schedule treatment so as not to unduly disrupt the College's operation. The College may temporarily transfer an employee on intermittent or reduced-schedule leave to another position of equivalent pay and benefits.

405.3 Requesting an FMLA Leave

Requesting a Family and Medical Leave of Absence is done by filing a claim through The Hartford. Eligible employees should make requests for family leave to their supervisors at least 30 days in advance of foreseeable events or on the same day or next day for unforeseeable events. Employees requesting leave related to the serious health condition of a child, spouse/partner or parent may be required to submit a health care provider's statement verifying the need for a leave to provide care, its beginning and expected ending dates, and the estimated time required.

405.4 Pay and Benefits While on FMLA Leave

Employees are required to use any accrued paid leave time (sick and vacation leave) during a family or medical leave. In order to use such paid leave time for FMLA leave, employees must comply with the College's normal paid leave policies.

Employees are not eligible for holiday pay while in unpaid status (accruals have been exhausted or while on Short Term Disability). When the employee returns from FMLA leave, their benefits will resume according to applicable plans.

For employees currently on our flexible benefit plans, Bates College will maintain group insurance coverage and employer contribution levels for an employee on FMLA leave provided they were on the plans before the leave was taken. If applicable, arrangements will need to be made for employees to pay their share of insurance premiums while on leave.

405.5 Job Protection While on FMLA Leave

Upon return from FMLA leave that has not exceeded the applicable maximum leave (e.g., 12 or 26 weeks), employees will be restored to their original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.

If the employee decides not to return to the College from an FMLA leave, the employee is requested to inform the College of that decision as soon as possible. The College may then end the leave and employment will terminate.

If an employee fails to return to work or request additional leave at the end of their approved FMLA leave, the employee's employment will be terminated.

405.6 Medical Certification

Employees may be required to provide a certification from a health care provider indicating the need for a leave. Upon return to work from an employee's serious health condition, Bates College may require employees to submit a certification that they are able to resume work.

405.7 Other Employment While on FMLA

Employees are prohibited from working in any paid capacity for another employer or in a self-employed capacity while on an authorized Family and Medical Leave from Bates College. Violation of this policy may result in disciplinary action up to and including termination.

405.8 Communicating with the College During FMLA Leave

Employees who are out of work on FMLA leave are required to inform the College of any change in status, including but not limited to a release to return to work, a need for additional leave, or a decision not to return to the College. Failure to inform the College of a change in status may result in disciplinary action.

405.9 Return to Work

Employees returning to work following a leave for their own health condition are required to provide a written release from their treating health care provider stating that they are able to return to work and outlining any applicable work restrictions. Employees will not be permitted to return to work until such documentation has been

provided to their supervisor and/or Human Resources prior to their anticipated return.

In certain circumstances, the College may require an employee to undergo a fitness-for-duty evaluation to confirm their ability to safely perform the essential functions of their position. Additional information regarding fitness-for-duty evaluations can be found in the Environmental Health and Safety section of this handbook.

406 MAINE PAID FAMILY MEDICAL LEAVE

Beginning May 1, 2026, eligible employees will be able to take leave and receive income replacement benefits under the Maine Paid Family Medical Leave (ME PFML) program.

406.1 Employee Eligibility

Employees are eligible for ME PFML if they have earned at least six (6) times the state average weekly wage (AWW) during their base period, which is the first four of the last five completed calendar quarters before their leave begins.

406.2 Employee Contributions

The employee contribution rate is 0.4% of each eligible individual's post-tax wages or other earnings up to the Social Security wage base in effect for that particular year. Employees who have questions regarding the contribution amount should contact Payroll.

406.3 Leave Entitlements

Eligible employees may generally take up to 12 weeks of ME PFML leave per year for the following reasons:

- To care for a newborn child or a child newly placed for adoption, foster care, or kinship care within one year of birth, adoption, or placement;
- To care for a family member with a serious health condition;
- For the employee's own serious health condition;
- For safe leave reasons if the employee or their covered family member is a victim of violence, assault, sexual assault, stalking, or any act that would support an order for protection;
- To care for a service member with a serious health condition resulting from military service for whom the eligible employee is next of kin;
- To attend to a qualifying exigency arising out of the deployment of a service member who is a family member; or
- Any other reason allowed under the Maine Family Medical Leave Act.

For purposes of this policy, an eligible employee's "family member" is defined in the Maine PFML Law.

Employees taking medical leave will not be paid for the first 7 calendar days of leave. Employees may take leave in minimum increments of one (1) day. When leave is needed for planned medical treatment, employees must make a reasonable effort to schedule treatment so as not to unduly disrupt the College's operations.

Employees taking leave for the care of a family member will not have a waiting period before the benefit takes effect. Employees may take leave in minimum increments of one (1) day. When leave is needed for a family member's planned medical treatment, employees must make a reasonable effort to schedule treatment so as not to unduly disrupt the College's operations.

While on leave, the College's leave administrator will calculate employee benefit amounts. An employee's weekly benefit amount is calculated as a percentage of their earnings. Employees may receive up to 90% of their wages equal to or less than 50% of Maine's average weekly wage, plus 66% of an employee's wages that exceed 50% of Maine's average weekly wage. Benefits are currently capped at the Maine average weekly wage, which is adjusted annually.

406.4 Requesting an ME PFML Leave

Employees apply for ME PFML with the College's leave administrator, The Hartford. The Hartford is responsible for making ME PFML determinations. Eligible employees should make requests for leave to their supervisors at least 30 days in advance of foreseeable events or on the same day or the next day for unforeseeable events.

406.5 Medical Certification

Employees may be required to provide a certification from a health care provider indicating the need for leave. Upon return to work from an employee's serious health condition, the College may require employees to submit a certification that they are able to resume work.

Employees requesting leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for leave to provide care, its beginning and expected ending dates, and the estimated time required.

406.6 Use of Other Leave and Benefits

Employees can use accrued paid leave time (sick and vacation leave), or other paid time off (holiday pay or personal time off) to supplement ME PFML benefits up to 100 percent of wages. Employer-provided benefits, including Short-Term Disability and parental leave, will run concurrently with ME PFML, not to exceed 100 percent of the employee's regular wages. In no instance will an employee ever be permitted to receive more than 100 percent of their regular wages.

Accrued paid leave may not be used to automatically extend an employee's leave beyond the initial 12 weeks of job-protected leave. An employee requesting additional time off beyond 12 weeks using available accrued leave balances must obtain advance approval from both their supervisor and the department Vice President. Approval will be based on operational needs, staffing coverage, and the department's ability to accommodate the extended absence.

Unless the employee is on an approved Short-Term Disability leave of absence (which may provide approved leave for up to six months, subject to plan terms), any approved leave extension beyond 12 weeks will not be considered job-protected leave, unless otherwise required by applicable law.

Maine PFML leave runs concurrently with federal FMLA leave and Maine's Family and Medical Leave law. Any leave taken under the federal FMLA and/or Maine's Family and Medical Leave law in the 12 months preceding the start of leave will reduce an employee's ME PFML leave entitlement.

406.7 Pay and Benefits While on Maine Paid Family Medical Leave

For employees currently on our flexible benefit plans, the College will maintain group insurance coverage and employer contribution levels for an employee on ME PFML, provided they were on the plans before the leave was taken. If applicable, arrangements will need to be made for employees to pay their share of insurance premiums while on leave. Taking ME PFML will not affect an employee's right to accrue vacation time, sick time, bonuses, advancement, seniority, length of service credit, or other employment benefits, plans, or programs.

406.8 Job Restoration

Employees who have been employed for at least 120 days are entitled to be returned to the position held when leave commenced or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment upon return from ME PFML.

406.9 Discrimination and Retaliation

The College strictly prohibits and will not tolerate any discrimination or retaliation against an employee who requests to use ME PFML benefits, uses ME PFML benefits, or exercises any other rights protected under this policy. Any employee who believes that they have been wrongfully denied leave, retaliated or discriminated against for exercising any rights under this policy must immediately notify Human Resources.

407 MAINE FAMILY MEDICAL LEAVE

If employees have been employed by the College for 12 consecutive months and the College employs at least 15 employees, they are eligible for up to 10 workweeks of unpaid family medical leave in any two-year period under the following circumstances:

- the employee's serious health condition;
- The birth of the employee's child or the employee's domestic partner's child;
- The placement of a child 16 years of age or less with the employee or the employee's domestic partner in connection with

the adoption of the child by the employee or the employee's domestic partner;
- The serious health condition of the employee's parent, child, sibling, spouse/domestic partner, or the employee domestic partner's child;
- The donation of the employee's organ for a human organ transplant;
- The death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child if the spouse, domestic partner, parent, sibling or child is a member of the state military forces, as defined in Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, and dies or incurs a serious health condition while on active duty.

The two-year leave period shall be calculated as a rolling two-year period measured backward from the first day of any family or medical leave. The leave may be taken in consecutive weeks or intermittently.

Employees must give at least 30 days' notice of the intended date upon which family medical leave will commence and terminate, unless prevented by medical emergency from giving that notice. The College may require certification from a health care provider to verify the need for and the amount of leave requested by employees. Employees may also be required to provide verification of the relevant family relationship or domestic partnership.

Any leave taken under the Maine Family Medical Leave Act runs concurrently with leave taken under the federal Family and Medical Leave Act, to the extent allowed by law. The College complies with both applicable federal and state law when administering its family medical leave policy, and if both apply to a particular employee, the College will give the employee the benefit of the more generous leave law.

Employees will be required to use accrued paid leave (e.g., vacation, sick time) during a family medical leave. During any family medical leave taken under this policy, employees may continue their employee benefits at their expense. Employees who take family medical leave in accordance with this policy ordinarily will be restored to their former position or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. Restoration may be denied for reasons unrelated to the employee's exercise of family medical rights, such as a business downturn or reorganization.

408 PARENTAL LEAVE

Employees welcoming a new child through birth or adoption may be eligible for paid parental leave. To be eligible for paid parental leave under this policy, employees must be staff or faculty (who do not qualify for the Faculty Parental Leave benefit) and have completed six months of service prior to the date of birth or adoption. Eligible employees may access up to six weeks of parental leave with 100 percent of pay. If both parents are employees of the College, each parent will be eligible for the full six week benefit. Eligible employees are limited to one paid parental leave per year, regardless of the number of children born or adopted.

Paid parental leave must be used within six months following the date of birth or date of adoption. Paid parental leave will begin for birthparents after their period of disability. Paid parental leave under this program cannot be taken in increments smaller than one week.

Employees may be eligible for additional leave under additional federal and state laws. Paid parental leave runs concurrently with leave under laws like the federal Family and Medical Leave Act (FMLA) and Maine Paid Family Medical Leave (ME PFML), whenever applicable and to the extent permitted by law. Faculty qualifying for paid parental leave under this program will be required to take leave for an entire semester or Short Term.

Paid parental leave benefits under this policy will be offset and reduced by the amount of ME PFML benefits an employee receives or is anticipated to receive to ensure the employee receives no more than 100 percent of their regular base pay during leave. Staff members will not accrue sick and vacation time during paid parental leave unless such time is concurrently designated as leave under ME PFML and accrual is required by applicable law.

Eligibility and determinations for this policy are made by the Benefits team in Human Resources.

409 BEREAVEMENT LEAVE (FUNERAL LEAVE)

In the event of a death in the immediate family or loss of pregnancy, up to five (5) consecutive work days may be taken with pay to mourn, attend to arrangements, obligations, and/or services. In the event of death in the extended family up to three (3)

consecutive work days may be taken with pay. For the purposes of this policy, Bates College defines “immediate family" as:

- the staff member’s spouse/domestic partner;
- the staff member’s parent, child, sibling, grandparent, grandchildren;
- the staff member's son-in-law or daughter-in-law;
- the staff member’s mother-in-law, father-in-law, brother-in-law, sister-in-law.
- any person residing in the staff member’s household.

Bates College defines “extended family” as:

- the staff members aunt, uncle, cousin;
- the staff members niece, nephew;
- the staff members great grandparents;
- the staff members in-law and step relationships.

All of employee’s “step” relationships and domestic partner relationships named above will be eligible for bereavement leave. Special consideration will be given to any other person whose association with the staff member was similar to any of the above relationships, upon request and subsequent approval of the Assistant Vice President of Human Resources. Additional time, if taken, would be without pay or taken as vacation leave.

410 STAFF SHORT-TERM DISABILITY LEAVE AND BENEFIT

Benefits-eligible staff members who have completed six months or more of service are eligible for Short-Term Disability (STD). Short-Term Disability benefits are provided at a rate of 75% of the staff member’s base compensation or regular hourly rate (based upon the staff member’s normal regular work schedule) for up to 180 consecutive calendar days (inclusive of the 14-day elimination period) of certified disability due to the same continuing condition. Under this plan, the staff member must have been medically determined to be unable to work because of an injury or illness by a treating physician.

Staff members are limited to one STD claim in a 12-month period. Staff experiencing a serious health condition that requires them to be away from work for one or more weeks are required to file an STD claim with The Hartford.

Eligibility to receive STD benefits is contingent upon the employee’s participation in the College’s Return-To-Work program. The College will expect all staff members capable of returning to work in their present position, or in an alternative position that meets the limitations and restrictions ordered by the attending healthcare provider, to return to work at the earliest opportunity. If a staff member is able to work in their present position or in an alternative position approved by the healthcare provider and chooses not to, short-term disability coverage will be denied or discontinued. STD is intended to assist a staff member with short-term income protection when they are unable to work due to a non-work-related injury or illness.

To be approved for STD benefits, the staff member must provide medical documentation from their attending physician at appropriate intervals during their disability period. If appropriate documentation is not received, the staff member’s STD request may be denied.

Prior to returning to work, the staff member may be required to provide the HR Department with a release from the health care provider indicating their ability to return to work and/or any limitations or restrictions on their work. Staff members are required to abide by any such medical restrictions and limitations until the health care provider completely releases them to regular employment.

Conditions covered by Workers' Compensation are excluded from STD coverage. Time away from work for any STD leave will run concurrently with any leave entitlement the employee has under the federal Family and Medical Leave Act of 1993 or applicable Maine laws. Staff may use accrued paid time (sick and vacation) or other paid time off (personal time off and holiday pay), to supplement their STD payment, not to exceed 100% of regular earnings. Staff will not accrue vacation, sick, and personal leave while on STD and accruals will resume once an individual has returned to active employment. Staff who provide written documentation of their intent to retire or terminate their employment prior to their STD claim being approved may receive STD benefits up to the date of their stated departure from the College, but not past that date.

While on STD an employee will continue to participate in all of their flexible benefit plan elections and their retirement plan elections. If an employee does not return to work when their STD benefits have been exhausted they will be deemed to have been separated from employment and applicable benefit continuation provisions available to terminated employees for the health, dental, and life insurance plans will apply.

Please contact benefits@bates.edu for information about applying for Short Term Disability.

411 LONG-TERM DISABILITY (LTD) LEAVE AND BENEFIT

The LTD benefits plan is designed to help eligible employees cope with an illness or injury that results in a long-term absence from employment. LTD provides continuing income for employees who are disabled and unable to work.

Long-term disability leave applies to faculty and staff who are classified in a benefit status of half-time or more. Participation in the Long-Term Disability benefit program is mandatory under the College's Flexible Benefits program and the College provides employees with enough benefit credits for the cost of LTD.

Employees suffering from a disability who do not expect to return to work within 6 months of the onset of their disability, may initiate a claim for long-term disability. The determination of an employee's eligibility to receive LTD benefits is made by The Hartford.

The LTD benefit is paid for with after tax dollars out of the employee's earnings, even though the credits for the benefit are provided by the College. Since the benefit is paid for with after tax dollars, the employee will receive benefits (wage replacement) tax free. The benefit provides 60% wage replacement after a 6-month (180 day) elimination period. LTD benefits are offset with amounts received under Social Security or Workers' Compensation for the same time period.

412 LEAVE FOR VICTIMS OF VIOLENCE

Employees are entitled to leave to attend to needs resulting from acts of violence against themselves or their immediate family in compliance with Maine law.

Employees may take reasonable and necessary leave in order to (1) prepare for and attend court proceedings; (2) receive medical treatment or attend to medical treatment of the employee's son, daughter, parent or spouse; (3) or to obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The leave must be needed because the employee or the employee's son, daughter, parent or spouse/partner is a victim of violence, assault, sexual assault, stalking or any act that would support an order for protection under Maine's protection from domestic abuse law.

Bates may deny the leave if the employee's absence would create an undue hardship, if the request for leave is not communicated by the employee within a reasonable time in the circumstances, or if the requested leave is impractical, unreasonable or unnecessary based on the facts known to the College.

If leave for a victim of violence is applied for and approved, an employee will not face discipline for any absences protected by this leave.

413 JURY OR WITNESS DUTY

Members of the College community are encouraged to serve, as a matter of good citizenship, when called upon for jury selection, duty, or as a court witness. Employees are expected to have their responsibilities covered according to the individual needs of their departments and to return to work after they have discharged their court obligations for the day. If the jury selection or duty period requested would represent a hardship to the employee's department they should request a deferment from the court. Such a request must be made in writing to the appropriate court explaining the hardship and providing an alternate available time to serve. Employees will receive full compensation from Bates for up to 30 days served.

414 MILITARY LEAVE

Bates College complies with The Uniformed Services Employment and Reemployment Rights Act (USERRA) and protects service member's military obligations, reemployment rights when returning from a period of service in the uniformed services, including those called up from the reserves or National Guard, and prohibits employer discrimination based on military service or obligation. The U.S. Department of Labor's (DOL) Veterans' Employment and Training Service (VETS) administers USERRA. Contact the Human Resources Department for more information or questions about military leave.

415 FAMILY MILITARY LEAVE

If employees have worked with the College at least 12 months and at least 1,250 service hours during the 12- month period immediately preceding the leave, they are eligible for unpaid leave under Maine's Family Military Leave Act. If an employee's spouse, domestic partner or child is called to military service that is expected to last longer than 180 days, then the employee is entitled to up to 15 days of unpaid leave to spend time with their spouse, domestic partner or child immediately before, during, or following deployment. Advance notice is required to receive this benefit for a covered deployment. A covered deployment is a deployment: a) of the employee's spouse, domestic partner or child, who is a resident of Maine, b) for longer than 180 days, and c) into active military or National Guard duty when the duty assignment is in a combat theater or in an area where armed conflict is taking place. The College will maintain the employee's benefits during the leave and restore the employee's employment (or equivalent employment) after the leave.

416 MAINE EARNED PAID LEAVE

In accordance with the State of Maine Earned Paid Leave Law all non-benefit eligible part-time, temporary, and per diem employees are eligible to accrue and use earned paid leave as described in this policy.

Accrual of Earned Paid Leave
Maine earned paid leave (MEPL) is accrued at a rate of one hour for every 40 hours worked. The following chart illustrates MEPL accrual and the total hours employees are able to accrue in a year. Actual accrual is based upon the **number of hours worked** in each pay period. MEPL is only accrued when an employee is actively working.

If an employee holds multiple positions with the College, hours worked in all positions will be combined for purposes of MEPL accrual. Employees will accrue MEPL based on their total hours worked across all positions, subject to the applicable annual accrual limits under this policy.

Covered Employees	**Accrual Per 40 Hours Worked**	**Maximum Accrual/Year**
All non-benefit eligible staff, including part-time, temporary, or per diem	1 Hour	40 Hours

Employees begin to accrue MEPL from their first day of employment.

Use of Earned Paid Leave
MEPL can be used in minimum increments of one-quarter hour and may be used for any reason. However, MEPL can only be used to cover for regular work time missed and not as additional income over and above an employee's regularly scheduled hours. Employees may not use accrued MEPL during the notice period preceding termination of employment. Exceptions may be made for employees who provide medical documentation of the need to be out of work during such period.

Employee Notice
Absent an emergency, illness or other sudden necessity for taking MEPL, employees are required to give reasonable notice to their supervisor of their intent to use MEPL; however, supervisors cannot request more than four weeks' notice for planned absences. Departments may establish scheduling guidelines to avoid situations where multiple absences impact the college's business and educational needs. The college may refuse requested time off that interferes with business or educational needs. For cases of absence due to sudden illness or emergency that last for three days or more Bates may request medical certification.

Rate of Pay
MEPL is paid at the employee's base rate of pay at the time of the absence. If an employee holds more than one position the MEPL is paid at the rate of the highest paid job. MEPL is not used in calculating overtime.

Unused Earned Paid Leave
MEPL which is accrued but not used by the end of the calendar year may be carried over into the following calendar year.. For example, if at the end of the calendar year an employee had 10 hours of MEPL it may be carried over into the following calendar year If no MEPL is used that 10 hours would be added to the maximum of 40 hours that may accrue in a calendar year for a total of 50 hours at the end of the calendar year. The total of 50 hours would then roll over. There is no maximum total accrual

Accrued and unused MEPL is not paid out upon termination of employment; however, if an employee is rehired within a year any unused MEPL accrued balance at the time of termination will be restored to their MEPL accrued leave balance.

417 UNPAID LEAVES OF ABSENCE

416.1 Employee Eligibility

- Regular Benefits Eligible Staff Member
- Not eligible for state or federal leave
- Has exhausted all leave banks (sick, vacation, PTO)

The College may grant unpaid leaves of absence when personal urgent and compelling circumstances occur. All such leaves are contingent upon the department either securing satisfactory replacement or making arrangements to cover the staff member's responsibilities. Unpaid Leaves of Absence require the approval of the appropriate vice president or dean and the Assistant Vice President of Human Resources. Any request for a leave of absence of more than 30 calendar days will require the approval of the Assistant Vice President of Human Resources. Unpaid leave is approved only in exceptional circumstances, not otherwise provided by College policy or applicable law.

During the 30 calendar days of an approved unpaid leave an employee may continue their flexible benefits by paying only their portion of the benefit costs. All other ancillary benefits for the employee are suspended, at the start of the leave period.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment. When an unpaid leave of absence ends, every reasonable effort will be made to return the staff member to the same position, if it is available, or to a similar available position for which the staff member is qualified. Bates College cannot guarantee reinstatement in all cases. If a staff member fails to report to work promptly at the expiration of the approved leave period, they will be deemed to have resigned.

When an unpaid leave of absence occasion qualifies for coverage under the federal and/or Maine Family and Medical Leave Act (FMLA), the leave of absence will run concurrently with any leave eligibility under FMLA.

If during your unpaid leave of absence you meet the eligibility requirements for FMLA or Maine FMLA and your circumstance is a qualifying event for coverage, your leave will shift to a Federally or State protected leave. You and Human Resources will work together to process this transition.

418 MAINE EMERGENCY RESPONDER LEAVE

You may not be subject to any disciplinary action because of your failure to report for work at the beginning of your regular working hours if you failed to do so because you were responding to an emergency in your capacity as a firefighter or an emergency medical service personnel (including volunteers) and you reported for work as soon as reasonably possible after being released from the emergency.

Bates College may charge the lost time against your regular pay or against your available vacation time.

If time permits, when you are responding as a firefighter or an emergency medical service personnel (including volunteers) to an emergency, you, your designee or the fire department supervisor shall notify Bates College that you will not report to work at the appointed time. Bates College may request that you provide Bates College with a statement from the chief of the fire department or the chief's designee stating that you were responding to an emergency call and the time of release from the call.

419 COMPETITIVE LEAVE AWARDS FOR ADMINISTRATIVE AND PROFESSIONAL STAFF

The Bates College competitive development awards for staff provides awards to successful applicants whose proposed development projects would result in mutual professional and institutional benefits. Development projects may be specific seminars, conferences, targeted training, or certification-granting sessions. The intent of the awards are to support program and related costs of up to $2,500 to supplement or provide departmental development funds. For example, support could be requested for travel expenses, conference expenses, workshops, expenses incurred to visit professional operations at other institutions, or research expenses. The senior staff member sponsoring the proposal must have a plan for staff coverage while the employee is participating in development activities.

Proposals should be submitted to the Assistant Vice President of Human Resources, with an endorsement by the dean or vice president to whom the individual reports. The Assistant Vice President of Human Resources will forward recommendations to the senior staff quarterly (January, April, July, and October) for proposals in the preceding quarter, as applicable. The Assistant Vice President of Human Resources may forward recommendations out of sequence if circumstances require. Applications should include:

- A description of the development opportunity, for both the employee and the College;
- A detailed accounting of the cost of the program, including department support, and supporting detail for a request of up to $2,500 from the program; and
- A supervisor's plan for supporting the essential role of the employee if the proposal requires material time away from campus.

Preference will be given to first-time applicants. A maximum of four awards each year will be made.

JOB CLASSIFICATION AND COMPENSATION

The following section describes the essential steps in job classification and compensation. It is the intent of this section to provide a general overview of job classification and pay and salary administration practices.

500 FAIR LABOR STANDARDS ACT (FLSA) AND MAINE WAGE AND HOUR LAW

Bates College conforms to all terms of the Fair Labor Standards Act (known as the Federal Wage and Hour Law) as well as the Maine Wage and Hour law, including the payment of minimum wages and overtime pay. These laws establish the criteria for determining which positions are "non-exempt" (eligible to receive overtime pay), and which are "exempt" (not eligible to receive overtime pay). Human Resources is responsible for ensuring compliance with such laws, including the determination of exempt and non-exempt status.

501 JOB DESCRIPTIONS

Job descriptions are developed to reflect the purpose and major responsibilities of jobs, and the knowledge, skills and abilities required to perform those jobs successfully, and are the key element for classification and compensation of a position. They reflect essential functions and departmental expectations and are considered to be descriptive rather than restrictive. The tasks described are characteristic of the job, and not every task needs to be listed to reflect an accurate job description.

Job descriptions are representative of the work performed by all incumbents in a job. In multi-incumbent jobs, some duties described may not apply to all individuals, or one individual may perform an additional task. If that addition (or omission) does not significantly change the job, the job description still may be appropriate.

Each description should include the following job information: a job summary or general overview, the essential functions of the position, any special, unique, or periodic duties, and working conditions, including physical requirements. Essential functions are the core duties and responsibilities of a position, without which the position would be fundamentally different.

501.1 New Positions or Open Current Positions

The hiring manager must prepare a job description when new positions are created or a current position becomes open. An evaluation of the knowledge, skills and abilities and responsibilities will be conducted by the Human Resources Office prior to recruiting for the position. This evaluation is used to ensure that the position is placed in the appropriate pay band and to classify positions accurately in compliance with state and federal regulations.

501.2 Orienting New Employees

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

501.3 Performance Development

Existing job descriptions should be reviewed and revised periodically in order to ensure that they are up-to-date with the position's current duties and responsibilities. All staff members are expected to help ensure that their job descriptions are current, accurate, and reflect the work being performed. Performance development meetings that occur during the year should include a review and discussion of the current job description.

502 RECLASSIFICATION OF POSITIONS

It is possible that the tasks, duties, and responsibilities of a position may change over time. If this occurs, then a position may be reviewed by the Human Resources Department. Such changes may include title changes, significant changes in duties and responsibilities, and status changes from nonexempt to exempt.

503 COMPENSATION GROUPS

Bates College’s Staff Compensation Program provides a framework for grouping similar jobs based on job content and organizational impact. Bates College has four Compensation Groups – Administrative Support, Service, Professional, and Supervisory/Managerial.

504 CHANGE TO POSITIONS

Changes to the employment status, pay, or benefits of any staff member will generally require the recommendation of the Director of the Department and the approval of the appropriate Vice President/Dean. Such requests for changes must be forwarded to the Vice President for Finance Administration and Treasurer via the Assistant Vice President of Human Resources to receive budget approval. Certain changes may require the approval of the President and are generally the result of an approved re-organization.

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

505 PROMOTIONS, DEMOTIONS, LATERAL TRANSFERS

A promotion occurs when an employee moves to a job with greater responsibilities in a higher-level band (either within or outside of their current job family). A promotion may be warranted after a period of continual assessment, development, growth in work performance, and exceptional contributions to the mission and goals of the College. Changes to individual capabilities and activities (e.g., learning a new skill, increasing number of staff supervised) do not constitute career progression.

The salary for employees being promoted will be reviewed in a similar manner to candidates from outside Bates College. The intent is to determine the employee's capabilities to assume the new job responsibilities and pay the employee a starting salary commensurate with those capabilities. Human Resources will determine the appropriate salary for the employee in consultation with managers and require the approval of the appropriate Vice President/Dean and the budget approval of the Vice President for Finance Administration and Treasurer.

If an employee moves or is moved to a job in a lower band, or to a job of lesser responsibility in a different classification band, their salary may be reduced commensurate with the change. Consideration will be given to the employee's length of service, new job responsibilities, new pay range, market analysis and internal equity and whether the decision to move to a lower range was voluntary or the result of a departmental restructuring.

If an employee moves to another position in the same pay band, Human Resources will review the employee's salary. Generally, no changes in salary will be recommended. If such a change is warranted due to unique circumstances, it will require the approval of the appropriate Vice President/Dean and the budget approval of the Vice President for Finance Administration and Treasurer.

PAYROLL PROCESSING AND PAY ADMINISTRATION

The following section describes the essential components of our payroll processing and pay administration policies. This section is compliant with the Department of Labor's Wage and Hour regulations regarding time records and payroll processing.

600 TIMESHEETS, TIMEKEEPING AND LEAVE REPORTING

600.1 Non-exempt Employees

It is the responsibility of every nonexempt staff member to accurately record the time they work on a timesheet each pay period. Bates College uses electronic timesheets, paper timesheets and a time and attendance system to record time worked. The staff member's supervisor must review the timesheet for accuracy, verify both the hours worked and any hours eligible for premium pay. The signature of the staff member and the supervisor certifies the accuracy of the information on the paper timesheet. The supervisor's electronic approval certifies the accuracy of the electronic timesheet. Federal and state laws require Bates College to keep an accurate record of time worked in order to calculate nonexempt staff members' pay and benefits.

Nonexempt staff members should report to work no more than 7 minutes prior to their scheduled starting time nor stay more than 7 minutes after their scheduled stop time without the prior approval of their supervisor. Likewise, overtime work must be approved before it is performed, except under extenuating circumstances.

Supervisors of staff members who are working part-, half-, or three-quarter-time due to restricted duties while earning Short-term Disability or Workers' Compensation benefits must ensure that the staff member's timesheet correctly lists actual hours worked and time approved under the appropriate benefit category. Supervisors are responsible for ensuring that their staff member's timesheets indicate all paid and unpaid leaves, including Family or Medical leave.

Timesheets must be submitted on time each pay period in order for a staff member to get paid. The Payroll Office cannot assume that a nonexempt staff member has worked.

When there has been a delay in submitting a timesheet or if an error is made in reporting time accurately on the staff member's timesheet (electronic or paper), a delay may occur in processing the change. It is imperative that the staff member and the staff member's supervisor verify the accuracy of the staff member's timesheet prior to submitting it to the Payroll Office.

600.2 Exempt Employees and Leave Reporting

Exempt employees are required to complete a monthly leave report on the Garnet Gateway. Vacation, sick, personal, jury, bereavement, parental and FMLA time taken in the previous month is recorded on the leave report for the current pay period. Time taken is recorded in hours. Leave reports should be submitted by the last day of each month.

601 PAYDAYS

Nonexempt staff members are paid biweekly on every other Thursday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. Pay periods end on the Saturday prior to each payday. There are 26 pay periods during a calendar year for nonexempt employees.

Exempt employees (faculty, administrative and professional staff) are paid on a monthly pay cycle. Exempt paydays occur on the second Thursday of each month. The actual date when the monthly employee receives their paycheck will vary, but will always be on the second Thursday of each month. Exempt employees are paid for the entire calendar month on each designated payday.

602 PAY DEDUCTIONS AND PAYCHECK STATEMENTS

Employee's paycheck statements contain important information about the individual's pay, benefits, leaves, and other employment-related information. The pay statement includes information such as Bates College's contribution to various benefits and tax deductions. Pay statements are available for viewing under the Employee Menu on the Garnet Gateway.

602.1 Benefit Deductions

For exempt personnel, benefits, credits and all benefit deductions are taken during each monthly pay period. For nonexempt employees, there are 26 pay periods during a calendar year and benefit credits provided by the College are distributed in each of the 26 pay periods. Benefit deductions, except voluntary pension contributions and long-term disability, are taken from the employee's pay 24 times per year, or twice a month. Nonexempt academic year employees' deductions are subject to change according to how the pay dates occur in the academic year.

The actual amount deducted will be determined by the benefits that were elected during initial benefits enrollment, or those benefits selected during the annual enrollment period.

602.2 Leave Accrual

For exempt staff personnel, leaves accrue each monthly pay period. For nonexempt staff, leaves accrue in the first two pay dates of each month. Leaves are earned on a prorated basis, based upon the number of hours worked during the pay period.

Staff members who do not have a sick leave balance and take sick leave before it is accrued, will automatically have the appropriate amount of vacation time deducted, if available. New staff members with the College for less than 6 months will not have vacation time available. Staff members who take vacation time before it is accrued will not be paid for the time away.

Time away from campus that is not sick leave or an approved vacation is considered unpaid leave. All unpaid leaves must be approved by the appropriate vice president or dean unless otherwise provided by College policy. Staff members may not exhaust all of their sick leave and create an unlimited bank of time off by choosing to receive no pay instead of using vacation leave. Staff members may not exhaust their vacation time and create an unlimited bank of time off by choosing to receive no pay for unapproved time away from campus.

603 DIRECT DEPOSIT

All Bates employees are required to enroll in direct deposit as a condition of employment. To enroll, employees must complete a Direct Deposit Authorization Agreement form found on Garnet Gateway.

The College transmits direct deposit two days before the scheduled pay date. Your banking institutions will make your payment available at some time on the actual pay date. Payroll will not take action on direct deposit failing to appear in your account until after 2:00 p.m. on payday, as it is likely that your bank has the money and has not made it available for withdrawal yet.

604 PAY CORRECTIONS AND RETURNED FUNDS

Bates College takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In addition, the College makes a good faith effort to avoid making any improper deductions from employees' pay. In the unlikely event that there is an error in the amount of pay or an impermissible deduction is made from pay, the employee should promptly bring the discrepancy to the attention of the Human Resources Department. In the event of an improper deduction, the College will promptly reimburse the employee for the improperly deducted amount. In the event of an overpayment of wages, the College expects you to cooperate in correcting the overpayment. Accordingly, the College reserves the right to deduct repayment from your future wages to the extent permitted by applicable law. Unless otherwise required by law, if the amount of the error is less than $100, the College reserves the right to correct the error in the following scheduled pay period. In the event that no further wages are due to the employee, the College may seek to recover the wage overpayment to the fullest extent permitted by applicable law.

Pay for late timesheet submissions will be processed on the Friday after each payday. Whenever possible, payments will be processed by direct deposit. There is a two-business day wait from the day of processing to the time when the payment will be available in the employee's account.

In the case where an employee closes their bank account without notifying the Payroll Office prior to the payroll processing date, the payment cannot be reissued until there is confirmation from the bank that the money has been returned to the Bates College account which may take several days.

605 DEDUCTIONS FROM PAY

There are a number of deductions that will occur from most employees' compensation. Among these are applicable federal and state income taxes. In addition to legally mandated deductions, each benefit eligible employee will have deductions from their paycheck according to the benefits selected from the Bates College flexible benefits program. Eligible employees authorize deductions from their paychecks to cover the cost of participating in these programs.

Other wage deductions, such as garnishments or tax levies, may be made to fulfill legal requirements when appropriate. International employees may be exempt from certain taxes and social security withholdings according to appropriate tax treaties and IRS regulations.

605.1 Other Deductions

Bates can deduct or withhold any portion of an employee's wages for the payment of a loan, debt or advance made to the employee. (i.e. computer purchase, payroll advance, Bates College parking ticket, fair market value of unreturned library books).

With written consent from the employee, the following deductions can be made to an employee's wages:

- Bates Advancement pledges
- Bates Rental Property Rent/Security Deposit/Pet Deposit payments
- Central Maine Wellness Center membership payment
- Community Supported Agriculture share payment
- Commuter van monthly payment
- Liberty Mutual Insurance payment
- United Way, Maine Share and Community Health Charities of Maine pledges

Any amounts owed to the College because of a balance due on a loan, debt or advance at the time of separation from the College will be deducted from either the final paycheck, vacation payout or both.

Questions concerning paycheck deductions should be directed to the Human Resources Department.

606 WORK HOURS, MEALS, AND BREAKS

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

In accordance with federal and state law, if a non-exempt employee works for over six consecutive hours they must be offered a break of at least one half-hour. Most often this break will be a lunch or dinner break. Employees may not skip breaks in order to shorten their work day or accumulate time to depart work early. There are no other breaks required by law and any additional breaks are at the discretion of the supervisor as work permits.

Lunch or meal periods will vary by department and will range from a half-hour to a full hour depending upon the rules of the department. Meal periods are not paid time unless the employee is required to work and remain at their work site.

Hours for part-time positions or multi-shift operations may vary based on departmental and service needs.

607 OVERTIME

Overtime compensation is paid to all nonexempt employees for all hours worked over 40 per week (Sunday through Saturday) in accordance with federal and state wage and hour guidelines. Hours recorded for personal, sick, vacation, College closures, court/jury, all premium hours (SERGE, holiday, pager, Call-In Premium, and Spill Team), and all other leave time **will not** be counted as hours worked towards the calculation of overtime hours. Bates College calculates overtime on a weekly basis; working 10 hours on one day does not count as overtime unless the total amount worked for that week exceeds 40 hours. Compensatory time may not be used in a different week to offset overtime hours. The overtime pay rate is one and one half times the staff member's regular rate of pay, which includes special compensation (shift differential, call-in pay, other premium pay, etc.). All overtime work must receive prior approval of the staff member's supervisor. If a staff member works overtime without receiving prior authorization from their

supervisor, they may be subject to discipline. In certain situations, overtime is expected or is required as a condition of employment. In such cases, it is usually noted at the time of hire, or in advance for major campus events or unusual departmental demands.

608 HOLIDAY PAY

Regular benefited staff members are eligible to earn holiday pay. Holiday pay is based on an employee's normal daily rate of pay.

Nonexempt staff members who work on a scheduled College holiday will be paid time-and-one-half for the hours actually worked on the holiday in addition to regular holiday pay. Holiday hours are not part of the overtime calculation. Staff members may elect to receive time-and-one-half pay for the hours actually worked on the holiday and take another day during the same pay week as the paid holiday; this arrangement is subject to approval by the staff member's supervisor in advance.

609 PAGER TIME OR WAITING TO WORK TIME

Certain nonexempt staff positions who are regularly scheduled to be in a waiting-to-work or call-in status are eligible to receive pager pay for being on-call 24 hours a day in case a pressing need of the College emerges. Designated positions are determined in advance by each area and are routinely placed on call for designated periods of time.

The pay for pager time is 4 hours of regular pay for each week the staff member is in a waiting-to-work status. If a staff member comes in to respond to an emergency, they will receive call-in pay.

An employee receives an additional 2 hours of holiday pager pay at straight time for being in a waiting-to-work status on declared College holidays, staff appreciation days, or/and while the college is closed for normal operations between late December and January 1 of the new year. To see which days are listed as college holidays and staff appreciation days, please refer to the Payroll calendar website.

For questions about holiday pager pay eligibility, please reach out to Human Resources.

610 SHIFT DIFFERENTIAL

Bates College's policy is to give additional compensation for regular nonexempt positions that routinely require work to be scheduled outside of the normal daytime hours. Department Directors determine the hours of work that define second and third shift and identify to the payroll office which staff are designated as second and third shift employees.

There may be cases when the staff member's hours are divided between shifts. In such cases, differential is paid based on the shift during which the majority of hours are worked and are applied to all hours worked. Work arrangements that are approved on the basis of convenience to the staff member, shall not be considered an assigned evening, night, or weekend shift for the purpose of this policy. Student and temporary employees are not considered regular employees and are not eligible to receive a shift differential.

Eligibility
Typically, shift differential pay is approved for positions in departments that require around-the-clock coverage or operations that consistently require late evening, night, or weekend coverage. Eligibility for a shift differential is tied to the position and time period worked, and is not an entitlement of individual staff members.

If a staff member who typically works the evening, night, or weekend shift is temporarily assigned to the day shift, they will not receive any shift differential for the hours worked during the day shift. Shift differential pay is not included in the pay of staff members who are on paid leave, such as vacation, sick leave, or holidays, etc., and shall be paid only for hours that are actually worked. Shift differential pay is subject to the same payroll deductions and payroll charges as regular salary or wages, but it is not used in the calculation of benefit credits. The eligible staff member is responsible for ensuring that the timesheet correctly reflects the appropriate time worked where the shift differential applies. The supervisor is responsible to verify that the differential has been correctly recorded on the timesheet.

Special Circumstances: Regular staff members who are asked to come in during the evening, night, or on the weekend by a manager to work in a position that is normally eligible for a shift differential will receive the appropriate differential. Emergencies declared by the Senior Emergency Response Group are not eligible for a shift differential.

611 PRIZES AND AWARDS

In accordance with IRS regulations, prizes and awards from the College are taxable at the prevailing supplemental rate to the employee receiving the benefit. These include, but are not limited to, retail establishment gift certificates or debit cards with cash equivalency, or items over $100 in value purchased by the College for award or raffle. The value of the prize or award will be added to your paycheck.

De minimis fringe gifts, as defined by the IRS, will not be added to an employee's paycheck. These include, but are not limited to, food and beverages provided at meetings and parties, certificates and merchandise from the College bookstore, occasional tickets to entertainment or sporting events, and gifts in value of less than $100. De minimis gifts are unusual in frequency and may not be converted to cash.

All departments providing prizes and awards are reminded of their obligation to notify the payroll office so the College may comply with IRS regulations.

612 PAY ADVANCES

Under rare circumstances (such as unexpected personal medical, auto, legal or home repairs), employees may receive an advance against future earnings in the form of an emergency advance. All pay advances are taxable wages. The following guidelines govern advances when they occur:

- Due to the rare nature of such advances, only one advance (regardless of the kind of advance) is granted in a fiscal year.
- Employees must be employed at Bates College a minimum of one year at time of request.
- Employees who have outstanding debts to the College are not eligible to receive a pay advance.
- The pay advance is subject to the approval of the Assistant Vice President of Human Resources. The employee may be requested to provide proof of the need for funds by presenting documentation showing the request for payment or the payment itself.
- Requests for advances may not exceed the net amount of the employee's next paycheck.
- The employee must authorize in writing that the advance will be paid back through a payroll deduction within a two-month period of time.
- A pay advance to a member of Senior Staff is subject to approval of the President.

613 PAY FOR COLLEGE EMERGENCIES (INCLUDING WEATHER EMERGENCIES)

When Bates College declares a weather emergency, only "essential" staff personnel should report for work as scheduled. Your department director will advise you in advance whether you are designated as an essential employee. Employees that are not asked to report to work (except temporary employees) will be paid according to that day's schedule. Hours recorded as Bates Closed will not be part of the overtime calculation. If an employee has called out of work (because of the weather) on the day of the inclement weather using vacation or personal time - and College offices then close - the hours or days of the weather emergency will be added back to the employee's vacation or personal leave balance. If an employee is using a pre-arranged scheduled vacation day or personal day in advance of the weather emergency, no time will be added back to the employee's bank for College closure. No time will be restored in any case if the employee is using sick time.

Regular **nonexempt** employees who are required to work during a weather emergency will receive pay at 2 ½ times the straight time rate of pay for all hours worked during the time the College is declared closed.

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 their supervisor. If an employee chooses not to travel or decides to leave work early because of concerns about the weather, they may use accumulated vacation time, make up the time on other days within the same **work week**, 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.

614 PAY AND BENEFITS WHILE ON LEAVE (UNPAID LEAVE, WORKERS' COMPENSATION, SHORT-TERM DISABILITY, ME PFML, FMLA ETC…)

614.1 Unpaid Leave

Typically, when on an approved unpaid leave, employees will not receive any pay or benefits from Bates College. Employees will not accrue vacation or sick leave or receive any benefits that are reserved for active employees.

During the period of unpaid leave, all benefits are suspended, except that the employee may elect to continue participating in the College's flexible benefits program by assuming the entire cost of their participation. The employee may elect to remain on certain benefits by paying the individual's and the employer's share of costs, where appropriate for the benefit elections that the employee has chosen.

Depending upon the circumstances that have necessitated an unpaid leave, and in accordance with federal regulations governing benefit elections, an employee may be able to change their benefit elections during this period of time.

614.2 Short-Term Disability (STD)

Benefits-eligible staff members who have completed six months or more of service are eligible for Short-Term Disability (STD). Short-Term Disability benefits are provided at a rate of 75% of the staff member's base compensation or regular hourly rate (based upon the staff member's normal regular work schedule) for up to 180 consecutive calendar days (inclusive of the 14-day elimination period) of certified disability due to the same continuing condition.

Staff may use accrued paid time (sick and vacation) or other paid time off (personal time off and holiday pay), to supplement their STD payment, not to exceed 100% of regular earnings. Staff will not accrue vacation, sick, and personal leave while on STD and accruals will resume once an individual has returned to active employment. Staff who provide written documentation of their intent to retire or terminate their employment prior to their STD claim being approved may receive STD benefits up to the date of their stated departure from the College, but not past that date.

614.3 Parental Leave

During a period of parental leave, employees do not accrue vacation or sick leave, but the employee's benefits continue at the normal rate. There is no reduction in earnings while on parental leave.

614.4 Workers' Compensation

See Policy 704.

614.5 Maine Paid Family Medical Leave (ME PFML)

For employees currently on our flexible benefit plans, the College will maintain group insurance coverage and employer contribution levels for an employee on ME PFML, provided they were on the plans before the leave was taken. If applicable, arrangements will need to be made for employees to pay their share of insurance premiums while on leave. Taking ME PFML will not affect an employee's right to accrue vacation time, sick time, bonuses, advancement, seniority, length of service credit, or other employment benefits, plans, or programs.

Employees can use accrued paid leave time (sick and vacation leave), or other paid time off (holiday pay or personal time off) to supplement ME PFML benefits up to 100 percent of wages. Employer-provided benefits, including Short-Term Disability and parental leave, will run concurrently with ME PFML, not to exceed 100 percent of the employee's regular wages. In no instance will an employee ever be permitted to receive more than 100 percent of their regular wages.

Accrued paid leave may not be used to automatically extend an employee's leave beyond the initial 12 weeks of job-protected leave. An employee requesting additional time off beyond 12 weeks using available accrued leave balances must obtain advance approval from both their supervisor and the department Vice President. Approval will be based on operational needs, staffing coverage, and the department's ability to accommodate the extended absence.

614.6 Federal Family Medical Leave Act (FMLA)

Employees are required to use any accrued paid leave time (sick and vacation leave) during a family or medical leave. In order to use such paid leave time for FMLA leave, employees must comply with the College's normal paid leave policies.

Employees are not eligible for holiday pay while in unpaid status (accruals have been exhausted or while on Short Term Disability). When the employee returns from FMLA leave, their benefits will resume according to applicable plans.

For employees currently on our flexible benefit plans, Bates College will maintain group insurance coverage and employer contribution levels for an employee on FMLA leave provided they were on the plans before the leave was taken. If applicable, arrangements will need to be made for employees to pay their share of insurance premiums while on leave.

ENVIRONMENTAL HEALTH AND SAFETY

700 ENVIRONMENTAL HEALTH AND SAFETY INTRODUCTION

The health and safety of all faculty, staff, students and visitors in the Bates community is of primary importance.

The Environmental Health and Safety (EHS) Department assists in providing a safe and healthy work environment for faculty, staff, students and visitors. EHS has responsibility for implementing, administering, monitoring, and evaluating the environmental, health and safety policies and procedures In order that each employee may working in a safe and healthy environment..

EHS is an available resource to assist you in identifying and resolving hazards, regulatory interpretation, researching and providing information on alternative safe work practices and/or equipment and preparing and providing training on an as-needed basis. EHS staff will monitor conditions in and around the College-owned buildings and at campus events, and will assist as necessary. Additional information can be found at: https://www.bates.edu/environmental-health-safety/.

701 ENVIRONMENTAL

Bates College is an environmentally conscious and responsible institution is committed to continue its mission in an environmentally sustainable manner. To fulfill this goal, EHS strives to ensure the College complies with federal, state and local environmental regulations, while continuing to assess and reduce its impact on the air, water and land of Maine.

Proper waste disposal at the College is required. Waste streams generated by the College that are managed by EHS include:

- Hazardous and universal waste, understanding that the College has cradle-to-grave responsibility for wastes generated on campus, and ensuring they are disposed of via safe, approved methods through permitted vendors.
- Electronics reuse and recycling is a partnership between EHS and Information and Library Services (ILS). Equipment is reused by local non-profit organizations first, then is responsibly recycled or disposed of if reuse is not possible.
- Confidential materials shredding, coordinating routine service of secure drop off locations on campus and scheduling additional document destruction as needed.

Spill and pollution prevention programs are in place to prevent hazardous material releases to the environment and should be followed by all. Materials include oil, gasoline, chemical, or other products/potential hazardous items. If you are unsure how a product should be disposed of, contact 8226 or 6413 for assistance. If you observe a hazardous material spill, report to Campus Safety at 6111 or Bates EHS at 8226 or 6413.

EHS serves as the College regulatory point of contact for a variety of permits and licenses and regulatory inspections. Contact 8226 or 6413 if you have questions about the permits and licenses, or would like a copy..

702 HEALTH AND SMOKING POLICY

Bates College is a proactive employer that supports the health of all faculty, staff, students and visitors in the College community. Several programs that fall into this category are managed by EHS, including: ergonomics, indoor air and water quality monitoring, medical monitoring and preventing exposure to hazardous substances in the workplace.

702.1 Smoking Policy

Bates College is committed to the health and well-being of our staff, faculty, students, guests, and community. Through the smoking policy presented below, Bates College strives to maintain the well-being of the campus community while considering the needs of individuals who smoke.

Smoking, the burning of any type of pipe, cigar, cigarette, e-cigarette or similar product, chewing tobacco, and smoking of marijuana is prohibited in all campus buildings, including residence halls, as well as in all vehicles owned, leased or rented by the College. This policy also includes, but is not limited to battery-powered e-cigarettes, vaporizers, vape pens, atomizers, and electronic nicotine delivery systems.

Smoking and vaping are prohibited within 50 feet, approximately 20 paces, of all campus buildings, including

residence halls and athletic grounds. Organizers and attendees at public events using Bates facilities, such as conferences, meetings, public lectures, athletic events, social and cultural events will be required to abide by the College's smoking policy. Organizers of such events are responsible for communicating and enforcing this policy. Distribution and advertisements of tobacco products on campus are prohibited.

In an effort to support those who wish to quit smoking, the College will present a variety of tobacco cessation and other health-related programs, as deemed appropriate and supported by the available budgets. Such initiatives may include: informational programs to support a smoke-free lifestyle; employee access to available services through the College's wellness program and health insurance program; health information and cessation assistance for students through the Bates College Health Center.

Compliance with this policy is a community effort. It is important to remember that we are friends, co-workers, acquaintances, hosts, and guests, and we need to treat each other with respect.

703 SAFETY

Bates College is committed to providing a safe and healthy working environment. EHS makes every effort to comply with federal, state and local occupational health and safety laws, to develop the safest procedures and programs conducive to a safe environment.

Bates College provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, department meetings, bulletin board postings, memos, written communications and through training. Employees can express safety concerns to their supervisor, any member of management, or directly to EHS. EHS will treat safety concerns confidentially upon request. College employees are expected to work diligently to maintain safe and healthy working conditions and to adhere to their training and standard operating procedures designed to prevent injuries and illnesses.

The responsibilities of all employees of Bates College in this regard include:

- Follow all safety rules and regulations while working for the College.
- Remain focused on the job task, use good judgment at all times to prevent accidents and injuries.
- Report any injury to your supervisors, regardless of how minor.
- Maintain awareness of your work environment and report unsafe conditions, equipment, or practices to a supervisor, EHS or to Campus Safety if it is an emergency.
- Use the College provided and required safety equipment correctly and at all times as required by regulations and training.
- Bates employees have the right to refuse to perform dangerous work or work tasks that they do not have proper training or equipment to do safely.

In all situations, if a supervisor is not available, employees may report directly to EHS or Human Resources staff. EHS staff are a resource and have training and experience to assist in job hazard assessment.

Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, to remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

The EHS Department will develop general and job specific training per regulations and to address known safety risks. Additional safety training may also be provided through your department outside consultants. Contact EHS or your supervisor if you need additional safety training.

703.2 Fire Prevention

Fire prevention ensures that life safety is maintained. Life safety is the first priority, followed by property protection and lastly environmental impact. The College maintains life safety equipment, including smoke detectors, fire alarms, sprinkler systems, kitchen hood suppression systems, electronics/server room fire suppression systems, and fire extinguishers. Refer to your building's specific emergency evacuation plan for details; plans are found on the Security and Campus Safety website.
https://www.bates.edu/security/emergency-preparedness/building-evacuation-policy/

Use of open flames is prohibited on campus unless permitted through EHS as a College event or in a College-owned grill, reserved through Dining and Campus Events or Facility Services. Use of open flames may require permission from the Lewiston Fire Department; contact EHS with any questions.

Cooking safety on campus prevents kitchen fires, a leading cause of death and property damage according to the National Fire Prevention Association (NFPA). Use appliances in accordance with manufacturer's instructions. Cook only in designated areas. Plug appliances directly into a wall outlet, not an extension cord or power strip. Maintain good housekeeping in kitchen areas to minimize fire risk.

703.3 Training and Equipment

Employees will be trained by their supervisor in the appropriate way to complete all assigned job tasks, and before being exposed to any workplace hazards. Equipment needed to do the job will be provided by the employee's department. Employees and departments can contact EHS for assistance with training and equipment selection.

703.4 Hazard Communication

Bates College will comply with 29 CFR 1910.1200, the Occupational Health and Safety (OSHA) requirement that ensures hazards associated with products and materials used in the workplace are communicated with employees. This communication is in the form of container labeling, warning signs, chemical safety data sheets (SDS binders), and employee training. Employees and departments can contact the EHS for assistance with hazard identification, labeling, signage, SDS interpretation and training.

703.5 Communicable Illness in the Workplace

Decisions involving persons who have a communicable disease shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.

Communicable diseases include but are not limited to, mumps, measles, influenza, viral hepatitis-A, viral hepatitis-B, human immunodeficiency virus (HIV), AIDS, AIDS-related complex (ARC), leprosy, severe acute respiratory syndrome (SARS), COVID, respiratory syncytial virus or RSV, and tuberculosis. Bates may choose to broaden this definition within its best interest and in accordance with the information received through the Centers for Disease Control and Prevention (CDC).

Bates will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. The College reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace. That time shall be marked as sick time (see 403).

Bates will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases.
Employees and supervisors are required to notify Human Resources immediately if a communicable disease risk may exist, in order to limit exposure. The College will take the following steps:

1. Notify and verify the disease risk.
2. Understand the disease and gather resources.
3. Identify the scope of risk.
4. Determine the College response.
5. Handle related internal and HR compliance matters.

When employees self-notify the College that they have a communicable disease that will affect their performance on the job, Human Resources can require a medical exam or health certification to confirm the illness. After the examination, if HR determines that the disease poses "a significant risk" to the health of others, the College must consider every reasonable accommodation to eliminate that significant risk. If no such accommodation can be made, then the College should take steps necessary to eliminate the significant risk. Employees have a reasonable expectation for privacy with all medical information. Throughout this process, HR must keep the employee's medical information, as well as the information on any accommodations or leaves, confidential.

If an employee does not self-notify that they have a communicable disease, HR cannot require a medical exam. The College does have a responsibility to ensure the health of other employees in the workplace. The College will ensure that efforts made to reduce the risks of contagion in the workplace are in compliance with the applicable

laws.

703.6 Fitness for Duty

Consistent with its commitment to workplace safety, the College reserves the right to require medical evaluations of employees to ensure their ability to perform the essential functions of their positions. For employees returning from a leave of absence due to a medical condition, the College may require a return-to-work evaluation. If such a leave extends to three months or longer, a formal fitness-for-duty evaluation may be mandated. These comprehensive evaluations include testing of specific functional capabilities, such as lifting or material handling, tailored to the requirements of the individual's job. The results determine if an employee can safely resume their duties, with or without reasonable accommodations. Such evaluations apply to returns from any injury or illness-related absence, including Workers' Compensation and short- or long-term disability. Additionally, if the College has a reasonable basis to believe an employee cannot safely perform essential job functions, it may request a medical report from the employee's healthcare provider. In certain instances, and in accordance with applicable legal standards, the College may also require an evaluation by a medical provider of its choosing.

704 WORKER'S COMPENSATION

Worker's Compensation (WC) is a no-fault, state-mandated insurance program providing health coverage and wage replacement for employees who become injured or ill as a result of their employment. The principal purpose of Workers' Compensation Law in Maine is to provide specifically defined remedies for employment-related injury and illness.

In the event of a medical emergency, call 911 to request assistance.

In cases requiring non-emergency medical attention, the Human Resources Department will call an approved medical provider and set up an appointment for the employee. Maine Workers' Compensation Law entitles the employer to select health care providers to care for injured/ill employees within the first ten days of treatment. HR will coordinate this care. Bates assumes responsibility for the cost of the initial medical evaluation. If an injury is determined to be work related, it is Bates' responsibility to provide treatment to resolve the injury. Bates takes this responsibility seriously but cannot fulfill it if the injury is not promptly reported.

After the accident, incident or illness has been reported, the Human Resources Office will communicate with the College's WC insurer. The information communicated to the insurer is taken largely from the injury report form. An accurate, thorough and timely submission of this report is critical to ensuring both employee and employer rights under Maine State Law and for establishing a date of injury necessary for initiating WC coverage.

In accordance with the state laws that govern this program, employees are provided with 2/3 of their average weekly compensation, up to a maximum of 125% of the State of Maine Average Weekly Wage, after a seven day or 56-hour elimination period. During a period of Workers' Compensation leave, employees do not accrue vacation or sick leave, nor earn pension benefits. Employees receiving Workers' Compensation benefits do continue on the College's health insurance and life insurance plans if enrolled in these plans prior to becoming eligible for Worker's Compensation benefits, except in cases of long-term incapacity. Employees on Workers' Compensation may not use accrued vacation, sick or personal time to supplement the 20% reduction in earnings.

704.1 Injury and Illness Return to Work Program

NOTE – This Policy should be read and applied, when relevant, in conjunction with Policy 103. Bates will work with employees who have work or non-work related medical conditions to explore the opportunities for the employee to continue working. The goal is to keep the employee in their position provided that they are able to perform the essential functions. If the employee is provided with other work, it will be for a limited period, and with the goal of returning the employee to their regular position.

An employee may continue working through the following programs:

- Reasonable Accommodation
- Reassignment
- Restricted Work

Reasonable Accommodation is any action, assistance or modification that enables a qualified employee with a disability to perform the essential functions of their position. Proposed accommodations must be reasonable and must not impose an undue hardship on Bates. Following are examples of the kinds of accommodations that may be

provided to an employee:

- Physical modification to the employee's workspace
- Restructured job tasks
- Modified or part time schedule
- Leave of absence to permit the employee to regain the ability to perform the essential functions of their job, with or without other accommodations
- Reassignment of marginal functions

Lowering employee performance or productivity standards or removing essential job functions are not reasonable accommodations. Supervisors who become aware of employee medical conditions that may require accommodation are required to contract Human Resources.

Reassignment means placement of an employee in an equivalent, or the most equivalent, open position for which the employee is qualified and can perform the essential functions. A qualified employee is an employee with the skills, experience, training, and other job-specific qualifications necessary to perform satisfactorily in the position. Reassignment is only considered when it has been established that the employee cannot perform the essential functions of their current position because of a medical condition.

Reassignment depends on available positions and is not guaranteed. When an employee has been permanently re-assigned to a new position, the employee's former position does not have to be held open.

Restricted Work is any job in which an employee is given in order to keep the employee working when the employee is unable to perform the essential functions of their position. Restricted work is not guaranteed, and an employee is limited to a maximum of six months of restricted work. The offer of restricted work will depend on the availability of work and it is offered at Bates' sole discretion. An employee is on restricted work status if they remain in their job, but are not performing all of the essential functions of the position. Alternatively, Bates may provide the employee with other work unrelated to their position. In all cases the restricted work must be approved by the employee's supervisor and HR and must be within the restrictions imposed by a healthcare provider.

The intent of restricted work is to provide temporary, safe and productive work to employees recovering from a medical condition. In all circumstances work restrictions must be strictly followed. Bates may end restricted duty if the injured worker is not working within the health care provider's specified restrictions.

If the employee cannot resume their original job after performing restricted work, the employee's employment may end. If an employee is being considered for reassignment, they will be considered for the vacant jobs open at the time they are eligible for reassignment.

EMERGENCY AND SECURITY INFORMATION

Lewiston Police or Fire	911 (Calls from a campus line x9911)
Campus Safety and Bates EMS	207-786-6111 or 207-786-6254 (x6111 or x6254)
Health Center	207-786-6199 (x6199)
Sexual Assault Response Line	Student Advisors: 207-786-6199 Calls made from the campus: x-6199
Sexual Assault Crisis Center (SACC)	207-795-2211 (x2211)

800 SECURITY PERSONNEL

Bates College has full-time, trained Safety Officers who patrol the campus on foot, on bicycles, and in a security vehicle 24 hours a day. Communications Officers (dispatchers) staff the Campus Safety office located at 245 College Street at all times. They answer phone calls directed to Campus Safety, including calls from the security phones located throughout the campus, and are in constant contact with Campus Safety personnel via radio.

801 SECURITY PHONES

There are over 140 security phones strategically located throughout the campus. These phones are connected directly toCampus Safety, and automatically begin to ring when the receiver is lifted or the red button is pushed. Security phones may be used to contact Campus Safety 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.

802 EMERGENCY RESPONSE PROCEDURES

A variety of response plans have been prepared to minimize hazards to human health and the environment potentially caused by fires, explosions, natural disasters, bomb threats, human threats, and any unplanned release of hazardous material to air, soil, surface water, or groundwater at or from the facility. The provisions of these plans 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.

It is important to **dial 786-6111 (x6111)** in an emergency. **x6111** connects the caller to the Campus Safety Office where dispatchers are trained to respond to emergencies on campus. The Campus Safety Department will contact the appropriate emergency personnel (security, police, fire, or medical personnel) and direct them to the appropriate location.

Emergency protocols and procedures may be found at https://www.bates.edu/security/emergency-preparedness/.

803 COLLEGE EMERGENCY PROCEDURES & POLICIES (INCLUDING WEATHER EMERGENCIES)

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

This information is also available at https://www.bates.edu/security/emergency-preparedness/serg/ and other relevant information is available at https://www.bates.edu/security/.

803.1 SERG Operating Procedures

1. Following consultation with the Director of Campus Safety , the Vice President for Finance and Administration, the President's Chief of Staff, and the Chief Communications Officer, the President will determine whether to convene the SERG. In their absence, the Director of Campus Safety will activate the SERG. The Director or their designee will inform the Bates Communication Office 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 Campus Safety will contact the SERG and other necessary personnel.

3. Immediate objectives of SERG, once convened, include:
   - Identify the nature and scope of the emergency.
   - Establish priorities and coordinate crisis response efforts.
   - Coordinate with outside agencies including, but not limited to, law enforcement, fire department, the American Red Cross, and state and federal emergency management authorities.
   - Determine the times and means to report efforts and progress to the campus community.

803.2 - Terms and Guidelines

Bates College distinguishes between "Shelter in Place" and "Secure in Place" (or "Lockdown") notifications based on the pending threat to the community. Both are instructions to put effective barriers between the College community and a threat. The difference is in the type of threat, and what kind of barrier is suggested.

Shelter in Place

In certain situations – such as a weather emergency, environmental hazard (chemical release, air pollution), or local emergency (nearby police activity), College officials may direct employees to "Shelter in Place". A shelter in place is the use of a structure and its indoor atmosphere to temporarily separate you from a hazardous outdoor atmosphere. It entails closing all doors, windows and vents and taking immediate shelter in a readily accessible location. The purpose of a shelter in place is to direct the Bates community to safer locations to avoid the hazard, and to keep campus arteries clear for emergency use.

When it is necessary to shelter in place, employees should:

- Remain Calm
- If outside, seek cover in the nearest building. Do not wait until you see or smell the hazard to seek shelter. Resist the urge to go outside and "check it out".
- Once inside, find an interior room or hallway and await further instructions. Stay away from exterior windows.
- Close and lock all exterior doors and windows (to avoid inadvertent opening).
- If sheltering in place due to an environmental threat, turn off heating, cooling and ventilation systems.
- If you are inside, stay there, even if you do not normally work or reside in that building.
- **Do not leave** until an "all clear" is received.

Lockdown (Secure in Place)

In certain situations, likely involving an immediate physical threat on campus, College officials may direct you to ***LOCKDOWN*** or ***SECURE*** in place. A lockdown may be instructed during situations such as the presence of a hostile or armed intruder on campus. A lockdown requires locking doors, windows, and barricading oneself to block entry to a campus facility, a classroom, or to an office suite. The purpose of a secure in place is to create a secure physical location where a threat may be physically prevented from entering spaces – to lock down the campus and secure community members in place. This also facilitates law enforcement activity. When it is necessary to secure in place, you should:

- Remain calm
- If outside, seek cover in the nearest unlocked building. Do not wait until you see the danger to seek shelter. Resist the urge to go outside and "check it out".
- If the buildings nearest to you have locked exterior doors, continue moving away from the danger and seek cover. Move to another building or leave campus if it is safe to do so.
- Once inside, find an interior room and lock or barricade the doors.
- Turn off lights, silence phones, close blinds, and move away from windows. This avoids creating indicators that the intruder may see or hear to detect people.
- Await further instructions.
- **Do not leave** until an "all clear" is received.

Once in a secure space, the space needs to remain secure. If there are individuals outside the secured door that

seek to enter, they may endanger you and others. **Use good judgement.**

In an emergency, the Bates community will receive instructions through text messages and email. The Bates website will also be used to explain what actions our community should take.

Additional information may be found on the Bates College Campus Safety website.

803.3 Closure

In the event of an emergency, SERG will determine whether or not College services are to remain open. When services are interrupted or if the College is to close, an announcement will be made at www.bates.edu. and through the College's emergency notification service. 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 open, all personnel should assume that they report to work.

While emergencies can take many forms, most, in Maine, involve weather. Snow does not by itself constitute an emergency. As a residential College, every effort is made to keep the campus open to support our students and their education. Closure-which can be a full day, a delayed start, or an early close-occurs when a unique hazard exists on campus, when the College facilities team is unable to suitably prepare the campus to be open, or if extreme weather is present, particularly during regular commuting hours.

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

803.4 Guidelines for Staff in Weather Emergencies

When Bates College declares a weather emergency, only "essential" staff personnel should report for work as scheduled. Your department director will advise you in advance whether you are designated as an essential employee. Employees that are not asked to report to work (except temporary employees) will be paid according to that day's schedule. Hours recorded as Bates Closed will not be part of the overtime calculation. If an employee has called out of work on the day of the inclement weather using vacation or personal time - and College offices then close - the hours or days of the weather emergency will be added back to the employee's vacation or personal leave balance. If an employee is using a pre-arranged scheduled vacation day or personal day in advance of the weather emergency, no time will be added back to the employee's bank for College closure. No time will be restored in any case if the employee is using sick time.

Regular **nonexempt** employees who are required to work during a weather emergency will receive pay at 2 ½ times the straight-time rate of pay for all hours worked during the time the College is declared closed.

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 their supervisor. If an employee chooses not to travel or decides to leave work early because of concerns about the weather, they may use accumulated vacation time, make up the time on other days within the same **work week**, 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.

803.5 Independent contractors

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

803.6 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.

803.7 Announcements

Announcements will be made on the College's web page https://emergency.bates.edu/ and through the emergency notification system. Please ensure that all contact information is current by updating personal information on the Garnet Gateway.