

PHILANDER SMITH COLLEGE
900 W. DAISY BATES DRIVE
LITTLE ROCK, AR 72202

**Handbook of Policies and Procedures
For Non-Instructional Personnel**



T H I N K J U S T I C E

MISSION STATEMENT

*The mission of Philander Smith College is to
graduate **academically accomplished** students who are
grounded as **advocates** for **social justice**, determined to **change**
the world for the better.*

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EMPLOYEE ACKNOWLEDGMENT FORM
STATEMENT OF UNDERSTANDING

The employee handbook for non-instructional personnel describes important information about Philander Smith College, and I understand that I should consult the Personnel Office regarding any questions not answered in the handbook. I understand that nothing in this handbook may be construed as creating a contract or otherwise modifying the traditional at-will employment relationship.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. I understand that revised information may supersede, modify, or eliminate existing policies.

I acknowledge that I am subject to both pre-employment and periodic drug and/or other substance screening examinations. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I am aware that I may be subject to other general policies that are not contained in this handbook for non-instructional personnel. I have received the handbook, and I realize that it is my responsibility to understand and comply with the policies contained in this handbook and any revisions made to it. I further acknowledge that I have reviewed and understand the harassment and drug policies described in this handbook.

Employee's Name (printed)

Dept

Employee's Signature

Date

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INTRODUCTORY STATEMENT

Effective communication is the key to establishing excellent team building and working relationships. This handbook is designed to acquaint new employees with Philander Smith College and provide them with information about working conditions, employee benefits, and

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some of the policies affecting their employment. Each employee should read, understand, and comply with all provisions of the handbook as it describes expectations, job responsibilities and outlines accountability procedures. One of the objectives this handbook provides is for a quality work environment that is conducive to both personal and professional growth.

This handbook only serves as a summary guide to assist employees in the functioning of their job duties. Employees may be subject to other policies/practices which are not contained in this handbook.

This handbook is not intended to create a contract, nor is to be construed to alter the traditional at-will employment relationship. The provisions of the handbook have been developed at the discretion of management and, may be amended, supplemented, or cancelled at any time, at Philander Smith College's sole discretion.

HISTORICAL OVERVIEW

Philander Smith College is a co-educational, privately supported, historically African American, four-year, liberal arts career oriented institution related to the General Board of Higher Education & Ministries of the United Methodist Church. It awards four degrees: the Bachelor of Arts Degree, the Bachelor of Science Degree, the Bachelor of Business Administration Degree, and the Bachelor of Social Work Degree. It is located in the heart of the historic Quapaw District near downtown Little Rock, Arkansas, which has provided the College with a cosmopolitan faculty contributing to a unique institution with unusual vitality, responsiveness, and potential for future academic development and service to mankind.

Officially founded in 1877, Philander Smith College is the result of one of the early attempts to make education available to freedmen (former African-American slaves) west of the Mississippi River. The forerunner of the College was Walden Seminary, named in honor of Dr. J. M. Walden, one of the originators and the first Corresponding Secretary of the Freeman's Aid Society.

In 1876, the General Conference of The Methodist Episcopal Church authorized the creation of an annual conference for Negro preachers in the State of Arkansas with power to promote schools. The new body was named the Little Rock Annual Conference (later the Southwest Annual Conference). In 1877, this annual conference designated Walden Seminary as its official educational institution.

In 1882, Dr. G. W. Gray, president of Little Rock University, the institution for the Arkansas Annual Conference, met Mrs. Adeline Smith, widow of Mr. Philander Smith of Oak Park, Illinois, while soliciting funds. The late Mr. Philander Smith had been a liberal donor to

Asiatic Missions and had developed an interest in the work of the Church in the South. In making her gift to Dr. Gray, Mrs. Smith designated \$10,500 for Walden Seminary. The trustees accepted the gift and gave it special recognition by changing the name of the struggling Walden Seminary to Philander Smith College.

Philander Smith College's mission is to grant access to higher education to individuals who are, or have the potential to be academically talented, regardless of their social, economic,

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or educational background. This includes the holistic development of students—the goal of helping them reach their potential as human beings, and contributing members of society; the preparation of students for life in this pluralistic, complex, and technological society, and enabling students to understand other cultures.

A key aspect of the College's mission is the pursuit of excellence through the provision of a quality education for all, regardless of race, religion, sex, national origin, or ethnic background.

EMPLOYEE EXPECTATIONS

Each employee's work is important to the College. Development of skills and proficiencies in job performance are vital. Through the personal efforts of each individual employee, Philander Smith College can expect to achieve its objectives of excellence in teaching, research, and community service. Belief in the importance of these goals is essential to successful employment at Philander Smith College.

All new employees will be given an initial orientation by the Personnel Office and their supervisor. At that time, the supervisor will inform his/her employee of the expectations related to their job functions.

RESPONSIBILITY TOWARD THE STUDENTS

As an employee of the College, staff must be mindful that the students are the primary clients or constituents on the campus. Without them, there would be no need for the institution. Each employee is expected to be "student centered" and realize that their job function, directly or indirectly, exists to serve the students of the College with respect, commitment, and effective service.

RESPONSIBILITY TOWARD THE SUPERVISORS

The responsibility for accomplishing the objectives of any department rests with the department head and/or supervisor. Each employee has a responsibility to seek guidance and support in matters related to job assignments and for assistance in effective job performance.

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Establish clearly, at the beginning of any work assignment, the person responsible for the supervision and guidance of the work.

ROLE OF THE PERSONNEL OFFICE

The Personnel Office administers and performs general personnel services for the College; provides guidance and technical assistance to other departments of the College on personnel policies and procedures; performs administrative duties, such as record keeping, fringe benefits, and screening, and other similar duties as necessary, and coordinates the College's personnel evaluation system.

EMPLOYEE RELATIONS

Employment with Philander Smith College is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. A two week minimum notice of voluntary termination is required by the College. Failure to provide at least two (2) weeks notice will result in the forfeiture of any accumulated leave, a negative employment reference, and ineligibility for re-employment.

Experience has shown that when employees deal openly and directly with supervisors, the work environment can be enhanced, communications can be clear, and attitudes can be positive. It is believed that Philander Smith College amply demonstrates its commitment to employees by responding effectively to employee concerns.

EQUAL EMPLOYMENT OPPORTUNITY/ANTI-DISCRIMINATION STATEMENT

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Philander Smith College will be based on merit, qualifications, and abilities. Philander Smith College does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

Philander Smith College will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

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Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor and/or the Personnel Office. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

HIRING OF RELATIVES (NEPOTISM)

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. As a general rule, relatives should not be in a position to supervise other relatives.

Although Philander Smith College has no prohibition against hiring relatives of existing employees, it is committed to monitoring situations in which relatives work in the same area. In case of actual or potential problems, Philander Smith College will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved.

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.

IMMIGRATION LAW COMPLIANCE

Philander Smith College is committed to employing only United States citizens and resident aliens who are authorized to work in the United States. The College does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 (see Appendix G) and present the proper documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Philander Smith College within the past three years, or if their previous I-9 is no longer retained or valid.

CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The purpose of these guidelines is to provide general direction

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so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of Philander Smith College. Business dealings with outside firms should not result in unusual gains for those firms connected to employees of the College. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval.

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

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she disclose to an officer of Philander Smith College as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Philander Smith College does business but also when an employee or relative receives any type of kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealing involving the College.

OUTSIDE EMPLOYMENT/MOONLIGHTING

Employees may hold outside jobs as long as, they notify the College in writing of any secondary employment, and meet the performance standards of their job with Philander Smith College. All employees will be judged by the same performance standards and will be subject to Philander Smith College's scheduling demands, regardless of any existing outside work requirements.

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

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside Philander Smith College for materials produced or services rendered while performing their jobs.

NON-DISCLOSURE/CONFIDENTIALITY

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The protection of confidential business information is vital to the interests and the success of Philander Smith College. Such confidential information includes, but is not limited to, the following examples:

- Compensation data
- Financial information
- Marketing strategies
- Pending projects and proposals
- Research and development strategies

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Any employee who improperly uses or discloses confidential business information will be subject to disciplinary action, up to and including termination of employment and legal action, even if he or she does not actually benefit from the disclosed information.

ATTENDANCE AND PUNCTUALITY

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

Regular full-time staff work hours are Monday through Friday, 8:30 A.M. to 5:00 P.M. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

Employees are expected to be at their designated duties and responsibilities during regular work hours. Employees are required to notify their department supervisor if they are going to be late. Notification must be made within one hour or sooner if departmental policy requires. Extenuating circumstances are taken into account.

PERSONAL APPEARANCE/DRESS CODE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Philander Smith College presents to students and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

The employee should consult with their supervisor or department head when there are questions as to what constitutes appropriate attire.

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EMPLOYMENT CATEGORIES

It is the intent of Philander Smith College to clarify definitions of employment classifications so that employees understand their employment status and benefit eligibility. 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 Philander Smith College.

Each employee is designated as either **EXEMPT** or **NONEXEMPT** from federal and state wage and hour laws. **EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws. **NONEXEMPT** employees are entitled to overtime pay under the specific provisions of federal and state laws. An employee's classification as **EXEMPT** or **NONEXEMPT** may be changed only upon approval of the Personnel Office.

In addition to the above categories, each employee will belong to one other employment category:

- **REGULAR FULL-TIME** employees are those who are not in a temporary or introductory status and who are regularly scheduled to work Philander Smith College's full-time schedule. Generally, they are eligible for Philander Smith College's benefit package, subject to the terms, conditions, and limitation of each benefit program.
- **PART-TIME** employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than thirty-seven and one-half (37.5) hours per week.
- **TEMPORARY** employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally-mandated benefits (such as Workers' Compensation Insurance and Social Security), they are ineligible for all of Philander Smith College's other benefit programs.

ACCESS TO PERSONNEL FILES

Philander Smith College maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, training records, documentation of performance appraisals, salary compensation, and other employment records.

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

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Employees who wish to review their own file should contact the Personnel Office. With reasonable advance notice, employees may review their own personnel files in the presence of the Personnel Office's staff. Employees will not be allowed to remove information from their file.

EMPLOYMENT APPLICATIONS

Philander Smith College relies upon the accuracy of the information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and for continued employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in Philander Smith College's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify Philander Smith College of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, all educational accomplishments, and other such status reports should be accurate and current at all times.

PERIOD OF PROBATION

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Philander Smith College uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or Philander Smith College may end the employment relationship at will at any time during or after the probationary period, with or without cause or advance notice.

All new and rehired employees work on a probationary basis for the first ninety (90) calendar days after their date of hire. Any significant absence may extend the probationary period by the length of the absence. If the supervisor determines that the designated probationary period has not allowed sufficient time to thoroughly evaluate the employee's performance or that extra time is needed to allow for performance improvement, the probationary period may be extended for up to an additional ninety (90) day period. The employee will be notified by their supervisor in writing of the circumstances leading to the probationary extension and a copy shall be forwarded to the Personnel Office.

Upon satisfactory completion of the probationary period, the employee enters the "regular" employment classification.

EVALUATION

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Supervisors and employees are strongly encouraged to discuss job performance goals on an informal, day-to-day basis. A formal written performance evaluation will be conducted at the end of an employee's initial period of hire, known as the probationary period. Additional formal performance evaluations are conducted yearly to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals (see Appendix A1-A3).

Performance evaluations are scheduled approximately every twelve (12) months, coinciding generally with the anniversary of the employee's original date of hire.

Merit-based pay adjustments are awarded by Philander Smith College in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process. All merit-based pay adjustments must be approved by the President.

PROGRESSIVE DISCIPLINARY ACTION

Progressive discipline refers to those steps taken by management to assist an employee in changing undesirable work behavior, conduct and/or job performance to an acceptable level.

A. THE PROGRESSIVE DISCIPLINE STEPS

There are five (5) steps involved in the Progressive Discipline Procedure. The disciplinary process may start at any counseling stage taking into consideration the severity of the infraction and maintain consistency in the administration of the discipline process. Human Resources also encourages that all sides of an issue are heard prior to administering any disciplinary action.

1. **Verbal Counseling** – the supervisor should start at this stage of the process for minor infractions. A private verbal conversation is conducted with the employee, information discussed and agreed upon in the meeting is documented for the employee's records and the supervisor maintains a copy for the employee's department personnel file only.
2. **Written Counseling** – the supervisor should start at this stage of the process 1) after a verbal counseling has been issued without significant change in behavior, conduct, and/or performance, or 2) for those infractions considered serious enough to warrant a written counseling initially. A private meeting is conducted with the employee and documents for the employee's records, manager's department file and to Human Resources for the employee's official personnel file (copies of all documentation starting at the written counseling stage through discharge should be forwarded to Human Resources for the employee's personnel file).

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3. **Final Written Counseling** – the supervisor should start at this stage if a written counseling has been issued within the last twelve (12) months or for a first offense of a serious nature. The employee may also be placed on probation or suspended without pay at this time. Human Resources should be contacted prior to the issuance of a final written counseling and/or implementation of a work improvement plan.
4. **Work Improvement Plan** – used for unsatisfactory behavior and/or performance that may require some time to allow the employee to bring his/her performance to a satisfactory level. A work improvement plan should outline critical objectives, strategies and goals for the employee with a target date for successful completion. Work improvement plans should also be used in conjunction with a written or final written counseling.
5. **Discharged** – used for infractions of a grave nature or after all progressive discipline procedures have been followed without significant improvement in behavior and/or performance. Human Resources should be contacted prior to the discharge of any college employee.

All supervisors are encouraged to contact the Director of Human Resources prior to the issuance of any written counseling to any employee.

B. PROGRESSIVE DISCIPLINE AND THE PROBATIONARY PERIOD

The supervisor should utilize the probationary period to train and evaluate the employee's effective adjustment to work tasks, conduct, procedures, attendance, and job responsibilities. During the three (3) month probationary period, if a supervisor determines that an employee's behavior and/or performance is unacceptable, supervisors are not required to apply progressive discipline procedures. However, supervisors are encouraged to provide employees with periodic feedback regarding these issues as they surface within the three (3) month probationary time frame. The Human Resources department encourages supervisors to maintain documentation applicable to any issues or concern they may have relating to any employee's behavior and/or job performance.

C. SOME FACTORS DETERMINING SEVERITY OF DISCIPLINARY ACTION

1. Degree of severity of the infraction/offense
2. Employee's length of service and history with the College
3. Provocation, if any, that may have lead to the offense
4. Number of previous offenses

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5. Previous warnings or other disciplinary action for previous offenses
6. Employee pattern of conduct
7. Fairness of supervisory practices
8. Clearly communicated departmental rules
9. Consistently applied college and departmental rules
10. Appropriate penalties for all offenses

D. THE SUPERVISOR'S RESPONSIBILITY DURING THE DISCIPLINARY PROCESS

The supervisor's responsibility is to initiate a discussion with the employee outlining all behavioral and performance issues and initiate a plan of action to help restore the employee to an acceptable level of behavior and/or performance.

Contact Human Resources for guidance on the process when necessary.

Investigate and/or research, in a timely manner, incidents in violation of university policies, rules, and procedures.

Explain to the employee the reason for any counseling that may take place and what the additional consequences may be if improvements are not made.

Provide written documentation for department file and employee records file if applicable.

E. EMPLOYEE'S RESPONSIBILITY DURING THE DISCIPLINARY PROCESS

Work with the supervisor in developing a plan of action to restore behavior, conduct, and/or performance to a satisfactory level.

Contact Human Resources for additional guidance if necessary.

Provide clear and concise information regarding incidents or performance issues in question.

Ask for clarification of issues or concerns that are unclear.

Agree on a final plan of action to ensure success.

EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

1. **Resignation** – voluntary employment termination initiated by an employee
2. **Discharge** – involuntary employment termination initiated by the organization

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3. **Layoff** – involuntary employment termination initiated by the organization for non-disciplinary reasons
4. **Retirement** – voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Philander Smith College will generally schedule exit interviews at the time employment is terminated. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to Philander Smith College, or the return of College property. Suggestions, complaints, and questions can also be voiced.

RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with Philander Smith College. Philander Smith College requires at least two (2) weeks of written resignation notice from all employees unless otherwise agreed by the College. Failure to provide the required notice will result in the employee's loss of any accrued leave benefits and may result in a negative employment reference and ineligibility for re-hire.

GRIEVANCE PROCEDURES

Philander Smith College acknowledges that it is desirable to satisfactorily resolve, internally, all problems/concerns between employees and/or the institution among themselves through informal means of communication. Effective communication is the key to establishing excellent team building and working relationships.

The aggrieved may set an appointment with the Director of Human Resources where he/she will be given an opportunity to express his/her allegations of unfair treatment regarding some aspect of the work situation which is subject to the control of the college and is subject to grievance.

The Director of Human Resources will seek to remedy the employee's problem/concern by meeting with all parties involved, when necessary, and serve as a mediator/facilitator in an effort to achieve a satisfactory remedy to the aggrieved employee's concern.

When such informal efforts fail, the aggrieved employee may request, in writing, a formal grievance meeting before the Grievance Committee. This committee is chaired by the Director of Human Resources and/or the designee appointed by the president and shall consist of:

- 1 representative selected by the aggrieved**
- 1 representative selected by the Executive Cabinet**
- 1 representative selected by the charged party**

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The written grievance must be specific as to the nature of the violation against the employee and cite any relevant policies or procedures which have been violated. It must be submitted to the Personnel Office no later than ninety (90) days from the date of the last aggrieved action.

The aggrieved party shall receive from the Personnel Office written acknowledgement of the grievance receipt within three (3) days. The Grievance Committee members shall be identified and a meeting scheduled within ten (10) work days from the date of acknowledgement. **There will be no legal representation allowed at any of the grievance meetings.**

Following completion of all grievance meeting and/or fact finding, a written response will be issued to all relevant parties indicating the findings and any recommendations of the Grievance Committee.

If the aggrieved employee is not satisfied with the findings of the Committee, she/he may appeal in writing to the President of the College stating all specific procedures and actions which the Grievance Committee violated. Only the evidence and materials submitted to the Grievance Committee will be considered in the appeal. **The decision rendered by the President will be final.**

EMPLOYEE BENEFITS

Eligible employees at Philander Smith College are provided a wide range of benefits. A number of the programs (such as Social Security, Workers' Compensation, State Disability, and Unemployment Insurance) cover all employees in the manner prescribed by law. Details of many of these programs can be found elsewhere in this employee handbook.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The Office of Personnel can identify those for which one may be eligible.

The following are some benefit programs that are available to eligible employees:

- Credit Union
- Educational Financial Assistance
- Family Leave
- Holidays
- Jury Duty Leave
- Life Insurance
- Short- and Long-Term Disability
- Medical, Dental, and Vision Insurance
- Military Leave
- Personal Leave
- Professional Development Assistance
- Sick Leave Benefits
- Retirement Plan
- Travel Allowances
- Vacation Benefits

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Voting Time Off

Some of these benefits may require contributions from the employee, but most are fully paid by Philander Smith College.

VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification (s) are eligible to earn and use vacation time as described in this policy:

Regular full-time employees

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

VACATION EARNING SCHEDULE

YEARS OF ELIGIBLE SERVICE

VACATION DAYS EACH YEAR

AFTER ONE YEAR

5 DAYS

AFTER TWO YEARS

10 DAYS

AFTER 3+ YEARS

15 DAYS

The length of eligible service is calculated on the basis of an "anniversary year". This is the 12-month period that begins when the employee starts regular full-time work.

Paid vacation time can be used in minimum increments of one-half days (4 hours). To take vacation, employees should request advance approval from their supervisors utilizing the "Vacation Request Form" (see Appendix B). Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Vacation must be earned before it is taken and will not be advanced. Employees have one year from the time vacation is earned to take their time off. Any unused time will not be paid to the employee by the College and **it is not allowed to be carried forward into another benefit year**. Early leave by an employee without prior approval from their supervisor and/or unit head shall be treated as un-excused time off from work without pay.

HOLIDAYS

Philander Smith College will grant holiday time off to all employees on the holidays listed below:

- New Year's Day (January 1st)
- Martin Luther King, Jr. Day (third Monday in January)

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- Good Friday (Friday before Easter)
- Memorial Day (last Monday in May)
- Independence Day (July 4th)
- Labor Day (first Monday in September)
- Thanksgiving Recess (generally one day before and one day after)
- Christmas Recess (includes weeks of Christmas and New Year's)

Philander Smith College will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (e.g. vacation, sick leave, etc), the employee will be ineligible for holiday pay

WORKERS' COMPENSATION INSURANCE

Philander Smith College provides a comprehensive Workers' Compensation Insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable state legal requirements, Workers' Compensation Insurance provides benefits for covered medical illnesses and injuries sustained in the course of employment.

Employees who sustain work-related injuries or illnesses should inform their supervisor and the Personnel Office immediately. The employee will be required to fill out the necessary paperwork which must be forwarded to the insurance agency designated to handle work injury claims.

Neither Philander Smith College nor the insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreation, social, or athletic activity sponsored by Philander Smith College.

SICK LEAVE BENEFITS

Philander Smith College provides paid sick leave benefits to all eligible full-time employees for periods of temporary absence due to illnesses, injuries, or medical appointments for the employee or immediate family. Philander Smith College defines "immediate family" as the employee's spouse, parent, child, sibling, grandparents, grandchildren, son-in-law, daughter-in-law, or legal guardian.

Eligible employees will accrue sick leave benefits at the rate of one and one-half (1.5) days for every full month of service. Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of twenty (20) calendar days' worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be

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suspended until the employee has reduced the balance below the limit. **No employee will be allowed to use more than twenty (20) earned sick days in a given fiscal year (July 1 – June 30).**

Employees can request use of paid sick leave after completing the initial (ninety) 90 calendar day probationary period. Paid sick leave can be used in minimum increments of one-half (4 hours) day. One may use sick leave benefits for an absence due to their own illness, injury, or medical need or those of an immediate family member.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. If the supervisor cannot be reached, contact the Personnel Office. An "Absence Form" (see Appendix C) must be completed on each employee who is off work.

Employees should provide prior notice when medical appointments and/or non-emergency surgical procedures have been scheduled. A "Request for Leave Form" (see Appendix D) should be completed and signed off by the supervisor with a copy forwarded to the Personnel Office.

If an employee is absent for three (3) or more consecutive days due to illness or injury, a physician's statement may be required. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

FAMILY and MEDICAL LEAVE ACT (FMLA) POLICY

AMOUNT OF LEAVE

The Family and Medical Leave Act (hereinafter referred to as "FMLA") entitles certain employees to an unpaid twelve (12) week leave of absence.

QUALIFICATIONS FOR LEAVE

In order to be entitled to FMLA leave, an employee must have been employed by the College for (twelve) 12 months, working at least one thousand, two hundred and fifty (1,250) hours during the (twelve) 12 month period immediately preceding FMLA leave.

PURPOSES OF LEAVE

FMLA leave can be taken for the following reasons:

1. for the birth of a child
2. for the placement of a child for adoption or foster care

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3. to care for a spouse, child, or parent (but not a parent-in-law) with a serious health condition
4. because of a "serious health condition" that causes you to be unable to perform the essential functions of your job
"Serious health condition" means an illness, injury, impairment or physical or mental condition that involves:
 1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility;
 2. Any period of incapacity requiring an absence of more than three (3) calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider;
 3. Continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three (3) calendar days, and for prenatal care.

HUSBAND AND WIFE RULE

A husband and wife who are eligible for FMLA leave are limited to a combined total of twelve (12) weeks of leave if the leave is taken:

1. for the birth of a child
2. for the placement of a child for adoption or foster care
3. to care for a parent (but not a parent-in-law) with a serious health condition

PERIOD FOR TAKING LEAVE

The twelve (12) week FMLA leave may be taken during any twelve month period measured backward from the date you first take FMLA leave. FMLA leave may be taken intermittently or on a reduced leave (part-time) basis. However, if FMLA leave is taken on an intermittent or reduced leave basis, you may be transferred temporarily to an available alternative position which better accommodates recurring periods of leave. In addition, if FMLA leave is taken for the birth of a child or placement of a child for adoption or foster care, it must be concluded within one year of the birth or placement.

A. EMPLOYEE NOTICE

In order to take FMLA leave, an employee must give the employer at least thirty (30) days advance notice if the need for the leave is foreseeable. If the thirty (30) days notice cannot be given because of an unexpected change in circumstances, a medical emergency, or the like, notice must be given with as much lead time as possible, normally within one or two working days of when you become aware of the need for FMLA leave – except in extraordinary circumstances. When taking leave from work for any reason, the employee must explain the

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reason for the needed leave in order to allow the employer to determine whether the leave qualifies as FMLA leave. If the employee fails to explain the reason, leave may be denied. When planning medical treatment for employee or a family member, the employee should work with the employer to schedule this leave in a way that does not disrupt business operations to the extent that it is medically possible to do so. If FMLA leave will cause disruption, the employer may require the employee to reschedule the leave if it is medically possible to do so. If the required notice is not given, the employer will delay FMLA leave until the notice has been given and the appropriate amount of time has passed.

MEDICAL CERTIFICATION

If an employee wishes to take FMLA leave to care for a seriously ill spouse, child, parent, or because of an employee's own serious health condition, the employee must provide a medical certification from the treating healthcare provider. This certification must be provided within fifteen (15) calendar days of the employer's request for the medical certification. The employee can obtain a form for this medical certification from the Personnel Office. If the employee does not provide this medical certification, the employee's request for FMLA leave will be denied. The employer also reserves the right to obtain a second or third medical certification at its expense as allowed by the FMLA. Additional medical certification may also be requested by the employer in accordance with FMLA regulations.

SUBSTITUTION OF PAID LEAVE

FMLA leave is unpaid. However, either employer or the employee may choose to substitute any paid vacation time, sick leave, paid time off, personal leave, short term disability leave, etc., which the employee has earned or accrued in place of the unpaid FMLA leave until this earned or accrued leave has been fully used; the paid leave and the FMLA leave will run concurrently which means the paid leave will be counted against the employee's twelve (12) week FMLA leave entitlement. Any remaining FMLA leave will be unpaid. If paid short term or long term disability leave qualifies as FMLA leave, the employee will not be required to substitute any other type of paid leave during the employee's absence from work. However, the short-term or long-term disability leave and the FMLA leave will run concurrently. When a work-related injury qualifies for FMLA leave and the employee is receiving Worker's Compensation benefits, the employee will not be required to substitute any paid leave during the employee's absence from work. However, the leave taken for the work-related injury and the FMLA leave will run concurrently.

B. GROUP HEALTH INSURANCE

During the period of FMLA leave, group health insurance coverage will remain in effect

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for the employee. If paid leave is substituted as discussed above, the employee's portion of the premium will be paid by payroll deduction as it normally is. If all or part of the leave is unpaid, then the employee must pay the portion of the premium at the same time as it would be made if by payroll deduction.

If the employee does not return to work after FMLA leave, the employer reserves the right to recover all group health insurance premiums paid by it for the employee's health insurance coverage, depending upon the reason for their failure to return to work.

STATUS REPORT

While the employee is on FMLA leave, he/she must report to the Personnel Office every two (2) weeks on the status, including whether the employee intends to return to work and the date on which he/she will return to work if known.

C. MEDICAL CERTIFICATION BEFORE RETURN FROM LEAVE

If the employee has been on FMLA leave because of the employee's own serious health condition, before he/she can return to work, he/she must provide a medical certification from their treating healthcare provider which states the employee is able to resume work. If the employee does not provide this medical certification, he/she will not be permitted to return to work.

SECOND JOB

While the employee is off work from the employer on FMLA leave, the employee is prohibited from working for another employer.

D. RETURN FROM LEAVE

When the employee return from FMLA leave the employee will be given either the same job he/she had when the employee left or an equivalent job. However, if he/she is a key employee as defined in the FMLA (among the highest paid ten percent (10%) of all employees within seventy-five (75) miles of your work site), he/she may be denied the right to return to the employer under certain circumstances. If the employee does not return to work within two (2) days after the end of the employee's FMLA leave, he/she will be terminated.

TIME OFF TO VOTE

Philander Smith College encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule and are encouraged to do so. If employees are unable to vote

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in an election during their non-working hours, Philander Smith College will grant up to two (2) hours of paid time off to vote.

Employees should request time off to vote from their supervisor at least two (2) working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled with a minimum amount of disruption.

BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his/her supervisor immediately. Up to three (3) days of paid bereavement leave can be provided to all employees.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with their supervisor's approval, use any available paid leave for additional time off as necessary.

Philander Smith College defines "immediate family" as the employee's spouse, parent, child, sibling, grandparents, grandchildren, son-in law, daughter-in-law, or legal guardian.

Bereavement will not be charged to accrued sick leave or vacation time. This benefit does not accrue year to year, and will only be granted on an as-needed basis. Upon returning to work, an official record or other form of documentation may be required by the supervisor or department head.

JURY DUTY

Philander Smith College encourage employees to fulfill their civic responsibilities by serving Jury Duty when required. All employees are eligible. The college will pay the difference between the employee's regular pay and any payment for Jury service.

Employees must show the Jury Duty Summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. The employee is responsible for providing documentation of Jury pay to their supervisor or Personnel Office. Of course, employees are expected to report for work whenever the court schedule permits.

Either Philander Smith College or the employee may request an excuse from Jury Duty if, in Philander Smith College's judgment, the employee's absence would create serious operational difficulties.

Philander Smith College will continue to provide health insurance benefits for the full term of the Jury Duty absence. This applies only to those employees who are enrolled in the plan at the time of their Jury Summons. Vacation and sick leave will also continue to accrue during Jury Duty leave.

EDUCATIONAL ASSISTANCE

Philander Smith College recognizes that the skills and knowledge of its employees are critical to the success of the organization. The educational assistance program encourages

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personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonable attainable jobs within Philander Smith College.

Philander Smith College will provide educational assistance to all eligible employees who have completed one (1) year of service in an eligible employment classification. To maintain eligibility, employees must remain on the active payroll and be performing their job satisfactorily through completion of each course. Regular full-time employees are eligible for educational assistance.

Employees should contact the Personnel Office for information or questions about educational assistance. While educational assistance is expected to enhance employees' performance and professional abilities, Philander Smith College cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

Employees are not to enroll in classes that are scheduled for 8:30 a.m. to 5:00 p.m. without the approval of their immediate supervisor and cabinet level member. Employees may not enroll in any class during the summer sessions at the institution's expense.

Employees may receive a one hundred percent (100%) tuition/fee discount up to the cost of six (6) credit hours and their spouses and dependent children may receive a fifty (50%) tuition/fee discount up to the cost of six (6) credit hours when enrolled in classes at Philander Smith College.

These discounts are secondary to any scholarships, grants, or other aid as outlined in the college's policy for institutional awards. At no time shall these discounts result in creating refunds to the individual.

GROUP MEDICAL AND DENTAL TRUST

Philander Smith College provides medical, dental, and vision coverage for its employees through the Board of Higher Education and Ministry (BHEM) Affiliated Institutions Employees' Medical Plan Trust ("Trust"). The benefits provided by the Plan are limited to those that are provided through the Trust. Only the Trust has the discretion to construe or interpret the provision of this Plan, and to determine eligibility for the Plan.

Through the Trust, claims administration and certain other duties have been delegated to the Principal Life Insurance Company.

Any full-time employee wishing to participate in the Plan must request in writing to the Personnel Office their desire for coverage **within thirty-one (31) days of full-time employment** at the College. If an employee **DOES NOT** request coverage initially, he/she **MAY NOT** be eligible to enroll in this Plan at a later date unless certain qualifying conditions have been met.

Insurance premiums for participating employees are paid fully by the College and premiums for employee dependents are the sole responsibility of the employee via payroll deduction.

Please contact the Personnel Office for more detailed information about the Medical/Dental/Vision Trust Plan.

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RETIREMENT ANNUITIES PLAN

Philander Smith College's retirement plan is a defined contribution ("money purchase") plan established by the Board of Trustees and effective as of January 1, 1971. Benefits are provided by fixed-dollar annuities issued by the Teachers Insurance and Annuity Association (TIAA) and by variable annuities offered by its companion organization, the College Retirement Equities Fund (CREF). TIAA is an insurance company founded in 1918 and incorporated under New York State law. CREF is an open-end diversified investment company. A CREF prospectus, which contains more complete information regarding CREF certificates, can be obtained by writing to TIAA-CREF, 730 Third Avenue, New York, NY 10017-3206 or by calling their telephone counseling center at 1-800-842-2888. Their internet web site address is www.tiaa-cref.org.

The Plan operates under Section 403(b) of the Internal Revenue Code and is strictly voluntary. To be an eligible employee, one must be employed by the College on a full-time, permanent basis for at least twelve (12) months. For those full-time employees with an existing TIAA-CREF retirement account from another institution, the twelve (12) month wait is waived. Participation in the Plan starts on the first (1st) of the month following open enrollment and after all appropriate enrollment forms have been completed and turned in to the Personnel Office.

The minimum contribution to the Plan by a participating employee is three percent (3%) of their regular pay each pay period. The College will contribute (on their behalf) seven percent (7%) of the employee's regular pay each pay period. All contributions are tax deferred and a participant is fully vested (i.e. has ownership) one hundred percent (100%) in the benefits arising from all contributions made to their TIAA-CREF retirement annuities under this Plan.

CREDIT UNION

Employees may elect to participate, via payroll deduction, in the Arkansas Teachers Federal Credit Union. Applications may be obtained from the Personnel Office, but membership plus any joining fees must be made directly with the Credit Union.

Once membership has been established, the Credit Union shall remit to the Personnel Office a "Payroll Deduction Request" form (see Appendix E) which has been signed by the participating member employee. This request authorizes Philander Smith College to withhold an agreed amount from the employee's semi-monthly pay to be submitted to the Arkansas Teachers Federal Credit Union.

Additional information regarding the Arkansas Teachers Federal Credit Union may be obtained by contacting them at (501) 375-9250. They are currently housed on the Philander Smith College campus.

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PERSONAL PAID LEAVE DAYS

Philander Smith College provides two (2) days of leave of absence with pay to regular full-time employees who wish to take time off from work duties to fulfill personal obligations. Eligible employees may request personal leave only after having completed ninety (90) calendar days of service. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor.

Personal leave may be granted for a period of up to two (2) days each fiscal year (July 1st – June 30th). Personal leave must be taken in a minimum increment of one-half of a day (4 hours). **No unused leave time is allowed to be carried forward into a new fiscal year.**

PERSONAL LEAVE WITHOUT PAY

Full-time employees with at least one (1) year of continuous service may request a leave of absence without pay, for justifiable reasons. The standard reasons and normal maximum allowable times for each category are as follows:

- 1.
2. **Maternity Leave** (see Family Medical Leave)
3. **Illness/Sick Leave** (see Medical Leave)
4. **Educational Leave for Professional Development** (up to twelve (12) months) – education to be earned must be related to present work position
5. **Personal Leave for Justifiable Reasons** (up to three (3) months) – the employee's supervisor will determine if the situation warrants the leave, and will determine the amount of leave that will be granted. In some cases, leave may not be granted if the employee's absence will cause undue hardship to the supervisor/department.

MILITARY LEAVE

A military leave of absence will be granted to all employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U. S. Armed Services.

Military leave for standard two (2) week annual training is granted without loss of pay for up to ten (10) work days and is in addition to regular vacation leave for regular full-time employees.

Subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible, health insurance benefits for standard two (2) week annual training will be provided by Philander Smith College. Vacation and sick leave benefits will continue to accrue during the standard two (2) week annual training.

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Employees on two (2) week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with all applicable state and federal laws.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of vacation accrual and job seniority rights.

PREGANCY-RELATED ABSENCES

Philander Smith College will not discriminate against any employee who requests an excused absence for medical disabilities associated with a pregnancy. Such leave requests will be made and evaluated in accordance with the Medical Leave Policy provisions outlines in this handbook and in accordance with all applicable federal and state laws.

Requests for time off associated with pregnancy and/or childbirth (apart from medical disabilities associated with these conditions) will be considered in the same manner as any other request for an unpaid personal or family leave.

TIMEKEEPING

Accurately recording time worked is the responsibility of every nonexempt employee. Time worked is all the time actually spent on the job performing assigned duties.

Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign his/her time record to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

Timesheets will be submitted to the Personnel Office five (5) working days before each payday, in order to be processed in a timely manner. Supervisors should forecast for expected hours worked on timesheets. If for some reason the employee did not work the required hours placed on the timesheet, a pay adjustment will take place on the following pay period.

PAYDAYS

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All employees are paid semi-monthly on the 15th and last working days of the month. Each paycheck will include earnings for all work performed through the end of the payroll period. Paychecks will not be dispersed before 11 a.m. on paydays. The checks may be picked up from the Personnel Office or the employee's department supervisors.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

ADMINISTRATIVE PAY CORRECTIONS

Philander Smith 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 the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Personnel Office so that corrections can be made as quickly as possible.

PAYROLL DEDUCTIONS/SETOFFS

The law requires that Philander Smith College make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Philander Smith College also must deduct Social Security taxes on each employee's earning up to a specified limit that is called the Social Security "wage base". Philander Smith College matches the amount of Social Security taxes paid by each employee.

Philander Smith College offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs. All pay deduction requests must be in writing, signed by the employee.

Pay setoffs, or wage garnishments, are mandatory pay deductions taken by Philander Smith College to usually help pay off a debt or financial obligation to others. The most common examples are court ordered wage garnishments, child support enforcement orders, Internal Revenue Service levies, etc. An employee who has questions concerning why deductions were taken from his/her pay check or how the deductions were calculated should contact the Personnel Office.

SAFETY

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or (where appropriate) remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

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In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and Workers' Compensation benefits procedures.

WORK SCHEDULES

The normal work schedule for all salaried employees is seven and one-half (7.5) hours a day, five (5) days a week.

Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Part-time and temporary position work schedules will be set by the appropriate department head or supervisor.

USE OF PHONE AND EMAIL SYSTEMS

Personal use of telephones for long-distance and toll calls is not permitted. Employees should practice discretion in using College telephones when making local personal calls and may be required to reimburse Philander Smith College for any charges resulting from their personal use of the telephone. Public pay phones are available for personal outgoing calls during breaks, meal periods, or at other times, with the supervisor's permission.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

Most employees are provided with an electronic voice message mailbox. This messaging system allows one a convenient and dependable way to communicate with persons both inside and outside of the College community. It answers incoming calls when the employee is busy or away from his/her desk; allows one to compose, edit, and send messages as well as to forward and reply to messages. All phone messages should be acknowledged and/or returned as soon as possible or no later than one (1) work day.

All outgoing business mail is to be processed using official College stationary and envelopes. Because such correspondence is representative of the College, one must make certain that its appearance and quality is such that it exemplifies the professional touch of Philander Smith College. Postage metering is available through the Office of Central Supply. The use of Philander Smith College paid postage for personal correspondence is not permitted.

SMOKING

In keeping with Philander Smith College's intent to provide a safe and healthful environment, smoking in the workplace is prohibited in all buildings. This policy applies equally

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to all employees, students, and visitors. Any violations of this policy may lead to disciplinary actions, including termination.

OVERTIME/COMPENSATORY TIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Employees will be compensated at one and one-half (1.5) times their regular rate of pay for each hour worked beyond forty (40). The regular work week consists of thirty-seven and one-half (37.5) hours. Overtime pay will be paid at the next pay period during which the overtime is worked. Directors, supervisors and unit managers are not covered by this provision. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

USE OF EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using College property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor of any equipment machines, tools, or vehicles that appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

EMERGENCY CLOSINGS/INCLEMENT WEATHER POLICY

At times, emergencies such as severe weather, fires, power failures, etc. can disrupt company operations. In extreme cases, these circumstances may require the closing of a work

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facility. In the event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When the decision to close is made AFTER the workday has begun, employees will receive official notification from their immediate supervisor. In these situations, time off from scheduled work will be paid.

BUSINESS TRAVEL EXPENSES

Philander Smith College will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the employee's immediate supervisor and cabinet level supervisor. Employees whose travel plans have been approved are responsible for making their own travel arrangements utilizing the most economical means.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by Philander Smith College. Employees are expected to be good stewards and limit expenses to reasonable amounts.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by Philander Smith College may not be used for personal use without prior approval. When travel is completed, employees should submit completed travel expense reports (see Appendix F) within ten (10) working days. Reports must be accompanied by official receipts (preferably originals) for all individual expenses.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment. In addition, failure to provide the required reports in a timely manner with all supporting documentation shall result in the employee's pay being docked for all unaccounted advanced expenditure payments and outstanding debts arising from the travel.

VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities at Philander Smith College, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances. Employees are responsible for their visitors' conduct and safety at all times.

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EMPLOYEE CONDUCT AND WORK RULES

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

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

- Theft or inappropriate removal or possession of College property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs/substances
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs/substances in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Insubordination or other disrespectful conduct
- Sexual or other unlawful or unwelcome harassment
- Possession of firearms, dangerous or unauthorized materials, such as explosives, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Violation of personnel policies
- Unsatisfactory job performance or conduct

DRUG-FREE WORKPLACE/SUBSTANCE ABUSE

It is Philander Smith 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.

APPLICABILITY

This policy applies to all full or part-time employees including those persons who are classified as faculty, staff, and student workers.

A. DEFINITIONS

"Drug" means any substance that has known mind or function altering effects on a human subject, specifically, including psychoactive substances and including, but not limited to substances controlled, regulated, or prohibited by state and federal law.

B. PROHIBITIONS

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Philander Smith College prohibits the illegal use, possession, transporting, manufacture, distribution, promotion/sale of drugs, drug paraphernalia or simulated drugs while performing work on College property or in College vehicles. Employees must not report for work under the influence of any drug or other substance which will in any way affect their work performance, alertness, coordination, or response or affect the safety of others on the job.

C. MEDICALLY AUTHORIZED DRUGS

Any employee who is required to use a medically prescribed or over-the-counter drug while working, which may impair or affect the employee's alertness, coordination, or responses, must advise his/her supervisor and/or cabinet level representative of this fact before reporting to work. It is the employee's responsibility to determine from the physician whether a prescribed or over-the-counter drug may impair his/her performance. Philander Smith College reserves the right to require any employee using prescription or over-the-counter drugs to require a physician's certification that use of the drug will not impair the ability of the employee to perform his/her job properly and safely.

FITNESS FOR DUTY EXAMINATIONS AND TESTING

Philander Smith College reserves the right to require an employee to submit to a physical examination or clinical testing to determine an employee's fitness for duty. This may include tests designed to detect the presence of drugs when there are reasonable grounds for believing that the employee might be under the influence of or improperly using drugs in violation of this policy. Some examples of reasonable grounds are:

- Excessive tardiness
- Excessive absence
- Erratic behavior or mood swings
- Written observation from an employee's supervisor

EMPLOYEE ASSISTANCE

Philander Smith College recognizes the importance of assisting employees in dealing with substance abuse problems and to that end offers educational benefit programs dealing with such matters. Employees who voluntarily seek assistance for substance abuse before problems associated with such abuse come to the attention of the College, will generally be permitted to continue to work provided that:

1. a recognized treatment or rehab program is followed; and
2. all standards of job performance and conduct are met.

In some cases, temporary or permanent reassignment may be necessary. Employees who require time away from work to participate in a recognized treatment or rehab program will be accommodated in accordance with the terms of the leave of absence without pay policy. Information concerning employees who participate in treatment or rehab programs will be afforded confidential status. Only those persons who have a need to know shall have access to such information.

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REPORTING OBLIGATIONS

In accordance with, and pursuant to, the requirements of the Drug Free Workplace Act of 1988, any employee who is convicted of criminal conduct related to drugs in the workplace must notify the Personnel Office and/or their immediate supervisor within five (5) days of any such conviction.

D. DISCIPLINARY ACTION

Employees who violate this policy in any way, or who refuse to cooperate with any aspect of this policy, will be subject to appropriate disciplinary action up to and including termination for a first offense.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor and/or the Personnel Office where they can receive assistance and a referral to the appropriate resources in the community.

HARASSMENT-FREE WORKPLACE/SEXUAL AND OTHER UNLAWFUL HARASSMENT

Philander Smith College is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, sexual orientation/preference, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Harassment can take many forms. It may include, but is not limited to the use of words, signs, jokes, pranks, intimidation, physical contact, or violence. Harassment is not necessarily sexual in nature. Speech or other expressions constitute harassment if they:

1. Are intended to insult or stigmatize an individual or an identifiable group of college-related individuals on the basis of age, ancestry, disability, national or ethnic origin, race, religion, sex, or sexual orientation;
2. Are addressed directly to (though not necessarily in the presence of) the individual(s) who it insults or stigmatizes; or
3. Make use of words or nonverbal symbols that convey hatred or contempt for human beings on the basis of age, ancestry, national or ethnic origin, race, religion, sex, or sexual orientation.

Such actions are prohibited not only by Philander Smith College, but also by Section 703, Title VII of the Civil Rights Act of 1963, Title IX of the Education Amendments Act of 1972, and other state and federal laws. Violation of these acts may have legal consequences for both the college and/or the individual(s) and will result in disciplinary action for any employee or student.

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Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his/her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Personnel Office or the President's Office. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Personnel Office or any member of management who will handle the matter in a timely and confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

RETURN OF COLLEGE PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession of control. Employees must return all Philander Smith College property immediately upon request or upon termination of employment. Where permitted by applicable laws, Philander Smith College may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The College may also take all action deemed appropriate to recover or protect its property.

SECURITY INSPECTIONS

Philander Smith College wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the possession, transfer, sale, or use of such materials on the College premises is strictly prohibited. Philander Smith College requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices are provided for the convenience of employees but remain the sole property of Philander Smith College. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of Philander Smith College at any time, either with or without prior notice.

Philander Smith College likewise wishes to discourage theft or unauthorized possession of the property of employees, Philander Smith College, visitors, and customers. To facilitate enforcement of this policy, the College or its representative may inspect not only desks and lockers but also employees entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto Philander Smith College's premises.

SOLICITATION

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

Philander Smith College recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty).

Examples of impermissible forms of solicitation include:

- The collection of money, goods, or gifts for political groups
- The sale of goods, services, or subscriptions outside the scope of official organization business
- The circulation of petitions
- The distribution of literature not approved by the employer

BULLETIN BOARDS

Bulletin boards contain important information; therefore, employees should review them frequently for:

- Affirmative Action Statement
- Employee Announcements
- Internal Memoranda
- Job Openings
- Organization Announcements
- Payday Notices
- Workers' Compensation Insurance Information
- State Disability Insurance or Unemployment Insurance Information

Employees may not place any information on official College bulletin boards without prior authorization from College Administration.

DRUG TESTING

Philander Smith College is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, job applicants and employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and/or alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment.

Copies of the Substance Abuse Policy will be provided to all employees. Employees will be asked to sign an acknowledgment form indicating that they have received a copy of the Substance Abuse Policy. Questions concerning this policy or its administration should be directed to the Personnel Office.

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LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Philander Smith College supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, Philander Smith College will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. Philander Smith College will take reasonable precautions to protect such information from inappropriate disclosure. Supervisors and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

TEAMWORK

Philander Smith College operates on the basis of teamwork. This is absolutely essential for groups of individuals who must work closely together in order to complete tasks. When any department is confronted by an emergency, all departments should stand ready to cooperate. This is particularly important during commencements, registration, and certain other activities.

USE OF COLLEGE SPACE/STEWARDSHIP

All supplies and equipment are to be used only as to perform assigned duties and their economical use is a factor in determining the efficiency of employees. Time, too, is valuable and the College pays employees for their time during working hours. The College reasonably expects that this time will be spent effectively on College responsibilities. Each employee is required to periodically make a personal time analysis, and to strive to utilize available time most effectively.

EMPLOYEE IDENTIFICATION

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Each employee should have an official Philander Smith College identification card. Since the identification cards include a photograph, there will be a \$5.00 replacement charge for lost or stolen cards. Employees must surrender the card upon separation from the College. Employee identification numbers are issued through the Personnel Office, and the Identification cards are provided through the Security Office.

LOST AND FOUND

Employees should turn in to their supervisor or department head and articles found on the premises. The supervisor will then report the finding of said articles to the Personnel Office. Articles that are not claimed following a reasonable period of time may be discarded, sold, or given to charitable organizations by the College.

SECURITY

The College provides a security force for the protection of its students, employees, and property/equipment. Security can be reached during normal working hours by calling ext. 5370. If it is after hours, call 501-370-5370. When calling, give the following information:

Your name

Your location

Nature of the problem

A fire alarm system is in operation 24 hours a day. However, it is the responsibility of each employee to call the Fire Department in case of fire. Depending upon the nature of the emergency, calling "9-1-1" is always available.

SUGGESTIONS

Suggestions are always welcome from employees. This is true not only of suggestions for improvements within the individual's own department, but also for the good of the Institution. They will be given every consideration, and if adopted, the employee will be given credit. At the same time, employees should bear in mind that criticism of any program, activity, or work area must be in the interest of the College.

PUBLIC RELATIONS

All publicity for activities should be handled through the Strategic Marketing and Public Relations Office. Every member of the staff, faculty, and student body should cooperate fully

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with the Marketing/Public Relations Department to ensure that information disseminated to the media has a high level of content, accuracy, and consistency.

The College Relations Director should be notified of all media interviews from any source (print, radio, or television). Should one receive a call or be contacted in any manner by the media for any purpose, one must inform the College Relations Officer PRIOR to giving any interviews and/or comments on behalf of the College.

All press releases should be forwarded through the College Relations Office prior to being distributed to the community or media sources. The President of the College or his/her designee is the only spokesperson for the College.

INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

A. INTRODUCTION

Information Technology (IT) can distribute and examine a vast array of material with unprecedented speed. In this rapidly changing area, once requirement remains constant: all information technology use must respect the rights of the College and IT community. This policy is designed to guide faculty, staff, and students in the acceptable use of network and information systems provided by Philander Smith College. More importantly, it applies respect in the use of educational computer resources, respect of other computer users, and respect for the medium itself.

The Philander Smith College community is encouraged to innovatively and creatively use information technologies for educational and research support. Consistent with other College policies, this policy respects the rights and obligations of academic freedom as well as protects the resources of the College.

The College network is an open network and therefore cannot protect individuals against the receipt of material that may be offensive to them. Those who use electronic communications are warned that they may come across or be recipients of material they find offensive. Additionally, email and/or Internet users are warned that the College cannot protect them from invasions of privacy and other possible risks that occur when users distribute personal information.

The College's IT and network facilities are limited and should be used wisely with consideration for others' needs. IT and network systems offer powerful communications tools for the campus community. When used appropriately, these tools can be productive. When used unlawfully or inappropriately, however, these tools can infringe on the beliefs or rights of others.

Most IT use parallels familiar activities in other media and existing College policies already provide guidance. Using electronic media instead of standard written correspondence, for example, does not fundamentally alter the nature of the communication, nor will it alter the guiding policies for freedom of expression, privacy, and other matters related to electronic expression. This IT Appropriate Use Policy (ITAUP) addresses new, or at least

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unfamiliar, circumstances in the IT arena, and augments rather than replaces other applicable College policies.

B. DEFINITIONS

Philander Smith IT Systems include computers, terminals, printers, networks, modem banks, and related equipment, as well as data files or documents residing on disk, tape, or other media which are owned, managed or maintained by Computing Services and/or faculty/staff of Philander Smith. For example, IT Systems include institutional and departmental systems, IT systems in the Computing Services machine room, faculty research systems, the College's campus network (which is designed and managed by Computer Information Services). Privately owned equipment, such as laptops, telephones, PDAs, and home computers, are considered an IT system if it is attached directly or remotely to the campus network and/or is used to access the Philander Smith campus network.

A User ("user") is any person, whether authorized or not, who makes any use of any IT System from any location. For example, this definition includes persons who access IT facilities via an electronic network, as well as those who use an IT electronic network (e.g. the campus network/internet) to connect a personal machine to any other system or service. An IT User is a user with authorization to access Philander Smith IT Systems. IT Users include Philander Smith students, faculty, staff, and alumni/alumnae with accounts on the IT Systems.

A System Administrator is an individual who permits access to a particular system and/or network.

A Network Security Officer (NSO) is an individual charged with maintaining security of the Philander Smith campus network and therefore has authority to investigate security violations, ensure that security policy is complied with and reporting of network security status.

PURPOSE

Philander Smith IT Systems are meant to further the research, education, and administrative functions at Philander Smith. To achieve this, this policy intends:

- To ensure the integrity, reliability, and performance of the Philander Smith IT System and network;
- To ensure that IT Users at Philander Smith follow the same conventions and values of the larger Philander Smith community
- To ensure that IT Systems and network are used for their intended purposes; and
- To establish sanctions and processes for addressing violations

SCOPE

The IT AUP applies to all Philander Smith IT Systems owned, managed, or administered by Philander Smith faculty, staff, and students and any use of those systems.

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Many particular IT Systems (Philander Smith's News and World Wide Web sites and campus email services, for instance) have service-specific policies in addition to this umbrella IT AUP. Please refer to posting available with each system to identify all applicable policies.

The policy described herein is that which the College intends to use in normal operation of IT facilities and network. This document does not waive any claim that Philander Smith may have ownership or control of any hardware, software, or data created on, stored on, or transmitted through Philander Smith IT Systems and network.

USE OF IT SYSTEMS

Proper Authorization – Use of Philander Smith IT Systems is restricted to authorized Philander Smith faculty, staff, alumni, and students. Administrator(s) of the system(s), server, and/or campus network component provide authorization.

Appropriate Use – The Philander Smith IT Systems and network should be used only for authorized purposes. For example, privately owned computers may not host sites for non-Philander Smith organizations on the Philander Smith network without specific authorization.

Commercial Use – Without specific authorization, activities using IT systems and network for non-Philander Smith commercial purposes are prohibited. This is not meant to restrict normal communications and exchange of electronic data, consistent with the College's education, clinical, and research roles, which may have an incidental, financial or other benefit for an external organization. For example, it is appropriate to discuss products or services with companies doing business with Philander Smith or to contribute to Facfocus discussing issues related to commercial products.

Contracts – All use of the Philander Smith IT System and network must be consistent with all contractual obligations of the College, including limitations defined in software and other licensing agreements.

PHILANDER SMITH IT AND NETWORK RESOURCES USE

Philander Smith computing and network resources are to be used only for College related research, instruction, learning, enrichment, and dissemination of scholarly information and administrative activities. Use of these resources for commercial, private, or personal gain is strictly prohibited.

Privileges for IT Users:

Free Inquiry & Expression – Philander Smith IT Users are afforded free inquiry and expression consistent with the goals of the College.

Reasonable Confidentiality – Philander Smith IT Users can expect reasonable confidentiality for particular data. Systems Administrators will identify categories of data, which will be managed as confidential on a particular IT System and they will make all reasonable efforts to maintain the confidentiality of that data. Technical limitations, software bugs, and

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system failures, however, can threaten data confidentiality. Systems Administrators will take reasonable steps to inform IT Users of confidentiality limits for their respective IT Systems. IT Users are expected to become familiar with those limits and risks in the IT System which they use and to manage their confidential data accordingly. Release of data is subject to the State of Arkansas Freedom of Information Act.

Participation – Philander Smith IT Users will be represented in the formulation and periodic review of Philander Smith IT policies and regulations affecting them through appropriate staff, Senate, and student IT advisory committees.

G. RESPONSIBILITIES FOR ALL USERS

Unauthorized Use – Philander Smith IT Systems shall not be used by non-Philander Smith organizations or individuals without proper authorization. Users must not permit or assist any unauthorized person to access Philander Smith IT Systems.

Security – Users must not defeat or attempt to defeat any Philander Smith IT System's security. Examples include (but are not limited to) "cracking or guessing user identifications or passwords, or compromising room locks or alarm systems.

Unauthorized Data Access – Users must not access or attempt to access unauthorized data on a Philander Smith IT System. Users must not make or attempt to make any deliberate, unauthorized changes to data on an IT System. Users must not intercept or attempt to intercept data communications not intended for that user's access.

Concealed Identity – Users must not conceal their identity when using Philander Smith IT systems. Users must use their own login ID and password.

Denial of Service – Users must not deny or interfere with or attempt to deny or interfere with service to other users, on campus or off campus, by means of "resource hogging", deliberate distribution of computer worms or viruses, etc. Knowing or reckless distribution of unwanted mail or other messages is prohibited. Specifically, "chain letters" and other schemes that may cause excessive network traffic or computing load are prohibited.

Copyright – Users must observe intellectual property rights including, in particular, copyright laws as they apply to software and electronic forms of information.

External Data Networks – Users must observe all applicable policies of external or off campus data networks when using such networks.

Modification of Data or Equipment – Without specific authorization, users of Philander Smith IT Systems must not cause, permit, or attempt any destruction or modification of data or computing or communications equipment, including but not limited to alteration of data, reconfiguration of control switches or parameters, or changes in firmware. This rule protects data, computing, and communications equipment owned by Philander Smith, or any other person or entity. "Specific authorization" refers to permission by the owner or Systems Administrator of the equipment or data to be destroyed or modified.

Personal Account Responsibility – Users are responsible for the security of their IT System accounts and passwords. Any change of password must follow published guidelines. Accounts and passwords are normally assigned to single users and are not to be shared with any other person without authorization by the Systems Administrator. Unauthorized change of another person's password is considered as harassment and unethical behavior.

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Users are presumed to be responsible for any activity carried out under their IT System accounts.

Responsibilities for Content – Representatives of IT publish “official” information in a variety of electronic forms. A statement of the Certifying Authority publishing the information will normally identify such official information. A Certifying Authority is that IT department or individual certifying the accuracy of an electronic document and IT appropriateness for the performance of IT business. Users also publish information in electronic forms on IT equipment and/or over Philander Smith’s networks. Philander Smith does not have any intention or opportunity to screen such private material and thus cannot assure IT accuracy or assume any responsibility for this material. Any electronic publication provided on or over Philander Smith equipment and/or networks which is not legitimately identified by a Certifying Authority is the private speech of an individual user. Offensive content is to be reported to the Network Security Officer for investigation.

E-mail Use – the College’s electronic mail facilities should not be used:

- To send unauthorized mass mailings of any type;
- To send rude, obscene, harassing, or illegal material, or material that in any way conflicts with the regulations of the College;
- To send or receive any material that in any way conflicts with state or federal law; or
- To perform an operation or activity that degrades the performance of the Philander Smith’s IT Systems and/or network.

Threats and Harassment – Users may not use a Philander Smith IT System to threaten or harass any person. A user must cease sending messages or interfering in any way with another user’s normal use of IT Systems if the aggrieved user makes, in the opinion of the appropriate Systems Administrator, a reasonable request for cessation.

Removal of Equipment or Documents – Users must not remove any College owned or administered equipment or documents from an IT System without specific authorization by the owner or System Administrator.

Foreign Devices – Users must not physically or electronically attach any foreign device (such as an external disk, printer, network sniffer, sniffer software, network monitor, software or video system) to an IT System without specific authorization by the owner or System Administrator.

Violations – Users must not conceal or help to conceal or “cover up” violations by any party. Users are expected to report any evidence of actual or suspected violation of this policy to the Systems Administrator of the facility most directly involved.

Reporting of Security Violations – If a user observes and/or suspects a security violation, he/she is obligated to report such to the Philander Smith Network Security Officer.

IT RIGHTS

Personal Identification – Users of IT Systems must show identification including

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College affiliation when requested by a System Administrator or NSO, IT or College authority.

Access To Data – Users must allow systems administration personnel access to data files on IT Systems for the purpose of making backups, diagnosing systems problems, and investigating policy and/or campus network security violations.

Oversight Authority – The Philander Smith Network Security Office and designated technical IT Staff are authorized to use appropriate means to investigate alleged or apparent violations of Philander Smith IT policy or of applicable law involving IT Systems and/or network. A Philander Smith IT staff member will only enter an IT User's account to investigate violations of this policy when this action is approved by an IT Director or appropriate College authority, unless it is necessary to preserve the integrity of facilities ("emergency entry"). IT will maintain a log and incident report of all such incidents. Any emergency entry will be logged and IT appropriateness reviewed.

Enforcement Procedures – The College may restrict the use of its IT and network systems when faced with evidence of violation of College policies, federal, or local laws. The College reserves the right to limit access to its networks through the College authorized IT systems and to remove or limit access to material posted on College owned IT systems that is deemed inappropriate or not in keeping with the educational, research, and community service missions of this college.

ELECTRONIC MAIL POLICY

COMPUTER FILE RETENTION

Computer files, including e-mail backup tapes, will be retained for a period of thirty (30) days, after which they will be destroyed; provided that if the company is involved in any litigation, it will check with legal counsel before deleting files or erasing backup tapes related to such litigation.

E-mail messages, to the extent practicable, should be read and discarded promptly at the personal computer level. If an employee needs to retain a copy of such e-mail message for a longer period of time, then such message should be printed out or stored on the computer's hard drive.

E-Mail messages, even though "deleted" by the employee, may be recoverable or may be retained on system backups indefinitely.

The College will determine how to truly "delete" unwanted files or messages from the system, and routinely "delete" such files and messages within thirty (30) days.

The company will "delete" a previous employee's computer files and e-mail messages, as well as any remaining back-up tapes of such employee's files and messages within thirty (30) days after departure of such employee.

TRADE SECRETS/CONFIDENTIAL PROPRIETARY BUSINESS INFORMATION

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Employees are strictly prohibited from disclosing confidential business information or trade secrets outside the company or organization, including via e-mail, without written authorization. Employees shall be notified by their supervisor if information they receive is of a type the company considers confidential.

Limited access and distribution of confidential information will be on a need-to-know basis. Employees shall be told by their supervisor who is entitled to know such information. Passwords are to be utilized properly, and employees will be notified when to change them if whenever confidentiality or security may have been breached. Employees are to follow all computer security precautions as instituted by the College.

Employees are not to leave computers on and unattended.

Employees are to utilize encryption software when transmitting confidential e-mail or documents, or "lock files" when appropriate.

Employees are to sign written agreements with the College concerning the disclosure of confidential information, intellectual property, or trade secrets as directed by their supervisor.

PRIVACY AND RELATED ISSUES

All data, communications, and information, including information transmitted or stored on the system, is College property subject to inspection and/or monitoring at any time. The electronic systems are owned by the College and are to be used only to transact College business. They are not the personal property of employees (even though employees may have a personal code to enter such systems) and should not be used for personal "business".

The College retains the right to access, examine, or disclose any material transmitted or stored on its systems, including e-mail sent or received. The College reserves the right to monitor use of such systems and to inspect information contained in them, with or without notice, even when data is stored under the employee's personal code.

E-mail is to be used in a business-like manner at all times and misuse may result in discipline, up to and including termination. Further, a violation of the College's e-mail policy or any other abuse of the company's e-mail network will result in disciplinary action, up to and including termination.

Offensive messages such as racial or sexual slurs are prohibited. College policies prohibiting offensive, intimidating, or harassing materials in the workplace apply with equal force to material communicated through, or stored on such electronic systems.

Solicitation for outside business ventures and political, religious, or charitable causes is prohibited.

Employees are prohibited from using anyone else's passwords to gain access to fellow employee files.

E-mail is to be used for business purposes, except for lunch or informal meeting arrangements or any other exceptions the College chooses to allow. If the College decides to have no exceptions, consider whether the company will be willing or able to enforce a flat prohibition against personal use.

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If an employee installs personal software on the College's electronic equipment, such software is subject to monitoring and inspection by the College.