

# POLICY MANUAL

## VOLUME III

# **INSTITUTION-WIDE PERSONNEL POLICIES**

**(Revised June 2016)**



**GEORGIAN COURT UNIVERSITY**

*A tradition of excellence...a future of success*

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## Volume III

### Institution-Wide Personnel Policies

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#### **3.0 Introduction**

Volume III of the Georgian Court University Policy Manual contains employment policies that pertain to all Georgian Court employees. Additional policies that pertain only to members of the faculty are provided in Volume IV, and policies that pertain only to administrative and support staff are provided in Volume V. General Policies that affect all members of the campus community (including students) are set forth in Volume II.

#### **3.1 Federal Compliance Policies**

##### **3.1.1 *Equal Opportunity Policy***

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Georgian Court will be based on merit, qualifications, and abilities. Georgian Court does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, sexual orientation, disability, marital status, veteran or Vietnam Era veteran status or any other characteristic protected by law. However, Georgian Court reserves the right to offer Sisters of Mercy who meet the qualifications of available positions preference in hiring.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, Georgian Court has established an affirmative action program to promote opportunities for individuals in certain protected classes throughout the organization.

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 or the Office of Human Resources. 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.

##### **3.1.2 *Affirmative Action Plan***

The Georgian Court Affirmative Action Plan is set forth in Appendix 3.1.2.1.

##### **3.1.3 *Immigration Law Compliance***

Georgian Court is committed to employing only United States citizens and aliens who are authorized to work in the United States and 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 and present 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 Georgian Court within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Office of Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **3.2 Statement on Discrimination, Harassment, and Intolerance**

#### **3.2.1 Statement of Policy**

Georgian Court University is committed to the policy that all persons shall have equal access to programs, facilities, admission, and employment without regard to personal characteristics not related to ability, performance, or qualifications as determined by University policy or by state or federal authorities. It is the policy of the University to maintain an academic and work environment free of discrimination, including harassment.

Further, the University is committed to creating an environment which is free from intolerance directed toward individuals or groups and strives to create and maintain an environment in which people are treated with dignity, decency, and respect. Acts of intolerance violate the principles upon which Georgian Court is built and serve to destroy the fabric of the society we share. Such actions not only do untold and unjust harm to the dignity, safety, and well-being of those who experience this pernicious kind of discrimination but also threaten the reputation of the University and impede the realization of the University's educational mission.

For that reason, the University prohibits unlawful discrimination or harassment of any kind. Through education and enforcement of this policy, the University will seek to prevent, correct, and discipline behavior that violates this policy. Discrimination, harassment, or retaliation against faculty, staff or students will not be tolerated at Georgian Court University.

All employees and students are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee or student who violates this policy. Based upon the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment or expulsion from the University.

#### **3.2.2 Prohibited Conduct Under This Policy**

##### **3.2.2.1 Discrimination**

- a. It is a violation of this policy to discriminate in the provision of employment opportunities, educational opportunities, benefits or other privileges; to create discriminatory work or classroom conditions; or, to use discriminatory evaluative standards if the basis of that discriminatory treatment is, in whole or in part, the person's race, creed, religion, color, national origin, nationality, ancestry, age, gender (including pregnancy and sexual harassment), marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, mental or physical disability, military service or veteran status, or any other basis that is protected under applicable law.

- b. Discrimination of this kind also may be strictly prohibited by a variety of federal, state, and local laws, including Title VII of the Civil Rights Act 1964, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Americans With Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these antidiscrimination laws and regulations.

### **3.2.2.2 Harassment**

Harassment, including sexual harassment, is prohibited by federal and state laws. This policy prohibits harassment of any kind, and the University will take appropriate action swiftly to address any violations of this policy. The definition of harassment is verbal or physical conduct designed to threaten, intimidate or coerce. Also included is verbal taunting (including racial and ethnic slurs) that, in the victim's opinion, impairs her/his ability to perform her/his job or academic studies. To constitute prohibited harassment, the conduct must be sufficiently severe or pervasive so as to substantially interfere with the individual's employment, education, or access to University programs, activities and opportunities and be such that it detrimentally affects the individual in question and would also detrimentally affect a reasonable person under the same circumstances. Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency, and duration of the conduct in question, the location and context in which it occurs and the status of the individuals involved.

Examples of harassment include:

- a. Verbal: comments that are not flattering or are unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body disability or appearance, epithets, slurs, and negative stereotyping.
- b. Nonverbal: distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual or group because of national origin, race color, religion, age, gender, sexual orientation, pregnancy, appearance disability, gender identity, marital or other protected status.

These definitions are not intended to deprive an individual of the right of free expression or other civil rights.

### **3.2.2.3 Sexual Harassment**

Sexual harassment in any form is prohibited under this policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature... when...submission to or rejection of such conduct is used as the basis for employment decisions...or such conduct has the purpose or effect of...creating an intimidating, hostile or offensive ... environment."

Sexual harassment includes unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when such conduct:

- a. Is made explicitly or implicitly a term or condition of employment, grades, or academic status.

- b. Is used as a basis for an employment decision or academic or other decisions affecting an individual.
- c. Unreasonably interferes with an individual's performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive, that lowers morale and therefore interferes with work effectiveness.

Sexual harassment may take different forms. Examples of conduct that may constitute sexual harassment are:

- a. Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, threats. Requests for any type of sexual favor (this includes repeated, unwelcome requests for dates). Verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sex oriented and considered unwelcome.
- b. Nonverbal: The distribution, display, or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, email, photos, text messages, Internet postings, etc., that is sexual in nature.
- c. Physical: Unwelcome, unwanted physical contact, including but not limited to touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling; forced sexual intercourse or assault.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions that are acceptable to and welcomed by both parties, are not considered to be harassment, including sexual harassment.

There are basically two types of sexual harassment:

- a. "Quid pro quo" harassment, where submission to harassment is used as the basis for decisions. This could be in the form of employee benefits such as raises, promotions, better working hours, etc., or in the form of educational benefits such as assignments or grades and are directly linked to compliance with sexual advances. Therefore, only someone with the authority to grant such benefits can engage in quid pro quo harassment. Examples: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her; a faculty member promising higher grades if the student will have dinner with him.
- b. "Hostile work environment," where the harassment creates an offensive and unpleasant working or educational environment. Hostile work environment can be created by anyone, whether it be supervisors, faculty members, other employees, students, or customers. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials or even unwelcome physical contact as a regular part of the work/educational environment. Texts, emails, cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.



#### **3.2.2.4 Consensual Relationships**

Romantic and/or sexual relationships between faculty and students or staff and students are prohibited (except as noted below) and between supervisors and subordinate employees are strongly discouraged. Such relationships have the potential for adverse consequences, including the filing of charges of sexual harassment. Given the fundamentally asymmetric nature of the relationship where one party has the power to give grades, thesis advice, evaluations, recommendations, promotions, salary increases or performance evaluations, the apparent consensual nature of the relationship is inherently suspect.

Even when both parties have consented to the relationship, there may be perceptions of conflicts of interest or unfair treatment of others. Such perceptions undermine the atmosphere of trust essential to the educational process or the employment relationship.

Faculty or staff who develop a romantic and/or sexual relationship with a student will be subject to disciplinary action, up to and including immediate dismissal. Faculty and staff who have an established relationship with an individual who is applying for admittance to the University must advise the Provost before the start of classes. The Provost will review the situation and determine if accommodations can be made.

In the event that a supervisor and subordinate employee develop a relationship, the person in the position of supervision must report the relationship to her/his immediate supervisor. Once the consensual relationship is reported, the immediate supervisor is responsible for reviewing the situation with the Director of Human Resources. A determination will then be made as to what steps can be taken to eliminate or mitigate the conflict of interest to the fullest feasible extent and ensure that fair and objective processes are in place for decisions relative to evaluations, recommendations, promotions, salary increases or performance evaluations.

#### **3.2.3 Retaliation**

Retaliation encompasses adverse actions taken by an employer against employees or an educator against students who oppose discrimination, harassment, or intolerance or who participate in an investigation or proceeding involving charges of discrimination, harassment, or intolerance.

Retaliation includes actions such as:

1. Disciplining, chastising, changing work assignments, providing inaccurate work information, providing inaccurate grades, or refusing to cooperate or discuss work/academic-related matters because that employee/student has complained about or resisted harassment, discrimination or retaliation.
2. Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover up conduct such as that described above.

No hardship, no loss of benefit, and no penalty may be imposed on an employee or student as punishment for:

1. Filing or responding to a bona fide complaint of discrimination or harassment.
2. Appearing as a witness in the investigation of a complaint.
3. Serving as an investigator.

Retaliation or attempted retaliation is a violation of this policy and anyone who does so will be subject to severe sanctions up to and including termination.

### **3.2.4 Reporting Complaints**

The University encourages anyone in the University community to report concerns and complaints about acts of discrimination, harassment, sexual harassment, or intolerance to the Director of Human Resources/Title IX Coordinator, the Office of the Provost, Security Officers, or the Dean of Students. The University will make every reasonable effort to promptly investigate and resolve complaints of discrimination, harassment, or sexual harassment with due regard for fairness and the rights of both the complainant and alleged offender, and to conduct all proceedings in the most confidential manner possible.

Any person electing to utilize this complaint resolution procedure will be treated courteously and the problem will be handled swiftly and as confidentially as feasible in light of the need to take appropriate corrective action. The registering of a complaint will in no way be used against the employee or student, nor will it have an adverse impact on the individual's employment/student status. While reporting such incidents might be a difficult personal experience, allowing harassment activities to continue will most certainly lead to less desirable outcomes. For that reason, employees and students are strongly urged to utilize this procedure.

#### **3.2.4.1 Employees and Students**

If employees or students believe that they have been subject to or have observed discrimination, harassment, sexual harassment or any unwanted sexual attention, they should make their unease and/or disapproval directly and immediately known to the harasser whenever possible. If the situation is not immediately resolved or if the employee/student is unable or uncomfortable to address the alleged harasser directly, s/he should report the incident to those persons listed above. It may be helpful to make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.

It is important to report concerns of discrimination, harassment, sexual harassment, or inappropriate sexual conduct regardless of the seriousness as soon as possible. The University cannot assist in stopping the behaviors from continuing if it is unaware of the problem.

#### **3.2.4.2 Supervisors/Faculty Members**

Supervisors and faculty members must deal expeditiously and fairly with allegations of inappropriate behavior within their departments whether or not there is a written or formal complaint. Supervisors/faculty members must:

1. Take all complaints or concerns of alleged or possible harassment or discrimination seriously no matter how minor or who is involved.
2. Ensure that harassment or inappropriate sexually oriented conduct is reported to Human Resources immediately so that a prompt investigation can occur.
3. Take any appropriate action to prevent retaliation or prohibited conduct from reoccurring during and after any investigations or complaints.

Supervisors/faculty members who knowingly ignore, allow, or tolerate discrimination, harassment, sexual harassment, or retaliation are in violation of this policy and subject to discipline.

### **3.2.4.3 Human Resources**

The Director of Human Resources/Title IX Coordinator is responsible for:

1. Ensuring that both the individual filing the complaint (hereafter referred to as the complainant) and the accused individual (hereafter referred to as the respondent) are aware of the seriousness of a discrimination, harassment, or sexual harassment complaint.
2. Explaining the University's policy and investigation procedures to the complainant and the respondent.
3. Exploring informal means of resolving the complaints.
4. Notifying the police if criminal activities are alleged.
5. Arranging for an investigation of the alleged discrimination, harassment, or sexual harassment, developing a resolution to the situation, recommending disciplinary action (as appropriate), and preparing a written report.

Within five working days of receiving the complaint, the Director of Human Resources/Title IX Coordinator will:

1. Notify the respondent of the complaint.
2. Initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.

During the investigation, the Director of Human Resources/Title IX Coordinator, together with other members of management, as applicable, will interview the complainant, the respondent, and any witnesses to determine whether the alleged conduct occurred. The investigation will be concluded expeditiously, but thoroughly. If it is determined that harassment or discrimination in violation of this policy has occurred, the Director of Human Resources/Title IX Coordinator will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:

1. The severity, frequency and pervasiveness of the conduct;
2. Prior complaints made by the complainant;
3. Prior complaints made against the respondent; and,
4. The quality of the evidence (first-hand knowledge, credible corroboration etc.).

If the investigation is inconclusive or it is determined that there has been no harassment or discrimination in violation of this policy, but some potentially problematic conduct is revealed, preventative action may be taken.

After the investigation is concluded, the Director of Human Resources/Title IX Coordinator will meet with the complainant and the respondent separately in order to notify them in person of the findings of the investigation and to inform them of the action being recommended. The complainant and the respondent may submit statements challenging the factual basis of the findings. Any such statement must be submitted no later than three working days after the

meeting with the Director of Human Resources/Title IX Coordinator in which the findings of the investigation is discussed.

After reviewing the investigative report and any statements submitted by the complainant or respondent, the President will discuss the results of the investigation with the Director of Human Resources/Title IX Coordinator and other management staff as may be appropriate and decide what action, if any, will be taken. The Director of Human Resources/Title IX Coordinator will report the decision to the complainant, the respondent, and others as appropriate. The decision will be in writing and will include findings of fact and a statement for or against disciplinary action. If disciplinary action is to be taken, the sanction will be stated.

#### **3.2.4.4 Confidentiality**

During the complaint process, while the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person regarding action by the office cannot be guaranteed in every instance, they will be protected to as great a degree as is legally possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of the University's legal obligation to act upon the charge and the right of the charged party to obtain information. In most cases, however, confidentiality will be strictly maintained. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential to the extent possible and according to any existing state or federal law.

#### **3.2.5 Disciplinary Sanctions**

Employees and students who violate this policy are subject to appropriate discipline which may range from a disciplinary warning to termination or expulsion from the University. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for very serious or repeat violations is termination or expulsion from the University. Persons who violate this policy also may be subject to civil damages or criminal penalties.

Retaliation constitutes a separate violation and may result in a sanction independent of the outcome of a complaint.

### **3.3 Personnel Files**

Georgian Court maintains a personnel file on each faculty, staff and administrative employee in the Office of Human Resources. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

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

Employees who wish to review their own file should contact the Office of Human Resources. With reasonable advance notice, employees may review their own personnel files in Georgian Court offices and in the presence of an individual appointed by Georgian Court to maintain the files.

See Volume IV, Section 4.4 for additional policies regarding faculty personnel files.

### **3.3.1 Personnel Data Changes**

It is the responsibility of each employee to promptly notify Georgian Court 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, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, please notify the Office of Human Resources.

### **3.4 Employee Benefits**

Georgian Court reserves the right at any time to add, amend or eliminate all or part of the employee benefits set forth in this Volume III of the Policy Manual (as well as any other benefits described herein or in any other documents). This Volume III of the Policy Manual contains only a summary of certain benefits. The detail terms of any benefit is contained in the plan document.

Eligible employees at Georgian Court are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, temporary disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The supervisor can identify the programs for which the employees are eligible. Details of many of these programs can be found elsewhere in the Policy Manual or through detailed materials available in the Office of Human Resources and on the Georgian Court website.

The following benefit programs are available to eligible employees:

1. TIAA-CREF 403b plan
2. Flexible Spending Account
3. Tuition Remission Program
4. Bereavement Leave
5. Credit Union
6. Dental Insurance at employee cost
7. Dining Services
8. Family Leave
9. Health Insurance with employee contribution
10. Holidays
11. Jury Duty Leave
12. Library Privileges
13. Life Insurance at employee cost
14. Long-Term Disability Insurance
15. Medical Leave

16. Military Leave
17. Parking
18. Personal Leave
19. Recreational Activities
20. Temporary Disability Insurance with employee contribution
21. Sick Leave Benefits
22. Vacation Benefits

Some benefit programs require contributions from the employee, but most are fully paid by Georgian Court.

### **3.4.1 Holidays and Other Paid Time Off**

#### **3.4.1.1 Holidays**

Georgian Court will grant holiday time off to all employees on the holidays listed below:

1. New Year's Day (January 1)
2. Presidents' Day (third Monday in February) unless classes are in session
3. Holy Thursday
4. Good Friday (Friday before Easter)
5. Easter Monday unless classes are in session
6. Memorial Day (last Monday in May)
7. Independence Day (July 4)
8. Labor Day (first Monday in September)
9. October Holiday if classes are not in session
10. Thanksgiving (fourth Thursday in November)
11. Day after Thanksgiving
12. Christmas Eve (December 24)
13. Christmas (December 25)
14. All days between Christmas and New Year

Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

Eligible employee classification(s):

1. Regular full-time employees;

2. Regular part-time employees provided the holiday falls on a day the part time employee is regularly scheduled to work; and
3. Regular full-time limited service employees provided the holiday falls on a day the employee is regularly scheduled to work.

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 (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate for the hours worked on the holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

### **3.4.1.2 Paid Time Off**

#### ***3.4.1.2.1 Vacation***

Additional information regarding vacations for staff and administrative employees is provided in Volume V Section 5.3. See also Volume IV Subsection 4.13.4 Vacations and Leaves for Librarians.

#### ***3.4.1.2.2 Sick Days***

Georgian Court provides paid sick day benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

1. Regular full-time employees (including full-time 12-month Librarians);
2. Regular part-time employees; and
3. Regular full-time limited service employees.

Eligible employees will accrue sick day benefits at the rate of 5 days per year. Sick day benefits are calculated on the basis of January to December for nonexempt staff and July to June for exempt staff. For those working part time, sick-time is prorated. For example a person working 20 hours per week for 12 months would have 20 hours sick time that is their equivalent of 5 days.

Paid sick leave can be used in minimum increments of one-half day. Eligible employees may use sick day benefits for an absence due to their own illness or injury or that of a family member who resides in the employee's household as well as for doctor's appointments and treatments which cannot be scheduled outside of the work day.

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.

Sick day benefits will be calculated based on the employee's base pay rate at the time of absence.

Unused sick day benefits will be lost at the end of their year.

Sick day 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.

Regular full-time Librarians employed on 9 or 10 month contracts are eligible for four sick days per contract year.

#### **3.4.1.2.3 Personal Days**

Georgian Court provides 5 paid personal days a year to all eligible employees as a benefit of employment. Eligible employee classifications are:

1. All regular full-time employees (including full-time 12-month Librarians);
2. All regular part-time employees (20 hours or more per week); and
3. All regular full-time limited service employees.

Personal time off may be taken in segments of time no less than one hour for nonexempt employees and no less than ½ day for exempt employees. Personal time is allowed for last minute emergencies, personal business, attending a child's school meeting, extending bereavement time, etc. Personal time is awarded in January for nonexempt staff and July for exempt staff. For those working less than 12 months the personal time is prorated. The same is true for those working part time. For example if a person works 20 hours a week for 12 months, their personal time would equal 20 hours which is their equivalent of 5 days. Unused personal time may not be carried forward to the next year nor is it paid for upon termination.

All regular full-time librarians employed on 9 or 10 month contracts get four personal days per contract year.

#### **3.4.1.2.4 Bereavement Leave**

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Up to 5 days of paid bereavement leave will be provided to eligible employees in the following classification(s):

1. Regular full-time employees;
2. Regular part-time employees; and
3. Regular full-time limited service employees.



Bereavement pay is calculated based on the base pay rate at the time of absence.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisor's approval, use any available paid leave including sick time for additional time off as necessary.

Georgian Court defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

#### **3.4.1.2.5 Jury Duty**

Georgian Court encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request paid jury duty leave.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

1. Regular full-time employees;
2. Regular part-time employees; and
3. Regular full-time limited service employees.

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. Of course, employees are expected to report for work whenever the court schedule permits. Time off for jury duty is not expected to exceed 10 work days.

Either Georgian Court or the employee may request an excuse from jury duty if, in Georgian Court's judgment, the employee's absence would create serious operational difficulties.

Georgian Court will continue to provide health insurance benefits for the full term of the jury duty absence with the usual contribution from the employee.

Vacation, sick leave, and holiday benefits will continue to accrue during paid jury duty leave.

### **3.4.2 Leaves of Absence**

#### **3.4.2.1 Family or Medical Leave**

The following is a synopsis of the provisions of the Federal Family and Medical Leave Act and the New Jersey Family Leave Act. For more detailed information, contact the Office of Human Resources.

The Federal Family and Medical Leave Act and the New Jersey Family Leave Act provide unpaid family and medical leaves of absence to eligible employees who are temporarily unable

to work due to a serious health condition or disability or who have qualifying childbirth or family care events. The University provides additional time off for full-time employees receiving temporary disability insurance. If an employee has unused paid time off when the absence is requested, then such time will be used concurrently with the FMLA and/or NJFLA time.

The Federal Family and Medical Leave Act (FMLA) provides:

1. Up to 12 weeks of unpaid leave in any 12-month period to eligible employees for the following reasons:
  - for incapacity due to pregnancy, prenatal medical care or child birth
  - to care for the employee's child after birth, or placement for adoption or foster care
  - to care for the employee's spouse, son, daughter or parent, who has a serious health condition
  - for a serious health condition that makes the employee unable to perform the employee's job (including on-the-job injuries)
  - to assist a family member with a qualifying military exigency
2. Up to 26 weeks of unpaid leave in any 12-month period to eligible employees to care for a family member who is a military service member and who was injured in the line of duty.

The New Jersey Family Leave Act (NJFLA) provides up to 12 weeks of unpaid leave in any 24-month period to eligible employees for the following reasons:

1. to care for the employee's child after birth, or placement for adoption or foster care; or
2. to care for the employee's spouse, son, daughter or parent, who has a serious health condition.

In some situations, New Jersey Insurance Leave may provide up to six weeks of partial pay during a NJFLA absence.

In many instances the state and federal laws overlap, in which case they will run concurrently. However, if, in a particular circumstance, one of the laws provides additional leave benefits, Georgian Court will provide the employee with the additional leave or benefits.

Generally, an eligible employee under the FMLA is one who has worked 1250 hours or more in the 12 months that precede the absence. And, generally, an eligible employee under the NJFLA is one who has worked 1000 hours or more in the 12 months that precede the absence.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule absences for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Eligible employees should submit requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. The employee and/or supervisor then contacts the Office of Human Resources. The Office of Human Resources will provide and review all appropriate forms with the employee.

Employees returning from medical leave of two weeks or more must submit a health care provider's verification of their fitness to return to work to the Office of Human Resources.

Employees should contact the Office of Human Resources for further details about the Federal and State family and medical leave laws.

#### **3.4.2.2 Medical Leave of Absence**

A full-time employee who is unable to perform her/his duties due to an illness or injury may request a medical leave of absence. Supervisors are responsible for advising the Benefits Office immediately when an employee has been or will be absent due to a work-related injury or absent for more than 3 days due to a non-work related illness or injury. The Benefits Office will provide and review all appropriate forms with the employee.

Employees may be eligible to receive temporary disability benefits. All available paid time off (vacation, personal, and sick days) will be applied and run concurrent with any disability leave, except that the employee may elect to retain up to five vacation days to use upon return to work.

Absence for extended medical leave will be continued only for the period of time the employee is unable to perform her/his duties because of her/his illness or injury. For non-work related illnesses and injuries, the medical leave may continue for up to 30 weeks or until the employee begins to collect long-term disability payments, whichever occurs first. If any employee returns to active employment following a medical leave of absence, and within sixty work days returns to leave of absence status for the same illness or injury, the amount of time previously charged to medical leave of absence shall be counted toward the 30 weeks of leave. Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Subject to the terms, conditions, and limitations of the applicable plans, Georgian Court will continue to provide health insurance benefits for the full period of the approved medical leave. Employees continue to be responsible for paying their share of the medical insurance premium cost while on medical leave of absence.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide Georgian Court with at least two week's advance notice prior to the date the employee intends to return to work. Employees returning from medical leave of two weeks or more must submit to the Office of Human Resources a health care provider's verification of their fitness to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If the employee does not report to work after being physically able to report to work, her/his employment shall be terminated.

If, at the end of the medical leave of absence the employee is still unable to work, employment will be terminated and all benefits of the medical leave of absence without salary will end.

### **3.4.2.3 Personal Leave**

Georgian Court may provide leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request leave as described in this policy:

1. Regular full-time employees;
2. Regular part-time employees; and
3. Regular full-time limited service employees.

Eligible employees may request leave only after having completed 12 months 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. This kind of leave is requested by completing a Leave of Absence Without Pay Form available through the Office of Human Resources.

Leave of this type may be granted for a period of up to 6 months every year with supervisor's approval. An employee will be required to use any available personal or vacation time as part of the approved period of leave.

Requests for leave will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence. Both the immediate supervisor and the Vice President for that area or Provost must also approve leaves of absence without pay.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by Georgian Court until the end of the month in which the approved personal leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from personal leave, benefits will again be provided by Georgian Court according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a leave ends, a documented effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, Georgian Court cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, Georgian Court will assume the employee has resigned.

#### **3.4.2.4 Military Leave**

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, employees may use any available paid time off except for sick days for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Office of Human Resources for more information or questions about military leave.

### **3.4.3 Insurance Benefits**

#### **3.4.3.1 Health Insurance**

Georgian Court's health insurance plan provides employees and their dependents access to medical insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan:

1. Regular full-time employees (exempt and nonexempt); and
2. Regular full-time limited service employees (exempt and nonexempt).

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between Georgian Court and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy in paragraph 3.4.3.2 of this Volume III for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Office of Human Resources for more information about health insurance benefits.

### **3.4.3.2 Health Insurance Continuation (COBRA)**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under Georgian Court's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Georgian Court's group rates plus an administration fee. Georgian Court provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under Georgian Court's health insurance plan. The notice contains important information about the employee's rights and obligations.

An employee, the employee's spouse, or dependents become qualified beneficiaries if the employee, the employee's spouse or dependents are covered under the employer's group health plan and would lose coverage upon the happening of one of the following events (called a qualifying event):

1. Death of the covered employee;
2. Termination (for reasons other than gross misconduct) or reduction of hours of the covered employee's employment;
3. Divorce or legal separation of the covered employee from a spouse;
4. Entitlement of the covered employee for Medicare; or
5. Dependent ceases to be dependent child under the group health plan.

### **3.4.3.3 Dental Plan**

Georgian Court has made a group dental plan available to employees at full cost to the employee. Employee cost is made on a salary reduction and not subject to federal and social security taxes.

### **3.4.3.4 Flexible Spending Account**

Employees may set aside dollars through payroll deduction for health, child, and elder care purposes on a tax-free basis. The current limit on health costs is \$2,500 and for dependent care it is \$5,000.

#### **3.4.3.5 Life Insurance**

Life insurance offers the employee and the employee's family important financial protection. Georgian Court provides a basic life insurance plan for eligible employees at their own cost.

Employees in the following employment classifications are eligible to participate in the life insurance plan:

1. Regular full-time employees (exempt and nonexempt); and
2. Regular full-time limited service employees (exempt and nonexempt).

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between Georgian Court and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Office of Human Resources for more information about life insurance benefits.

#### **3.4.3.6 Temporary Disability**

Georgian Court provides Temporary Disability Benefits (TDB) to eligible employees who are unable to work for an extended period of time because of a qualifying disability due to an injury or illness. All active employees are eligible to participate in the TDB plan subject to all terms and conditions of the agreement between Georgian Court and the insurance carrier.

The plan provides coverage for up to 26 weeks. Disabilities covered by workers' compensation are excluded from temporary disability benefits.

Whenever feasible, eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. Any Family Medical Leave benefits for which an employee may be eligible will run concurrent with TDB benefits. Contact the Human Resources Benefits Office for more information about temporary disability benefits and to complete the necessary forms.

#### **3.4.3.7 Long-Term Disability**

Georgian Court provides a Long-Term Disability (LTD) benefits plan to help eligible employees cope with an illness or injury that results in a long-term absence from employment.

All regular, full-time employees are eligible to participate in the LTD plan subject to all terms and conditions of the agreement between Georgian Court and the insurance carrier.

LTD coverage provides partial salary to employees with qualified disabilities that result in absence from work of 26 weeks or more. Details of the LTD benefits plan including benefit amounts, and limitations and restrictions are described in the Summary Plan Description available at: [http://www.georgian.edu/hresources/employee\\_links.htm](http://www.georgian.edu/hresources/employee_links.htm). Contact the Benefits Office for more information about LTD benefits.

#### **3.4.3.8 Workers' Compensation Insurance**

Georgian Court provides a comprehensive workers' compensation insurance program. This program covers any injury or illness sustained in the course of employment that requires

medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. Employees should call the campus Health Service to be evaluated. If the injury is severe, employees will be transported to the nearest hospital emergency room. The supervisor, nurse and employee will complete the appropriate paperwork and send it immediately to the Office of Human Resources. This will enable an eligible employee to qualify for coverage as quickly as possible.

#### **3.4.3.9 Liability Insurance**

Georgian Court is insured under a Commercial General Liability Policy that responds to bodily injury and property damage claims arising out of the operations of Georgian Court.

In addition to the named insured (Georgian Court) the policy is extended to cover all employees in the performance of their individual duties and responsibilities while acting on behalf of Georgian Court.

With respect to Georgian Court employees using their own automobiles on Georgian Court sponsored trips or using their own automobiles for any other purpose on behalf of Georgian Court, the employee's insurance carrier is responsible for bodily injury and property damage as a result of their negligence. If the employee's coverage is exhausted, Georgian Court's insurance will go into effect.

#### **3.4.3.10 Low Cost Automobile and Home Insurance**

As a member of the New Jersey Business and Industry Association, Georgian Court employees are eligible to apply for insurance through NJ Manufacturers.

### **3.4.4 Additional Benefits**

#### **3.4.4.1 Tuition Remission**

As one of the benefits of employment at Georgian Court University, full-time benefit-eligible employees may request tuition remission as follows for themselves and/or eligible family members. The University offers three tuition remission programs:

- Georgian Court Tuition Remission
- The Council of Independent Colleges (CIC)
- The Tuition Exchange (TE)

#### **Eligibility**

All full-time benefit-eligible employees and all RSMs at Georgian Court University are eligible to participate in the tuition remission benefit. The following family members of eligible employees and RSMs are also eligible to participate:

- a. A spouse.



- b. An unmarried child who is the employee's dependent in accordance with IRS dependency requirements.
- c. A sister, brother, niece, or nephew of an RSM.

### **Length of Service Requirements**

For the Georgian Court University program, the tuition remission benefit is available for any semester in which classes begin following the employee's date of employment in a full-time benefit-eligible position. The employee must remain in a full-time benefit-eligible position for at least one-half of the semester or session in order to remain eligible for that semester or session.

For both the CIC and TE programs, the tuition remission benefit is available for any semester in which classes begin one year or later following the employee's date of employment in a full-time benefit-eligible position. The employee must remain in a full-time benefit-eligible position for at least one-half of the semester or session in order to remain eligible for that semester or session.

### **Program Descriptions**

#### **Georgian Court University:**

- Available to eligible employees and family members.
- Available for both undergraduate and graduate level classes, subject to the limitations listed below.

#### **The Council of Independent Colleges (CIC):**

- Available only to eligible dependent children.
- Available only for undergraduate level classes.
- This is a competitive program, therefore availability is not guaranteed. Contact the Office of Human Resources for further information and application.

#### **The Tuition Exchange (TE):**

- Available only to eligible dependent children.
- Available only for undergraduate level classes.
- This is a competitive program, therefore availability is not guaranteed. Contact the Office of Human Resources for further information and application.

### **Amount of Tuition Remission**

Tuition remission for undergraduate level classes covers the full tuition.

Tuition remission for graduate level classes:

- a. For employees is equal to the full tuition
- b. For family members is equal to 1/3 of the tuition

Note: Tuition remission provided for graduate level classes may be subject to income taxes – contact the Office of Human Resources for more information.

### **Limitations – Georgian Court University Program**

#### **Employees:**

Permission for an employee to schedule courses during normal work hours is a special arrangement and privilege, and should not be considered as a right. It is granted only when the scheduling of courses will not interfere with the efficient operation of the employee's regular University duties. If an employee requests permission to have a flexible work schedule in order to take a class during normal working hours, then such request will be reviewed by the supervisor and Human Resources to determine if it is feasible to grant the request. The minimum weekly work hours of the flexible work schedule must be equal to that of the normal work schedule.

Scheduling of classes by an employee is limited to a total of six classes per academic year, with a maximum of two classes per any semester or session.

**Costs:**

The amount of tuition remission will not exceed the standard credit hour fee for the program as delivered on site. The student will pay the difference between the regular rate and an accelerated rate.

The tuition remission benefit is applicable only to tuition - non-tuition charges are the responsibility of the student. Payment must be made in accordance with payment deadlines to avoid assessment of late payment fees.

Tuition remission is a generous benefit provided to employees to address the costs of attendance. Therefore, those receiving tuition remission benefits are eligible to receive funding from University athletic and endowed scholarships, but only in amounts that equal, but do not exceed, the cost of attendance.

**Enrollment Determination:**

Students receiving the tuition remission benefit will not be counted when determining if there is sufficient enrollment to hold a class.

**Degree Limitations:**

Tuition remission for undergraduate classes for an eligible family member applies only until the first bachelor's degree is received, whether at Georgian Court or any other university.

Tuition remission for graduate classes for an eligible family member applies only until the first master's degree is received, whether at Georgian Court or any other university.

**Process**

**Georgian Court University Program:**

The employee completes a tuition remission request initially at the time of admission and at least 30 days prior to the start of all subsequent semesters. In addition the employee files a FAFSA form for Federal or State financial aid grant applications at the Financial Aid Office. The tuition remission request form will not be processed until the financial aid grant applications have been submitted.

Georgian Court will accept any such financial aid grants that are awarded. Tuition remission will cover the tuition charged minus all Federal and State grants which will be applied toward

tuition and will not cover any associated fees. The student is required to pay all other fees and expenses related to semester charges. The FAFSA form must be received by May 1<sup>st</sup>. Tuition remission does not replace Federal or State grants due to the employee or employee's dependent's failure to comply with Federal or State verification requirements and/or deadlines that will cause the loss of Federal or State grants. Failure to complete tuition remission and supporting financial forms by the first week of the semester can result in the loss of the tuition remission benefit for that semester.

If the student changes full-time/part-time status from the first to the second semester, the student must notify the Financial Aid Office.

### **CIC and TE Programs:**

Contact the Office of Human Resources for an application.

### **Academic Considerations**

Students must meet all academic requirements for enrollment.

For the Georgian Court University Program, participants must remain in the status of "good academic standing" as defined in the appropriate catalog. Students who are not in good academic standings are not eligible to receive tuition remission until they regain good academic standing. If the Academic Standing Committee places a student receiving tuition remission on probation, tuition remission will be continued for one semester. If the student achieves the academic average necessary to be removed from probation at the end of that semester, then s/he may continue to receive the tuition remission benefit.

#### **3.4.4.2 Retirement Savings (403b Plan)**

Georgian Court has established a 403b (TIAA-CREF) plan to provide employees the potential for future financial security for retirement.

To be eligible to join the 403b plan, the employee must be 21 years of age or older and a regular full-time, regular part-time or regular full-time limited service employee. Both exempt and nonexempt employees in the above classifications are eligible. Eligible employees may participate in the 403b plan subject to all terms and conditions of the plan.

The 403b savings plan allows employees to elect how much salary they wish to contribute (5% minimum) (maximum is subject to IRS regulations), so employees can tailor their own retirement package to meet individual needs. Georgian Court also contributes an additional matching amount to each employee's 403b contribution. The match for 2011-12 is 5%.

Because a contribution to a 403b plan is automatically deducted from a pay before federal tax withholdings are calculated, the employee saves tax dollars now by having the current taxable amount reduced. The amounts deducted generally will be taxed when they are finally distributed upon retirement.

Complete details of the 403b savings plan are described in the Summary Plan Description provided to eligible employees upon request. Contact the Office of Human Resources for more information about the 403 b plan.

### **3.4.4.3 Federal and State Withholding Taxes**

Georgian Court is required under both federal and state statutes to withhold a percentage of salary that is deposited in both federal and state accounts. The percentage withheld is determined by the employees W2 application.

### **3.4.4.4 Unemployment Insurance**

The law requires that employees pay into an unemployment insurance policy. The employer contributes most of the cost.

## **3.5 Payroll Policies**

### **3.5.1 Administrative Pay Corrections**

Georgian Court 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 Manager of Payroll so that corrections can be made as quickly as possible.

### **3.5.2 Pay Deductions**

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

Georgian Court 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.

If the employee has questions concerning why deductions were made from a paycheck or how they were calculated, the supervisor or the Manager of Payroll can assist in having questions answered.

### **3.5.3 Pay Advances**

Georgian Court does not provide pay advances on unearned wages to employees.

### **3.5.4 Wage Assignments (Garnishments)**

Georgian Court hopes employees will manage their financial affairs so that Georgian Court will not be obligated to execute any court-ordered wage assignment or garnishment against employee wages. However, whenever court-ordered deductions are to be taken from an employee's paycheck, the employee will be notified. According to the Federal Wage Garnishment Act, three (3) or more garnishments may be cause for dismissal.

## **3.6 Additional Employment Policies**

### **3.6.1 *Conflict of Interest***

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Georgian Court wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Office of Human Resources for more information or questions about conflicts of interest.

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

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative the employee disclose this to an officer of Georgian Court as soon as possible. The existence of any actual or potential conflict of interest must be disclosed 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 Georgian Court does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Georgian Court.

### **3.6.2 *Hiring of Relatives***

The University seeks to provide equitable employment opportunities for all individuals, including those related to one another. Such relationship, however, affects the handling of certain personnel actions, including the placement of employees. 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.

Normally, placements in ongoing positions (regular full-time and part-time) shall not be made where one employee is in a position to supervise or to influence the related employee's rate of pay, or promotion of the employee, or the granting of tenure, or where the handling of confidential information could create awkward work situations. This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. In addition, normally, relatives of employees with University-wide responsibilities shall not be hired into ongoing positions in any University department.

However, the University recognizes that there are, in some instances, circumstances such as specialized educational background and experience where employment by two members of the same family in a single work area is desirable even though a supervisory relationship results. In such special situations, placement of relatives may be made in the same area even though one of the related employees is in a supervising capacity. This is provided, however, that satisfactory arrangements are outlined and approved in advance by the President, Provost, and Vice President

for Finance and Administration, which restrict (1) any supervising family member from making decisions such as those described in the foregoing paragraph that will directly affect a relative, and (2) access to confidential information as necessary to avoid awkward work situations. Disqualification arrangements shall be made when such occasions arise.

All employees are required to report to the Director of Human Resources their relationship to any candidate for employment or transfer before hiring decisions are made.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

This policy is effective for all ongoing positions filled after May 7, 2014.

### **3.6.3 Drug and Alcohol Use**

It is Georgian Court'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.

While on Georgian Court premises and while conducting business-related activities off Georgian Court premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Office of Human Resources to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through Georgian Court's health insurance benefit coverage, provided the employee is a participant in the health plan. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all Georgian Court policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause Georgian Court any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify Georgian Court of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Office of Human Resources without fear of reprisal. (See also Volume II, Section 2.6)

### **3.6.4 Outside Employment**

Employees may hold outside jobs as long as they meet the performance standards of their job with Georgian Court and are approved by their supervisor. All employees will be judged by the same performance standards and will be subject to Georgian Court's scheduling demands, regardless of any existing outside work requirements.

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

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

### **3.6.5 Non-Disclosure**

The protection of confidential business information and trade secrets is vital to the interests and the success of Georgian Court. Such confidential information includes, but is not limited to, the following examples:

1. Student information;
2. Compensation data;
3. Customer lists;
4. Financial information; and
5. Business strategies.

Employees who improperly use or disclose trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information.

### **3.6.6 Disability Accommodations**

Title I of the Americans with Disabilities Act ("ADA") prohibits discrimination in any terms or conditions of employment for qualified individuals with a disability. Further, the ADA requires management to reasonably accommodate individuals with disabilities when necessary and possible without undue burden to Georgian Court.

If the employee has a disability and requires a reasonable accommodation to help perform the essential functions of the position, the employee should contact Georgian Court's Office of Human Resources. (See also Volume II, Subsection 2.4.1)

### **3.6.7 Dining Hall**

Georgian Court provides full time faculty and staff with 45 tickets per fall and spring academic year so that they may dine with other faculty, staff and students in the Raymond Hall Dining Room. Additional meals are available to employees on a cash basis to be paid at the dining hall check-in.

### **3.6.8 Georgian Court Store Discount**

All Georgian Court Employees are eligible for a 10% discount on personal purchases at the Georgian Court store.

### **3.6.9 Parking**

A parking hangtag for faculty and staff on-campus parking is provided at no cost. Employees are required to observe parking regulations or be subject to parking tickets or fines.

### **3.6.10 Visitors in the Workplace**

To provide for the safety and security of employees and the facilities at Georgian Court, 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.

All visitors should enter Georgian Court at the security gate. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on Georgian Court's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the security gate. Any suspicious behavior should be reported immediately to security at ext. 2611.

### **3.6.11 Use of Phone and Mail Systems**

Employees may be required to reimburse Georgian Court for any charges resulting from their personal use of the telephone. Personal calls should be limited and never interfere with business responsibilities.

The use of Georgian Court-paid postage for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always use an appropriate greeting by stating their name and department name while speaking in a courteous and professional manner. Please confirm information received from the caller, inquire if there is anything else that can be done help them, and hang up only after the caller has done so.

The message of CARE "Care and Respect for Everyone" should be experienced by all who contact Georgian Court.

### **3.6.12 Use of Equipment and Vehicles**

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

Please notify the supervisor if any equipment, machines, tools, or vehicles 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.

### **3.6.13 Attendance and Punctuality**

To maintain a safe and productive work environment, Georgian Court 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 Georgian Court. 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.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

### **3.6.14 Personal Appearance**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image Georgian Court presents to customers 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.

Consult the supervisor or department head if there are questions as to what constitutes appropriate attire.

### **3.6.15 Return of Property**

Employees are responsible for items issued to them by Georgian Court or in their possession or control, such as the following:

1. Parking hangtag;
2. Library books;
3. Credit cards;
4. Equipment;
5. Identification badges;
6. Keys;
7. Manuals;
8. Pagers; cell phones, computers and
9. Uniforms.

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

### **3.6.16 Travel and Business Entertainment Policy**

The following Travel and Business Entertainment Policy is established by Georgian Court University to provide a standard for all University employees who participate in business travel or expend funds for business entertainment. Be it known, that all travel or business entertainment (T&E) processed through the University is governed by this policy, regardless of the source of funding.

It is the responsibility of any employee who travels (or plans to travel) or expends funds on business entertainment to read and understand this policy, prior to any transactions occurring.

Vice Presidents, Provost, Deans, Department Heads and Supervisors are expected to review and approve all travel and business entertainment expenditures in order to ensure the consistent administration of this policy. (The roles of such officers are explained below.) They are also responsible for the accuracy of T&E documentation processed by their staffs to be submitted to Accounts Payable.

One of the goals of this policy is to increase awareness and control at the Vice Presidential level. Vice Presidents and the Provost have the authority to interpret this policy and determine what is essential Georgian Court University business. They are expected to work with the Vice President for Finance and Administration to communicate their interpretation and affect necessary modifications.

In the cases of situations not specifically addressed by these regulations, or if exceptions to these regulations are required, the advance written approval of the Vice President for Finance and Administration will be necessary. The Vice President for Finance and Administration shall recommend to the President's Administrative Team amendments to these regulations as conditions warrant.

#### **LEGITIMATE BUSINESS EXPENSES**

The University will provide funding for travel and business entertainment when such expenses have been incurred in accordance with the provisions of this policy. Expenses related to travel and business entertainment may be charged to the University or to the employees for reimbursement only when they meet the following criteria:

1. The expense is essential to transacting official business of GCU;
2. Sufficient funds exist within the specified budget;
3. The expense has the prior written approval of the appropriate Vice President/ Provost/ Dean/ Chair/ Director/ Supervisor (Request for Travel Authorization – *Appendix 3.6.16*);
4. The expense is supported by appropriate documentation and supporting receipts;
5. A Travel & Expense Reimbursement Form detailing the expense has been completed and submitted to the Accounts Payable Department; and
6. The employee involved does not profit financially in any way.

#### **EXPENSES RELATED TO TRAVEL**

Georgian Court University encourages its employees to engage in a variety of scholarly and professional experiences through attendance at meetings, seminars and training programs in order to keep them current in their field and fully equipped to meet the responsibilities of their position. University administrators also understand that certain departments have a travel

requirement closely related to their core mission. In any of these activities, travel transacted through the University must follow the provisions of this policy.

For the purpose of this policy, “Travel” shall be defined as any activity which involves an overnight stay and/or expenses for transportation, meals, registration, etc., which exceed \$400. Inexpensive “Day Trips,” are regulated differently and do not require the level of approval described in this section.

## APPROVAL PROCEDURE

University travel requires two levels of approval. The first approval is provided by the traveler's Dean/ Chair /Director /Supervisor. The second level shall be presented to and authorized by the appropriate Vice President or Provost whenever expenses exceed \$1,000 for any single event.

An employee wishing to travel at the University's expense must begin by creating a travel plan which includes an itinerary and budget. The plan should also include the purpose of the trip and highlight the benefit received by the University. The plan should be indicated on the Request for Travel Authorization Form (*Appendix 3.6.16*) which shall be presented to the appropriate Dean/ Chair/ Director/ Supervisor, and Vice President or Provost for requests over \$1,000 for approval prior to any commitment for travel or lodging reservations. The completed Request for Travel Authorization Form shall be filed in the traveler's department. A copy of the completed form shall be submitted to Accounts Payable with the completed Travel and Entertainment Expense Form.

Frequent travelers, defined as those who travel regularly as part of their department's core mission (e.g., Admissions officers on recruiting trips), are not required to complete a Request for Travel Form for each trip. Frequent travelers are required to complete the form if they travel to attend a conference, convention, seminar or training. Approvals for travel related expenses, including signatures on the Request for Travel Authorization Form and Travel and Entertainment Expense Form (Expense Report) should follow the schedule below:

### **Traveler**

President  
VP Finance & Administration  
Vice Presidents & Provost  
All other Administrators or Staff  
Faculty

### **Authorized By**

Chair of Board of Trustees & VP for Finance  
President  
VP for Finance & Administration  
Supervisor / budget Manager and appropriate VP  
Chairperson / Dean and Provost

## REPORTING PROCEDURE

The Travel and Entertainment Expense Form (Expense Report) must be completed and submitted to the Accounts Payable Office by the participating employee within 30 days of return from the travel event. All expenses incurred, no matter what the method of payment, must be detailed on the form.

The purpose of the Travel and Expense Reimbursement Form is to document the details of the travel event including dates, destinations and categories of expenses. The form must be signed by the employee, as well as the person(s) authorized for approval (see above), to verify the validity of the required expenses. It is the responsibility of the traveler to route the form to the required signer(s) and to ensure the signed form is delivered to Accounts Payable.

## RECEIPTS

Original receipts are required for all expenses incurred on the trip. Receipts shall be attached to the Travel and Entertainment Expense Form when it is submitted to the Accounts Payable Office. It is the responsibility of the employee to provide sufficient documentation and detail to fully justify all expenses.

## REIMBURSEMENT

In cases where the employee used personal funds for legitimate travel expenses, the University shall provide reimbursement within 10 business days of the submission of the Travel and Expense Form once received by Accounts Payable.

## LEGITIMATE TRAVEL-RELATED EXPENSES

Employees traveling on approved University business may charge the following to the University:

- Transportation costs;
- Lodging;
- Tips (maximum 15%);
- Meal expenses up to \$40/day;
- Automobile rentals;
- Parking costs;
- Expenses associated with baggage handling;
- Internet, fax and modem line charges made in connection with official business;
- Laundry expenses when away for seven or more consecutive days; and
- Telephone calls, including those calls necessary to conduct University business; and one call per day to family.

## TRAVEL-RELATED EXPENSES WHICH MAY NOT BE CHARGED TO THE UNIVERSITY

Employees traveling on University business may not charge the following to the University:

- First Class or Business Class airline tickets;
- Flight/Life insurance;
- Telephone calls except as noted above;
- Babysitter;
- Personal grooming;
- Reading matter;
- Gifts;
- Laundry or dry cleaning except as noted above;
- Movies;
- Room service, except for meals up to the \$40/day limit;
- Health club fees;
- Expenses of spouse, children or other travel companions;
- Changes to reservations except in case of emergency; nor
- Personal entertainment including extra-cost social events at conferences or conventions.

## TRANSPORTATION

The term “Transportation” shall encompass all necessary official travel on airlines, railroads, buses, taxicabs, rental cars, etc. When planning a trip, employees are expected to choose the least expensive mode of transportation whenever reasonably possible.

## Air Travel

Travel by air is often the most economical and efficient mode of transportation utilized to reach destinations a significant distance from GCU. Air travel is authorized when it is determined that this mode is the most advantageous to the conduct of business. Employees are expected to search for the most economical fares and to be flexible with their travel planning. Additionally, airfare should be booked at least one month in advance in order to secure the most favorable rates. Employees may only charge the University for Coach or Economy Class fares. In cases where it is determined that the traveler did not make a sufficient effort to find the most economical fare, the University reserves the right to require the traveler to repay the portion of the cost deemed excessive.

Receipts are required to document air travel. In cases where the traveler was issued an e-ticket, the boarding pass must be submitted with the Travel and Entertainment Expense Form.

## Rental Vehicles

Use of a rental vehicle is authorized only when it is deemed the least expensive way to reach a destination. University travelers may only rent compact cars at University expense unless a group traveling together requires a larger car or van. Fines due to motor vehicle infractions are the responsibility of the operator and may not be charged to the University. Travelers attending conferences, conventions, seminars or training are not authorized to rent vehicles for use at their destination.

GCU's VISA Card does not provide primary Auto Rental Collision Damage Coverage for damage or theft of rental vehicles; but does provide supplemental coverage. This coverage only applies if the operator of the vehicle is a valid VISA cardholder.

In the event that the rental contract includes one of the following two clauses, the additional insurance that is offered by the Rental Company should be purchased. This additional expense will be reimbursed by the University:

1. "Diminution of Value" – This represents the reduction in a vehicle's market value due to its having been involved in an accident. When the repaired car is eventually sold, the car brings a lower price. When a renter returns a vehicle in damaged condition, he or she receives one bill for the repairs, and another for diminution in value.

2. "Before and After" – With some types of damage, liability concerns make rental companies reluctant to return a repaired car to a fleet. Instead, they simply sell the damaged car for salvage. The renter would be responsible for the difference between the actual damage and the salvage value.

## Use of Traveler's Personal Vehicle

Use of an employee's own vehicle is authorized only when it is deemed the least expensive way to reach a destination. The employee will be reimbursed for mileage at a rate determined by the Internal Revenue Service, provided that such reimbursement does not exceed the cost of alternate modes of transportation such as air or rail. Fines due to motor vehicle infractions are the responsibility of the operator and may not be charged to the University.

Georgian Court University purchases automobile liability insurance which provides non-ownership coverage to be extended to privately-owned vehicles while being used for authorized University business. GCU's coverage is in excess of valid and collectible insurance on the privately-owned vehicle.

### Motor Vehicle Accident

Any motor vehicle accident involving a traveling Georgian Court employee must be reported in accordance with procedures set forth by the Chief of Security (732-987-2613) within 24 hours of occurrence.

### Taxicabs

Taxicabs should only be used when other, less costly, modes of transportation are not available or require the traveler to wait an inordinate amount of time for service. Shuttles should be used for transportation between an airport and a downtown destination or hotel whenever possible.

### LODGING EXPENSES

Employees may stay at hotels at their destination if authorized business requires their presence more than one day; and the destination is more than 75 miles from the Georgian Court Campus. Hotel rooms may be charged to the University provided that the rate does not exceed Georgian Court's reasonable daily room rate of \$150.00. In "prime" travel markets, Boston; San Francisco; and Washington, DC, the reasonable rate is \$250.00. In cases where a conference, convention or training is staged in a hotel, an employee is authorized to charge that hotel's conference rate to the University.

Employees are expected to restrict their stay to the minimum number of nights required. If an event concludes prior to 5:00 p.m., employees are expected to return home that afternoon or evening whenever reasonably possible. The traveler may stay over an additional Saturday night if airfare savings exceed the cost of the room and additional meals. Receipts are required for hotel expenses. Incidental or personal hotel expenses must be lined out, and the lodging total recalculated by the employee, prior to submission for approval.

### MEALS

Employees are authorized to charge meals for reimbursement to the University provided that the costs per meal do not exceed the \$40/day rate set by the University.

In cases where a conference, convention or other event provides meals as part of the program, the employee may not charge or be reimbursed for the meals made available at the event. This applies even if the employee chose not to partake of the meals offered. Receipts are required for the \$40/day rate meals.

Room service may be charged to the University as long as charges fall within the limits of the \$40/day rate meals.

Alcoholic beverages may not be charged to the University except in cases where authorized employees are entertaining guests of the University.

### EXPENSES RELATED TO BUSINESS ENTERTAINMENT

The Business Entertainment Policy is intended to govern the funding of events and expenses/reimbursement of employees engaged in any activity involving food, beverages, gifts and social activities.

Legitimate Business Entertainment consists of activities which are directly related to specific University endeavors such as fund raising, alumni relations, admissions, recruiting, and hospitality offered to special guests of the University. In most cases, this activity is conducted by

a University employee whose duties involve entertaining or providing hospitality to prospects, alumni, recruits, candidates, speakers, lecturers, trustees or other guests of the University.

### CATERING SERVICES

University funds may be used to provide catering services when the event is an officially sanctioned University event which has been approved by the President's Office. Additionally, University funds may be used for events which are an integral part of the core mission of departments involved in recruiting, admissions, alumni relations, development or student life activities. Off-site catered events for student life activities shall be approved by the Associate Provost and Dean of Students and the Provost.

Catering/refreshments for department meetings or department social events, coffee service, refreshments or snacks for employees in the department office can be provided within the limit of the approved budget (by the Dean or Vice President).

### MEALS

Employees may charge the University or be reimbursed for meals only in cases when the meal includes a prospect, speaker, trustee or other official guest of the University or is part of the recruitment of faculty and staff. No more than two employees may be involved in any charged meal unless the meal is part of a sanctioned University event or part of a core-mission activity (example: Development staff entertaining a prospect).

### FLOWERS, GIFTS AND CARDS

The Department of Human Resources shall make provision for flowers (bereavement), service awards and retirement gifts on behalf of the University. Departments should work with Human Resources in these cases.

Individuals or individual departments may not use University funds to provide flowers, gifts or cards for employees, family members, associates or friends. Each respective Vice President or Provost shall determine and authorize the use of individual department funds in these cases. Flowers, gifts and cards are allowable when related to core-mission activities involving development, alumni relations, admissions and official guests of the University and should be authorized by each respective Vice President or Provost and the Vice President for Finance and Administration.

### EVENTS

Official events of the University will be announced by the Office of the President. Such events will be sponsored by the University and paid from University funds. Student Life events will be approved and announced by the Associate Provost and Dean of Students. Use of off-site facilities requires prior approval by the respective Vice President or Provost and the Vice President for Finance and Administration.

### HOLIDAY PARTIES

University departments may schedule holiday parties in December to the celebrate seasonal holiday. Departments may charge food and beverage expenses to department accounts to a maximum of \$10.00 per department member. University funds may not be used to purchase alcohol for departmental holiday parties.



## ALCOHOL

University funds may not be used to purchase alcohol for any purpose except in cases of officially sponsored university events or events sponsored by the Admissions, Alumni Relations or Development offices which are directly related to their core mission or other events approved by a Vice President or Dean.

## MEMBERSHIP DUES

University funds may be used for dues for membership in organizations or associations which are directly related to the department's core mission. Prior approval of the Department Chair or Director is required. The approval of the appropriate Dean or Vice President or Provost and Vice President for Finance and Administration is required if the fee for dues is \$1,000 or above.

## CHARITABLE CONTRIBUTIONS

The authority to use University funds for charitable contributions shall rest in the Office of the President. Individuals or departments may not make donations utilizing University funding.

## EXPENDITURES WHICH ARE NOT LEGITIMATE BUSINESS ENTERTAINMENT

The following types of expenditures may NOT be charged to the University:

- Meals for one or more employee(s) while meeting for business or social purposes;
- Meals for an employee meeting with an associate or colleague;
- Birthday parties or other parties for an employee, associate or colleague;
- Birthday gifts, retirement gifts, etc. for an employee, associate or colleague;
- Flowers for an employee, relative of an employee, associate or colleague; nor
- Holiday/seasonal decorations.

Employees utilizing the Georgian Court University VISA Card for travel and business entertainment are reminded that strict compliance with VISA Card Policy and Procedures is required, and all T&E transactions must be detailed on the VISA Credit Card Worksheet. The approved VISA Statement and Worksheet are due in Accounts Payable no later than three (3) days prior to the credit card due date as appears on the statement.

## EXCEPTIONS TO THIS POLICY

Exceptions to this policy may only be established when stated, in writing, by the Vice President for Finance and Administration.

### **3.6.17 Solicitation**

Employees may not distribute literature or printed matter, engage in commercial promotion, sell tickets or merchandise, or solicit for any purpose in any area of Georgian Court during their own working time or the working time of the person being solicited. Working time does not include specified times when employees are not required to perform tasks, such as during meal and break periods. In addition, distribution of literature is prohibited in work areas at all times. No soliciting, canvassing, distribution of literature or trespassing by non-employees is allowed in or on premises.

### **3.6.18 Employment Applications**

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

### **3.6.19 Background Investigation**

The purpose of this policy is to ensure that individuals who join the university workforce or are promoted to positions with certain responsibilities within the university have accurately presented themselves during the hiring or promotion process. This ensures that the university is exercising reasonable care in selecting its employees to promote a safe and productive educational environment and work place.

This policy applies to new and rehired employees (hourly support and service staff, and salaried administrative and faculty staff), including full-time, part-time and temporary; and employees who transfer into selected positions who do not have a current background investigation on file as of January 1, 2007. Certain other positions may be designated as well. For the purposes of this policy, a background investigation may include Social Security number search, criminal records (any misdemeanor convictions and/or felony convictions), education verification (for full-time and part-time faculty staff), Department of Motor Vehicle records search (if related to job duties), and credit report (if related to job duties).

To protect the welfare and provide for the safety of the students, employees, and institutional resources of Georgian Court University, Human Resources will conduct a background investigation on new and rehired employees (hourly support and service staff, and salaried administrative and faculty staff); and employees who transfer into selected positions who do not have a current background investigation on file. The university reserves the right to conduct a background investigation on other employees and/or under other circumstances as needed.

Applicants will be advised that a criminal conviction investigation is a condition of employment and that all convictions must be included on the application and/or disclosed during the employment process.

The accuracy and completeness of the disclosure of prior criminal convictions revealed in the employment process will be verified. Convictions disclosed or discovered in the employment process will influence the selection of the applicant where such information is job related or related to alcohol, drugs, violence, or illegal sexual behavior.

If an applicant or employee possesses an active security clearance issued by the U.S. Federal Government, proof of that active security clearance will be considered in lieu of conducting a new criminal background check.

Background investigation records will be received and maintained as part of a confidential file in Human Resources, separate from employee personnel files.

Every employee must inform his/her supervisor within five business days if he/she is convicted of a crime (not including traffic infractions). The university reserves the right to then conduct a criminal background check when circumstances are identified that warrant further investigation. Results of the background check will normally not affect opportunities for continued

employment. However, if information discovered regarding prior or current convictions leads to the conclusion that the safety of students, clients, and/or coworkers may be compromised, the individual may be reassigned or his/her employment may be terminated. Reporting of convictions is applicable to all employees, whether or not their positions are subject to an original background check.

Department heads, supervisors and/or human resources liaisons will be responsible for their department's adherence to this policy, including clear communication of this requirement to job candidates.

Human Resources is responsible for the management of the policy, including overseeing the background investigation process, confidentially reporting job-related negative results to the appropriate individual in the hiring department, and the confidential storage of all findings separate from the employee personnel files.

Those who violate the terms of this policy, including violations of confidentiality, are subject to disciplinary action, including termination. Failure to disclose a conviction(s) is deemed falsification of application and may result in termination. An employee who fails to disclose being charged with a crime within five business days of being charged is considered to be in violation of a condition of continued employment and may result in termination.

### **3.6.20 Office Coverage Standards**

In the spirit of responsive service to our external and internal "customers," the following standards are to be observed:

- Calls will be answered by a person 80% of the time.
- Phone calls will be returned within 48 hours, with 24 hours being the preferred time frame.
- Offices will have telephone coverage at all times. If an office has to be uncovered, the phones will be forwarded to another office to provide a human response to callers. Notices are to be posted on the office entrance to alert visitors where they can go for assistance and when the office will be open again. It is expected that offices will rarely be closed.
- Voice mail will have a regular office message and alternative messages to be used daily that will communicate when the call will be returned or who else can assist.
- Voice mail should have the name of the person, his or her title, and department affiliation associated with the telephone number. Each person should record their own message in their own voice to create personal response.
- Individual and bulletin board e-mail are to be read daily and "out of the office" feature used when individuals are away for a day or more.
- All employees will attend training for telephone, voice mail, and e-mail so they will be comfortable in using the options of these systems for responsive communication.

### **3.6.21 Employee Hotline**

The purpose of the employee hotline is to provide a mechanism for all Georgian Court employees to raise any ethics-related questions or concerns regarding fraud, accounting irregularities, auditing abuse, falsification or records, destruction of records, conflicts of interest, impeding an investigation, or violations of law and/or government regulations and to report any suspected wrongdoing in a confidential manner, free from any fear of reprisals. The employee hotline will be dedicated to calls from Georgian Court University and will be answered by the appointed Georgian Court University Ombudsman, Walter Timpone. This hotline is NOT for employee relations issues.

#### **POLICIES**

1. It is the duty of all employees to report any suspected misconduct or questionable activities to the Ombudsman.
2. All reports to the Ombudsman will be investigated thoroughly and appropriate disciplinary action will be taken, if warranted.
3. All reports to the Ombudsman will be kept confidential and can be made anonymously if the reporting employee so desires. Anonymous calls will be acted upon in the same manner as identifiable reports.
4. There will be no reprisals for reporting improper or questionable conduct.

#### **PROCEDURES**

1. The employee hotline number is 1-888-778-0658.
2. Only the Ombudsman, Walter Timpone, will answer this line or listen to the voice mail messages left at this number.
3. If Mr. Timpone is not available, leave a detailed message, and he will return your call as soon as possible or attempt to make himself available at a designated time if you wish to remain anonymous.
4. Employees can also contact the Ombudsman by mail addressed to Mr. Walter Timpone, McElroy, Deutsch, Mulvaney & Carpenter, 1300 Mount Kemble Avenue, Morristown, NJ, 07962.

## **Appendix 3.1.2.1: Affirmative Action Plan**

### ARTICLE I

#### APPROVAL OF AFFIRMATIVE ACTION PLAN

This Affirmative Action Plan for Georgian Court was adopted in principle by the Board of Trustees on July 6, 1989.

### ARTICLE II

#### POLICY OF AFFIRMATIVE ACTION

Through its Affirmative Action Plan, Georgian Court reaffirms its policy of providing affirmative action and equal opportunity in all personnel activities and actions. Georgian Court pledges to implement the plan in accordance with the provisions of all applicable Federal and State Laws and Regulations that have a bearing on employment relationships.

The plan applies to all Georgian Court units. The plan covers all full-time positions in Georgian Court with the exception of the positions of President, Treasurer, and Secretary. These three positions involve special considerations according to the Georgian Court By-Laws.

Consistent with the law and spirit of affirmative action concepts, Georgian Court's Affirmative Action Plan is broad in scope. Georgian Court will take affirmative action to insure that all full-time personnel activities and actions including, but not limited to recruitment, employment, promotion, reassignment, demotion, termination, layoff, training, and compensation will be undertaken in a manner which does not discriminate with regard to race, creed, color, national origin, ancestry, age, political affiliation, sex, armed forces liability, physical handicap, sexual orientation, or marital or parental status, except in those certain circumstances where sex is a bona fide occupational qualification. As an institution of higher education founded the Sisters of Mercy of New Jersey, Georgian Court reserves the prerogative to grant preference in its employment practices to qualified Sisters of Mercy.

### ARTICLE III

#### SCOPE OF AFFIRMATIVE ACTION PLAN

Georgian Court's commitment to affirmative action and equal employment opportunity is long-standing. In April of 1977, Georgian Court faculty formally adopted the following policy statement concerning the recruitment of faculty:

1. Georgian Court officially reaffirms its stance against discrimination based on sex, creed, color, or any other factors which are immaterial to fulfilling the responsibilities of membership in Georgian Court community;
2. Georgian Court shall continue to strengthen its efforts to recruit members of minority groups for faculty and staff positions which become available;

3. Any formal or informal advertising of such openings shall make clear that Georgian Court is committed to a non-discriminatory stance; and,
4. Such advertising and recruiting shall continue to be primarily the responsibility of the departments, in partnership with the Office of Human Resources, particularly the Department Chair or Director in cooperation with the President, Provost and the School Dean.

The Affirmative Action Plan described in this document is based on this preceding policy statement and expanded to include all full-time Georgian Court personnel; it recognizes that Federal and State Law and Regulations mandate the development of affirmative action and equal employment opportunity programs. These specific authoritative sources include:

1. Title VII of the Civil Rights Action of 1964, as amended by the Employment Action of 1972;
2. President's Executive Order 11246, as amended;
3. Equal Pay Act of 1963 as amended;
4. President's Executive Order 11375;
5. Vietnam Era Veteran's Readjustment Assistance Act of 1974:41 C.F.R. 60-250(d); and
6. Title IX of the Education Amendments of 1972.

Additionally, to promote a "proper spirit" with regard to providing equal employment opportunity, each employee is viewed as an active participant in Georgian Court's affirmative action effort. The responsibility for administering the plan is placed at the senior levels of Georgian Court administration.

The goal of Georgian Court's full-time personnel system is to employ and retain qualified persons in every job category, to insure that personnel actions are applied fairly and to provide equal opportunity to all employees for career advancement. To that end the Affirmative Action Plan strengthens internal procedures presently in place to insure that groups previously under-represented have the fullest opportunity to be considered for available full-time positions at Georgian Court.

The specific goals of the plan are:

1. To implement recruitment procedures which insure the utilization of advertising sources designed to inform reasonable large number of women and minority group members of available full-time position vacancies at Georgian Court;
2. To take other appropriate steps to insure that the pool of applicants considered for all vacant full-time professional positions includes qualified women and minority persons;
3. To analyze current staffing patterns to determine whether there is sufficient representation of women and minorities at each level of full-time employment within

Georgian Court, and to develop goals and timetables to assist in the greater utilization of women and minorities in those job categories where under-representation has been found to exist;

4. To implement internal assessment and reporting procedures for the evaluation of the effectiveness of the Affirmative Action Plan;
5. To establish an affirmative action complaint process for the prompt disposition of individual or group discrimination complaints;
6. To disseminate Georgian Court's Affirmative Action Plan, both internally and externally, and to insure its availability to each and every employee and other interested persons; and
7. To encourage all Georgian Court professional employees to participate in the implementation of the Affirmative Action Plan, both individually and through a representative committee.

#### ARTICLE IV

##### DEFINITIONS

Throughout the Affirmative Action Plan, the following terms carry the following meanings:

Affirmative Action (AA) means the steps which Georgian Court will take to insure the continued recruitment of women and minorities where previously under-represented in Georgian Court's full-time positions; to provide adequate notice of the availability of vacancies in positions; and to insure an objective search for new employees.

Georgian Court unit means each of the major service areas of Georgian Court whose administrator is directly responsible to the President.

Component officer means the person of the specific component who is responsible for the component and responsible to the administrator of Georgian Court unit.

Disabled Veteran means a person entitled to disability compensation under the laws administered by the Veterans Administration for disability rated at 30 percent or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.

Discrimination means the intentional application of personnel policies and/or practices in a way which distinguishes between and among individuals on account of race, creed, color, national origin, ancestry, age, political affiliation, sex, armed forces liability, sexual orientation, physical handicap or parental status, except where sex is an occupational qualification.

Equal Employment Opportunity (EEO) means the concept that all personnel activities and action will be undertaken in a manner which does not discriminate with regard to race, creed, color, national origin, ancestry, age, political affiliation, sex, armed forces liability, physical handicap, or parental status; but which does differentiate solely on the basis of job related qualifications.

Goals and timetables are numerical expressions of projected results of good faith employment efforts to increase the representation of women and minorities in Georgian Court full-time workforce within a given period of time in those job categories where under-representation has been found to exist. A goal is not equivalent to a quota.

Handicapped individual means any person who (a) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (b) has a record of such impairment; or (c) is regarded as having such an impairment.

Minorities refers to the following classes of persons: Non-Hispanic or Non-Latino Black, Hispanic or Latino, Asian, Native Hawaiian, or Pacific Islander, American Indian or Alaskan Native, and two or more races (not Hispanic or Latino).

Qualified means qualified under criteria validly and demonstrably related to the nature of a particular job.

Qualified Disabled Veteran means a disabled veteran who is capable of performing a particular job, with reasonable accommodation to his or her disability.

Veteran of the Vietnam Era means a person who served an active military duty for more than 180 days between August 5, 1964 and May 7, 1975, and was discharged or released with other than dishonorable discharge or was discharged or released from active duty for a service connected disability.

In addition to utilizing the above definitions, the Affirmative Action Plan frequently makes reference to specific job categories. The specific EEOC job categories to which the plan refers are defined in the following paragraphs:

Executives Managers. This category includes positions responsible for management of Georgian Court or a distinct functional area of Georgian Court. Assignments require the performance of work related directly to management policies or general business operations of Georgian Court. Incumbents must regularly exercise discretionary judgment and direct the work of others.

Faculty. This category includes positions responsible for conducting instruction and/or research. Personnel usually hold the academic rank titles of professor, associate professor, assistant professor, instructor, lecturer, or adjunct professor.

Non-Faculty Professionals. This category includes positions in which the staff member must have specialized and theoretical knowledge usually acquired through university training, work experience or other training that provides comparable knowledge.

Technicians. This category includes positions in which the staff member must have basic scientific or technical knowledge and manual skill obtained through specialized post-secondary school education or equivalent on-the-job training.

Para-Professionals. This category includes positions where employees perform some of the duties of a technician. They function in a supportive role and have less formal training or experience than those in the professional or technician category.



Secretaries/Clerks. This category includes personnel who prepare the internal and external communications, record and retrieve data and/or information and prepare other paper work required in an office.

Skilled Craft Personnel. This category includes positions in which persons require special manual skills and a thorough comprehensive knowledge of the processes involved in the work, acquired through on-the-job training and experiences or apprenticeship or formal training programs.

Service-Maintenance Personnel. This category includes positions where employees contribute to the upkeep and care of buildings, facilities and property, for the comfort, hygiene and safety of Georgian Court community. It also includes positions in the preparation and service of food.

## ARTICLE V

### RESPONSIBILITY FOR ADMINISTRATION OF GEORGIAN COURT

#### AFFIRMATIVE ACTION PLAN

The Georgian Court Affirmative Action Plan affixes responsibility at all administrative levels. However, the ultimate responsibility for equal employment opportunity and its full achievement through affirmative action rests with the President, as Chief Executive Officer of Georgian Court. Overall responsibility for implementing the Affirmative Action Plan is delegated by the President to an Equal Employment Opportunity/Affirmative Action Officer for Georgian Court.

The Equal Employment Opportunity/Affirmative Action Officer (EEO/AA) shall have immediate and continuing responsibility for the implementation and management of this Affirmative Action Program. This responsibility shall include, but not be limited to the following:

1. Establishing a liaison with appropriate minority and women's organizations in higher education, periodically reviewing the effectiveness of these organizations as sources of recruitment, and maintaining a list of organizations capable of directing minority and women candidates to Georgian Court unit for full-time employment;
2. Developing and updating a list of recruitment sources to insure that full-time position vacancies receive the widest possible notice, particularly among women and minority group members, early in the recruitment process;
3. Insuring that the pool of prospective candidates for a full-time professional vacancy is sufficiently broad and that at least one minority candidate and/or one woman be included in the group of candidates interviewed;
4. Reviewing all Georgian Court searches to ascertain from the materials submitted whether women and minorities have been afforded reasonable opportunity for consideration;
5. Preparing and disseminating policy statements and developing internal procedures to assist Georgian Court personnel in meeting their responsibilities under the plan;

6. Collecting, organizing and presenting statistical and other information mandated by law, regulation and/or the plan;
7. Preparing an analysis and report of the effectiveness of the plan to the President for approval;
8. Monitoring on a continuing basis federal and state law, court decisions and administrative decisions in order to assure continued Georgian Court compliance with the developing law;
9. Providing continuing liaison with the various state and federal agencies that have administrative responsibility for aspects of the law;
10. Carrying out any other duties relating to this plan that may be assigned by the President.

Although the Equal Employment Opportunity/Affirmative Action Officer is assigned specific responsibilities with respect to the administration of the plan, each person who is involved in taking or recommending personnel action must recognize that person as responsible for seeing that the Affirmative Action Plan is followed. The effectiveness of the plan depends in large measure on the good faith cooperation of all Georgian Court personnel.

The President shall establish the Georgian Court Affirmative Action / Diversity Committee. The committee's responsibility will be to regularly advise the EEO/AA Officer on all matters pertaining to the implementation of the plan. The committee also will review existing policies, procedures and facilities to advise the EEO/AA Officer whether they have an adverse impact on the ability to attract and retain qualified handicapped persons and/or veterans. Various committee members shall also serve on special committees that are convened to consider specific affirmative action complaints as described in Article VII of the plan.

## ARTICLE VI

### ELEMENTS OF THE AFFIRMATIVE ACTION PLAN

The Affirmative Action Plan applies to the entire personnel program from the development of job description to the termination of employment. Specific elements of the plan are discussed in the following paragraphs:

Position Qualifications and Tests. Georgian Court will utilize position selection criteria only when they can be shown to be significantly related to position expectations, as set forth in published position description. Georgian Court will review position selection criteria from time to time to determine whether written tests and other position requirements such as formal education, personal histories, biographical information, employment or other experience, results of interviews, information, contained on application forms, interviewer rating systems, and the procedures and criteria by which individuals are selected for or denied employment have an adverse impact on women and minorities. Where positions descriptions are found to have had an adverse impact, Georgian Court will make the necessary corrections.

Position Classification and Salary Allocations. Georgian Court will support every position of Georgian Court by written description of its duties, requirements, and salary range. Working

with appropriate Georgian Court personnel, the EEO/AA Officer shall be responsible for determining the appropriateness of each job description and for reviewing existing or new position descriptions in order to ascertain whether inherently discriminatory salary range differentials exist. Descriptions may be found in the Office of Human Resources.

Georgian Court will seek consistency in wages for personnel with equivalent responsibilities, while still recognizing that salary differentials may result from individual variations in experience, skill, and length of service. Recommendations of salary increases, denials of salary increases, will be approved by the President only if they are supported by evidences that recommendations are reached without illegal discrimination.

Recruitment and Selection. Once a position description has been established and approved and authority to begin recruitment to fill the position is obtained, the Georgian Court unit administrator who will supervise the position for which the recruitment is being undertaken will authorize the component officer to prepare the necessary advertisements and vacancy announcements in the Office of Human Resources.

The component officer requesting additional staff will be responsible for the actual administration of all recruitment efforts for that component. The recruitment and selection records, a log of all applications received, together with the name of the applicant and the date of receipt of the application will be recorded and maintained by the Office of Human Resources. All candidates will receive an acknowledgement of application/resume received. Only candidates chosen for an interview will receive another letter indicating a job offer or a notice of the search closing.

Recommendations for the hiring of administrative personnel are made by the administrator under whose responsibility the position is located. The Department Chair, as component officers, have the primary responsibility for making recommendations for appointments within their departments. The supervisor of the position is responsible for making recommendations for secretarial, maintenance and physical plant personnel. Actual appointments to all positions are made through the Office of Human Resources after Affirmative Action compliance review and approved by the President.

After an interview, the component officer will notify candidates who are not going to receive further consideration that they are no longer under consideration for the available position. If necessary, the component officer will send letters to the finalists requesting additional supporting material such as transcripts, references, etc. The component officer will solicit oral or written references, but will reduce to writing a summary of all oral reference reports.

Finalists invited for interviews by the component officer shall include, if possible, at least one woman and/or one minority group member. The component officer will: interview each candidate; report to the unit administrator responsible for making the appointment recommendation. The unit administrator will recommend the applicant who most closely meets the needs of Georgian Court, both in education and experience. The component officer will send applicants no longer under consideration for the available position a letter advising them that they have not been selected for the available position. In the event that none of the applicants present sufficient qualifications, the component officer will reopen the search.

It shall be the goal of each office within Georgian Court to employ qualified women and minority group members in overall numbers proportionate to their presence in the relevant labor market pool and in a manner which does not cluster women or minorities either in a particular position classification or at a particular position level. The component officer will recommend each candidate on the basis of education, experience and skills required for the open position after the component officer has appropriately distributed notice of such vacancies. It is essential for the achievement of Georgian Court affirmative action goals that each component officer make efforts to insure that qualified women and minorities are included in significant numbers in the applicant pool for each position it wishes to fill. To that end Georgian Court Affirmative Action Committee will prepare a list of newspapers, professional journals and organizations that specifically serve women and minorities provided this advertising yields results. Georgian Court personnel will utilize these publications and organizations to publicize position vacancies occurring at Georgian Court. They will also utilize other appropriate recruitment sources that do not specifically serve minorities and women. All notices and advertisements of vacant positions will carry explicit affirmation that Georgian Court is an equal opportunity/affirmative action employer. In accordance with the Veterans Law, Georgian Court personnel will invite veterans of the Vietnam Era and disabled veterans to identify themselves.

The following documentation of good faith recruitment will be provided by the component officer and retained on file in the Human Resources/Affirmative Action Office.

1. Copies of the position vacancy notices and advertisements;
2. Copies of letters sent to persons and institutions seeking referrals of applicants for the position;
3. Copies of replies received;
4. A list of verbal inquiries seeking referrals of applicants for the position and documentation summarizing responses to each case;
5. A list of all applicants for the position;
6. A summary report of the outcome of the search, and the procedures followed; and
7. A completed Affirmative Action Compliant Form, signed by the component officer indicating that the search and selection complied with the provisions of the Affirmative Action Plan.

Professional Development. Georgian Court will establish opportunities for its personnel to allow them to:

1. Expand their present fields of knowledge and/or skills and prepare them for future career development and promotional opportunities within Georgian Court;
2. Increase their on-the-job efficiency and effectiveness; and

3. Maintain an informed position concerning each facet of Georgian Court operation. The Affirmative Action Committee will review current programs for possible modification or expansion.

Promoting and Upgrading. Georgian Court recognizes that affirmative action goes beyond the hiring process and includes all personnel actions, including promotions and upgrading of positions. In order to help achieve a more equitable distribution of women and minorities, the Affirmative Action Plan establishes certain procedures to insure that all persons have an equal opportunity for professional advancement.

Component officers will post for a period of at least five (5) working days on bulletin boards throughout Georgian Court all position vacancies that would constitute promotions for Georgian Court personnel. After the posting period, the component officer will interview internal candidates who have applied for the posted vacancy and who meet the qualifications of the position in accordance with the process outlined in this Article VI of the plan. Within five (5) working days of the last internal interview, the component officer will notify the component's decision with respect to the candidacy. This decision will indicate:

1. That the component officer will recommend the candidate for the position;
2. That the component officer will not recommend the candidate for the position; or
3. That the component officer will continue to consider the candidate for the position, together with external candidates.

The EEO/AA Officer will place in an affirmative action recruitment file the applications of women and minorities who meet the valid minimum qualifications for a position sought through promotion or transfer, but who are not appointed. The EEO/AA Officer will maintain these files and use them to identify potential candidates for subsequent position vacancies.

Georgian Court will encourage its personnel to apply, through transfer or otherwise, for vacancies arising within Georgian Court. In order to apply, Georgian Court personnel need not receive approval of or give advance notice to the person's present supervisor. However, as in the case of accepting a position outside Georgian Court, the person is expected to give adequate notice to the former supervisor of any change of position. Furthermore, the new component officer is expected to give two weeks notice for nonexempt staff or four weeks notice for exempt staff to the current component officer of an impending transfer. If necessary, the unit administrator should assist in providing the timing of such transfer.

The basis for recommendations for promotions or transfers of employees are the individual's record of job performance, relevant experience and educational criteria for the position.

Leaves and Benefits. Georgian Court has an established leave and fringe benefits program for its employees and it will continue to administer each aspect of the program equitably with respect to all eligible employees.

Part-Time Personnel. Compensation and fringe benefits awarded to part-time personnel are different from those awarded full-time personnel. Nevertheless, Georgian Court recognizes that affirmative action considerations also apply to the personnel actions taken with respect to such

employees. Therefore, part-time position vacancies will receive appropriately wide circulation designed to attract applicants from women and minority groups. The component officer will give each applicant an equal opportunity for the job, and base selection solely on an individual's qualifications for the position.

Employment of Relatives. It is the policy of Georgian Court that spouses or close relatives of current employees will be considered for vacancies within Georgian Court solely on the basis of qualifications, recommendations or decisions specifically affecting the appointment, retention, promotion or work assignments of such Georgian Court personnel.

Disabled Veterans and Veterans of the Vietnam Era. Georgian Court will invite all disabled veterans and veterans of the Vietnam era, whether they are applicants or present employees applying for position vacancies, to identify themselves for consideration under the Affirmative Action Program. This invitation will state that the identification is provided voluntarily, that Georgian Court will keep it confidential and will use it solely for compliance with affirmative action obligations. Should the veteran refuse to provide identification, Georgian Court will not subject the applicant or employee to any adverse treatment.

The component officer will notify all identified disabled veterans or veterans of the Vietnam era who are not recommended for appointment or the individual selected. Additionally, in accordance with Federal regulations, the EEO/AA Officer will maintain for one (1) year records regarding complaints made by veterans and actions taken with respect to such complaint.

## Article VII

### AFFIRMATIVE ACTION COMPLAINT PROCEDURE

In recognition of the need for an expeditious and fair method of resolving affirmative action complaints, Georgian Court has established an Affirmative Action Complaint Procedure. This procedure shall apply to all complaints that may arise from alleged violations of the Affirmative Action Plan that directly affect the personal and/or professional interests of an individual Georgian Court employee.

Any Georgian Court employee may bring a complaint under the procedure if the employee perceives that rights established under this plan have been adversely affected through the action of another Georgian Court employee, supervisor or other individual acting on behalf of Georgian Court. The procedure is outlined below and consists of an informal step, plus two (2) formal steps.

Informal Step. The aggrieved employee should, but is not required to, seek resolution of the issues surrounding the complaint through discussion with the employee's immediate supervisor.

Step I. In the event that resolution of the complaint is not reached at the Informal Step, Georgian Court employee may submit a written request to the EEO/AA Officer to have the complaint heard by a specially convened Committee. The written request must be submitted to the EEO/AA Officer within fifteen (15) working days from the alleged occurrence giving rise to the complaint.

Before convening the Complaint Committee, the EEO/AA Officer shall consider whether the complaint is a proper subject for processing under the procedure. If the EEO/AA Officer determines that the complaint is not a proper subject, the Officer will so advise Georgian Court employee. If the request is approved, the EEO/AA Officer will within five (5) working days of approval, and in the presence of the person filing the complaint, choose by lot three (3) voting members of the Affirmative Action Committee to serve as the Complaint Committee. The first person so chosen shall serve as chairperson of the Committee, the fourth person whose name is chosen by lot shall serve as non-voting secretary. Members who serve on the Affirmative Action Committee may be excused from service on the Complaint Committee only if in the judgment of the EEO/AA Officer a conflict of interest may exist.

The Complaint Committee shall hold an informal hearing on the complaint, giving all interested persons a right to appear to make oral or written statements and/or present relevant evidence within five (5) working days of the hearing. The Complaint Committee shall provide a written determination with respect to all issues raised in the complaint and recommend an appropriate disposition of the entire matter. The recommendation shall be dated and signed by at least two voting members of the Committee and submitted to the EEO/AA Officer. Within five (5) working days thereafter, the EEO/AA Officer shall make a written decision with respect to the matter.

An employee shall present the employee's own case, but may have counsel in the form of another Georgian Court employee present to provide advice. While the Complaint Committee will not make tapes and transcripts of the proceedings, it may make summaries or oral statements. These summaries shall become a part of the record and be available to the employee, the committee, the EEO/AA Officer and, if necessary, the President.

Step II. The decision of the EEO/AA Officer may be appealed by Georgian Court employee or the person against whom the complaint is brought to the President within two (2) working days of receipt of the decision of the EEO/AA Officer. The President is not required to hold another hearing, but may base the President's decision on the record. In these matters the President's decision is the final Georgian Court decision.

Any act of reprisal taken by any employee of Georgian Court against any other employee of Georgian Court, as a result of seeking redress under the Affirmative Action Complaint Procedure or cooperating or otherwise participating in any step of the procedure, is prohibited and shall be regarded as a distinct grievable matter under this procedure.

The record of the complaint, together with the final decision shall be placed in a separate file retained in the Office of the EEO/AA Officer. At the request of Georgian Court employee, a copy of the final decision shall be placed in the unit personnel file of the employee filing the complaint.

The EEO/AA Officer shall have the right to suspend or dismiss any complaints by individuals who elect to pursue any alternative statutory or regulatory avenue of appeal, or when it is determined that the complaint is not a proper subject for resolution under this procedure.

## Appendix 3.6.1.1: Conflict of Interest Policy



### ***BOARD OF TRUSTEES AND OFFICERS CONFLICTS OF INTEREST POLICY GEORGIAN COURT UNIVERSITY***

#### **ARTICLE I**

##### **PURPOSE**

This policy has been adopted by Georgian Court University to protect the interests of Georgian Court University when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a Trustee or officer of Georgian Court University. This policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporations.

#### **ARTICLE II**

##### **DEFINITIONS**

#### **1. Interested Person**

Any Trustee, officer or member of a committee with Board delegated powers who has a direct or indirect Financial Interest, as that term is defined below, is an Interested Person.

#### **2. Financial Interest**

A person has a Financial Interest if the person has, directly or indirectly, through business, investment or family:

- a. An ownership or investment interest in any entity with which Georgian Court University has a transaction or arrangement or is negotiating a transaction or arrangement, or
- b. A compensation arrangement with Georgian Court University or with any entity or individual with which Georgian Court University has a transaction, or arrangement or is negotiating a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which Georgian Court is negotiating a transaction or arrangement.



Compensation includes direct and indirect remuneration as well as gifts or favors that are reasonably likely to impair (or create the appearance of impairing) the objective judgment of the recipient. In addition to disclosing the offer and/or acceptance of such gifts as set forth herein, all Trustees and officers *shall refuse to accept any gifts in the form of cash or gift certificates* from any entity or individual doing business with or seeking to do business with Georgian Court University.

A Financial Interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a Financial Interest may have a conflict of interest only if the Board or committee decides that a conflict of interest exists.

### **ARTICLE III PROCEDURES**

#### **1. Duty of Disclose**

In connection with any actual or possible conflicts of interest, an Interested Person must disclose the existence and nature of his or her Financial Interest and all material facts to the Trustees and members of committees with Board delegated powers considering the proposed transaction or arrangement.

#### **2. Determining Whether a Conflict of Interest Exists**

After disclosure of the Financial Interest, and all material facts, and after any discussion with the Interested Person, he or she shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee shall decide if a conflict of interest exists.

#### **3. Procedures for Addressing the Conflict of Interest**

a. An Interested Person may make a presentation at the Board or committee meeting, but after such presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement that results in the conflict of interest.

b. The chairperson of the Board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

c. After exercising due diligence, the Board or committee shall determine whether Georgian Court University can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested Trustees, even though the disinterested Trustees be less than a quorum, whether the transaction or arrangement is in Georgian Court University's

best interest and for its own benefit and whether the transaction is fair and reasonable to Georgian Court University and shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

#### **4. Violations of the Conflicts of Interest Policy**

a. If the Board or committee has reasonable cause to believe that a person has failed to disclose actual or possible conflicts of interest, it shall inform the person of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose.

b. If, after hearing the response of the person and making such further investigation as may be warranted in the circumstances, the Board or committee determines that the person has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

### **ARTICLE IV RECORDS OF PROCEEDINGS**

The minutes of the Board and all committees with Board-delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a Financial Interest in connection with an actual or possible conflict of interest, the nature of the Financial Interest, any action taken to determine whether a conflict of interest was present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

### **ARTICLE V COMPENSATION COMMITTEES**

A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from Georgian Court University for services is precluded from voting on matters pertaining to that person's compensation.

### **ARTICLE VI ANNUAL STATEMENTS**

In addition to the annual Questionnaire requiring disclosure of possible conflicts of interest, each Trustee, officer, and member of a committee with Board delegated powers shall annually sign a statement which affirms that such person:

- a. Has received a copy of this conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy,
- d. Understands that the policy applies to all matters that come before the Board, its committees and subcommittees having Board delegated powers, and
- e. As it relates to Georgian Court University, understands that Georgian Court University is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**ARTICLE VII  
PERIODIC REVIEWS**

As it relates to Georgian Court University, to ensure that Georgian Court University does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, periodic reviews of Georgian Court University's activities shall be conducted to ensure that Georgian Court is operating in a manner consistent with accomplishing its charitable purposes and that its operations do not result in private inurement or impermissible benefit to private interests.

**ARTICLE VIII  
USE OF OUTSIDE EXPERTS**

As it relates to Georgian Court University, in conducting the periodic reviews provided for in Article VII, Georgian Court University may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring that periodic reviews are conducted.

Apr-08

**Appendix 3.6.1.2: Conflict of Interest Disclosure Statement**



**CONFLICT OF INTEREST  
and COMMITMENT ANNUAL DISCLOSURE STATEMENT**

**January 1, \_\_\_\_\_ to December 31, \_\_\_\_\_**

Please answer each question fully and to the best of your knowledge. Use additional sheets as necessary, and disclose any relationships including financial or fiduciary interests or uncompensated activities that might present or appear to present a conflict of interest or commitment with your employment at Georgian Court University. For the purpose of this disclosure, *family* includes spouse, spousal equivalent, children, parents, siblings, grandparents, parents-in-law, brothers-in-law, and sisters-in-law; *significant financial interest* refers to holdings of at least 5% equity or at least \$10,000, and includes only that equity which is directly under your control, not that which is managed by a third party such as a mutual fund.

This disclosure statement is to be completed by all benefits-eligible employees, consistent with the Code of Conduct. Completed statements should be signed and returned to the Office of Human Resources by the first of May for the preceding calendar year.

*To be completed by all benefits-eligible employees, including faculty*

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Department: \_\_\_\_\_ Title: \_\_\_\_\_

1. Please identify all company ownerships, directorships, trusteeships or officer positions that you currently hold or have held with non-profit organizations, governmental agencies, for-profit organizations, or companies and partnerships, where you have significant financial interest, that have conducted business with Georgian Court University between January 1, \_\_\_\_\_ and December 31, \_\_\_\_\_.  
For each, in an attached statement provide:
  - a) The name of the organization;
  - b) Your position or role in the organization; and
  - c) A brief description of the nature and/or responsibilities of each position listed.

2. Did you or any member of your family work for or have a financial, employment, consulting or other business relationship, of which you are aware, with any individual or organization that:
- a) Sought to or currently provides goods or services to the University;
  - b) Gave donations of gifts or money to the University, including sponsoring your University teaching or research activities; or
  - c) Received services or products from the University? If yes, please explain in an attached statement.

No \_\_\_\_\_ Yes \_\_\_\_\_

3. Have you or has any member of your family used University resources, including, but not limited to, funds, property, personnel/staff or students for a personal or non-University related activity (including in your consulting or pro bono activities)? If yes, please explain in an attached statement and identify the senior University official who approved the arrangement in advance.

No \_\_\_\_\_ Yes \_\_\_\_\_

4. Have you arranged for or permitted third parties access to or use of University resources, including, but not limited to, funds, property, personnel/staff or students for non-University related purposes? If yes, please explain in an attached statement and indicate which senior University official approved the arrangement in advance.

No \_\_\_\_\_ Yes \_\_\_\_\_

5. Have you or has any member of your family received a single gift or multiple gifts with a cumulative value in excess of \$100 from a current or prospective University vendor, service provider, student or any third party who is seeking some benefit from the University? (Gifts include, but are not limited to, meals, entertainment, travel, and tickets to sporting and other events. Examination copies of textbooks and similar materials given to faculty are not considered gifts). If yes, please elaborate in an attached statement. For gifts with a cumulative value in excess of \$500 from a single source within the calendar year, identify the area vice president or Provost who approved the arrangement in advance or indicate that the President approved the arrangement in advance.

No \_\_\_\_\_ Yes \_\_\_\_\_

6. Have you disclosed confidential University information to unauthorized third parties? If yes, please explain in an attached statement.

No \_\_\_\_\_ Yes \_\_\_\_\_

7. Were there any other relationships, consulting arrangements, financial relationships, commitments or activities you or any member of your family had that might present or appear to present a conflict of interest or conflict of commitment with your Georgian Court University employment? Such relationships include, but are not limited to, financial or fiduciary interests or activities. If yes, please explain in an attached statement.

No \_\_\_\_\_ Yes \_\_\_\_\_

### **Certification**

In submitting this form, I certify that the above information is true and complete and that I have read and am bound by the University's Code of Conduct, including the Conflict of Interest section of the document. I supply this information for review by authorized University personnel. I also understand and acknowledge that I am required to complete a Conflict of Interest and Commitment Disclosure Statement on an annual basis.

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Apr-08

**Appendix 3.6.16: Request for Travel Authorization**

**GEORGIAN COURT UNIVERSITY  
REQUEST FOR TRAVEL AUTHORIZATION**

**Traveler Information** *(attach additional pages if necessary)*

Name: \_\_\_\_\_

Department Name: \_\_\_\_\_ Department Number: \_\_\_\_\_

Date of Departure: \_\_\_\_\_ Date of Return: \_\_\_\_\_

Destination(s): \_\_\_\_\_

Purpose: \_\_\_\_\_

Additional Person(s) Traveling: \_\_\_\_\_

Maximum Funding Required: \_\_\_\_\_

**Anticipated Expense Breakdown** *(attach additional pages if necessary)*

<b>5429</b>	<b>Lodging:</b>	Nights at \$ _____ each = _____	\$ _____	0.00
<b>5429</b>	<b>Meals:</b>	Days at \$ _____ per day = _____	\$ _____	0.00
<b>5431</b>	<b>Registration Fees:</b>		\$ _____	
	<b>Transportation:</b>		\$ _____	
<b>5428</b>	Air Fare:		\$ _____	
<b>5435</b>	Car Rental:		\$ _____	
<b>5435</b>	Personal Car:		\$ _____	
<b>5435</b>	Bus/Train:		\$ _____	
<b>5435</b>	Car Service/Taxi:		\$ _____	
	<b>Other Costs:</b>		\$ _____	
	<b>Is there any grant money or other external funding available for this trip?</b>			
	No <input type="checkbox"/>	Yes <input type="checkbox"/> If yes, how much?	\$ _____	
	Name of Grant: _____			
	G/L # of Grant: _____			
	<b>Total:</b>		\$ _____	0.00

**Authorizations**

Traveler: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name - please print) (Signature)

Chair/Director: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name - please print) (Signature)

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(Name - please print) (Signature) Date: \_\_\_\_\_

VP/Provost: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name - please print) (Signature)



## Appendix 3.6.16: Request for Travel Authorization