

# Staff Handbook



# **Staff Handbook**

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## **1.00 Introduction**

Birmingham-Southern College is an undergraduate, liberal arts college of the United Methodist Church. Its purpose is to offer to the baccalaureate student a liberal arts curriculum of traditional breadth and distinctive quality. Any complementary programs instituted by the College are expected to contribute substantially to this baccalaureate program.

### **1.01 HISTORY OF THE COLLEGE**

Birmingham-Southern College was created in 1918 by the merger of Southern University founded in Greensboro, Alabama in 1856, with Birmingham College, opened in 1898 in Birmingham, Alabama. These two institutions were consolidated on May 30, 1918 and the new institution opened its doors in Birmingham on September 11, 1918. Birmingham-Southern College has consistently sought academic distinction. In 1937, its standards were recognized by the nation's leading academic honor society, Phi Beta Kappa, which granted the College a charter to establish Alabama Beta.

## **2.00 Organization**

### **2.01 BOARD OF TRUSTEES**

The Trustees shall be elected by the North Alabama Conference and the Alabama-West Florida Conference of the United Methodist Church in accordance with the provisions of the Charter. There shall be a Committee on Membership of the Board of Trustees, appointed by the Chairman, which shall consult with the President of the College, and shall authorize him to present nominations to the Boards of Education of the two conferences for reference to the annual meeting of the conferences, where the election of members occurs.

The Board of Trustees is responsible for owning, maintaining, and operating the College as an institution of higher learning related to the United Methodist Church, and, in so doing, striving to maintain a high standard of academic excellence, of intellectual maturity, and an atmosphere conducive to the developing and maturing Christian faith and character.

The Board of Trustees is vested with the authority to do and perform all the acts and things necessary or appropriate for the carrying out and accomplishment of any and all purposes of the College that come legitimately within its scope. The Board elects the President of the College and delegates its specific authority to administer the institution consistent with the purposes and objectives of the College.

### **2.02 SENIOR ADMINISTRATIVE COUNCIL**

The Senior Administrative Council is composed of the President, the vice presidents, and others as designated by the president. This council meets once a week and is responsible for assisting the President in shaping and developing policies and procedures for the College.

### **2.03 PRINCIPAL ADMINISTRATIVE OFFICERS**

Birmingham-Southern College was chartered as an educational institution of higher learning pursuant to authority of an act of the Legislature of the State of Alabama on February 15, 1919. Ultimate authority for the College is vested in the Board of Trustees and the President of the College.

#### *President*

The President is the Chief executive and administrative officer of the College and is vested with full executive and administrative authority, subject to the approval and direction of the Board of Trustees.

*Academic Affairs*

The Vice President for Academic Affairs and Provost is the principal academic officer and senior vice president of the College. This person is directly responsible to the President for the following areas: curriculum; instructional and research programs; faculty development; development of academic budget requests; and supervision of the Krulak Institute.

*Chief of Staff and VP for Community Initiatives*

The Chief of Staff and Vice President for Community Initiatives is the administrative officer under the President responsible for business affairs of the College. This person is responsible for the oversight of campus dining services, campus police, and facilities and events.

*Advancement and Communications*

The Vice President for Advancement and Communications is the administrative officer under the President responsible for alumni affairs, fund raising, donor records, and communications.

*Admission and Financial Aid*

The Vice President for Admission and Financial Aid is the chief administrative officer under the President responsible for admission and student financial aid.

*Student Development*

The Vice President for Student Development is the administrative officer under the President responsible for student life on campus. Responsibilities include supervising the areas of multicultural affairs, physical fitness and recreation, student counseling and placement, student services and activities (which include student organizations, discipline and Greek organizations), and residence life.

*Business and Finance*

The Vice President for Business and Finance & CFO is the administrative officer under the President responsible for all fiscal affairs, human resources, facility operations, bookstore, post office and print services, and information technology of the College. This person is responsible for administration of the college budget, endowment funds, financial accounting, management of investments, preparation of financial reports, purchasing, and student accounts. This person is also responsible for oversight of the human resources office, information technology, postal and printing services, and campus operations.

*Information Technology*

The Vice President for Information Technology is the administrative officer under the VP for Business and Finance & CFO responsible for providing information and technology resources and telecommunication resources support the educational, instructional, and administrative endeavors of the campus community.

### **3.00 About This Handbook**

This Staff Handbook is designed to provide you with important information about your employment with Birmingham-Southern College. The Handbook is not intended to be, and may not be construed as, an employment contract, any part of a contract or an offer of employment. The Handbook may be changed at any time by Birmingham-Southern College, without advance notice. You will be notified of revisions to the Handbook electronically. You have the responsibility to periodically review the Staff Handbook for changes, additions, or deletions. If you do not have regular computer access, printed copies of revisions will be available for review in your office.

This Handbook is only one source of information about your employment. Other policies and procedures of Birmingham-Southern College may be contained in other documents. You must comply with all applicable policies and procedures, whether contained in this Handbook or other documents of Birmingham-Southern College.

The descriptions of employee benefits in this Handbook, such as group health insurance and retirement benefits, are designed to provide a general overview. In case of any conflict between this Handbook and any applicable employee benefit plan, the terms of the official plan documents control. If you have any questions about an employee benefit plan, or if you care to review the plan documents, you should contact the plan administrator.

You are responsible for reviewing and reaching a clear understanding of the materials in this Handbook. If you have

questions about any information contained in this Handbook, you are responsible for contacting the Human Resources Office (226-4646) for clarification.

## 4.00 Employment at Birmingham-Southern College

Birmingham-Southern College expects you to work cooperatively toward meeting the goals of Birmingham-Southern College. Sometimes employment relationships do not work out for the mutual benefit of the employer and the employee. Therefore, it is important that both you and Birmingham-Southern College have the ability to end the employment relationship if either of us believes the situation is not benefiting Birmingham-Southern College or you.

Either you or Birmingham-Southern College may terminate your employment at any time, for any reason or no reason, with or without notice. Birmingham-Southern College does not employ any person for “lifetime” or “until retirement” or for as long as the employee wants to work.

This “at will” nature of employment can be changed only by a written employment contract signed by the President.

## 5.00 Employment Policies

### 5.01 DISCRIMINATION, HARASSMENT AND RETALIATION POLICIES AND PROCEDURES

Birmingham-Southern College provides employment, training, compensation, promotion, and other conditions of employment without regard to race, color, religion, national origin, disability, sex, age, veteran status, or sexual orientation. Birmingham-Southern College will make reasonable accommodations to employees and applicants with disabilities to allow employees to perform the essential functions of their jobs.

Birmingham-Southern College is committed to maintaining a work and educational environment where all individuals are treated with respect, and is free of, harassment on the basis of race, color, religion, national origin, disability, sex, age, veteran status, sexual orientation or any other category protected by law. The College does not tolerate harassment of employees by anyone, including supervisors, coworkers, vendors, or students. Workplace and sexual harassment violate Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, the Age Discrimination in Employment Act, and/or the Americans with Disabilities Act. Any employee who engages in workplace or sexual harassment violates this policy and the law Birmingham-Southern College will make reasonable accommodations to employees and applicants with disabilities to allow employees to perform the essential functions of their jobs.

### 5.02 WORKPLACE HARASSMENT DEFINED

Workplace harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual based on race, color, religion, national origin, disability, sex, age, veteran status, sexual orientation or any other legally protected category, or that of an employee’s relatives, friends, or associates, when it:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working and/or educational environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work and/or academic performance; or
3. Otherwise adversely affects an individual's employment and/or academic opportunities.

Workplace harassment includes, but is not limited to the following:

- Epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, national origin, disability, sex, age, veteran status, or sexual orientation.
- Written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, religion, national origin, disability, sex, age, veteran status, sexual orientation or any other legally protected category and that is placed on walls, bulletin boards, or elsewhere on Birmingham-Southern College premises, or circulated in the workplace. This also includes acts that purport to be or are meant to be “jokes” or “pranks”, but are pervasive hostile or demeaning, such as hate mail, threats, cartoons, defaced photographs, and other similar material or conduct.



### 5.03 SEXUAL HARASSMENT DEFINED

Sexual harassment is a particular form of workplace harassment, and is defined as unwelcome sexual advances, requests for sexual favors and any other physical or verbal conduct of a sexual nature when:

- a. Submission to the conduct is an explicit or implicit term or condition of employment or continued employment;
- b. Submission to or rejection of the conduct is used as a basis for employment decisions affecting an employee, such as promotion, demotion, or evaluation;
- c. The conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to the following:

- unwelcome sexual propositions; sexual innuendo
- suggestive remarks
- vulgar or sexually explicit comments
- gestures or conduct
- sexually oriented kidding
- teasing or practical jokes
- and physical contact, such as touching another's body, pinching or patting.

### 5.04 RETALIATION DEFINED

Retaliation, which can include harassing behavior, is an adverse action taken against another person because that person complained of unlawful workplace discrimination or harassment, or otherwise engaged in a legally-protected activity. Retaliation is prohibited and a violation of policy.

### 5.05 SUPERVISOR RESPONSIBILITY

If you are in a supervisory or management position, you are responsible for maintaining the workplace free of harassment and retaliation. In this role, your responsibilities include, but are not limited to, the following:

1. Discuss this policy with your employees and assure that all of them are aware that they can work in an environment free of harassment or retaliation.
2. Assure your employees that they are not required to endure degrading, denigrating, abusive or hostile treatment because of their race, color, religion, national origin, disability, sex, age, veteran status, or sexual orientation.
3. Inform your employees of the complaint process, including the employees' right to bypass an offending supervisor.
4. Immediately report any complaints concerning workplace harassment received from employees to your direct supervisor, the Associate Vice President for Human Resources and Risk Management or the Vice President for Business and Finance & CFO.

### 5.06 EVERY EMPLOYEE'S RESPONSIBILITY

In addition to supervisors and management personnel, you are responsible for helping to assure that Birmingham-Southern College is kept free of workplace and sexual harassment, and retaliation. If you experience or witness workplace or sexual harassment, or retaliation, you must notify your supervisor, the Associate Vice President for Human Resources and Risk Management or the Vice President for Business and Finance & CFO immediately.

### 5.07 REPORTING PROCEDURE

If you believe you have been the victim of workplace or sexual harassment, or retaliation, or if you have witnessed such harassment of another employee, you must immediately report such activity in writing to your immediate supervisor, the Associate Vice President of Human Resources and Risk Management or the Chief of Staff and Vice President for Business and Finance & CFO. Such report will be promptly investigated. Failure to report any witnessed harassment activity within 48 hours is grounds for discipline.

If you are a supervisor and you receive a report of workplace or sexual harassment, or retaliation, or if you have witnessed such harassment of an employee, you must immediately take any action necessary to remove the risk of physical harm to any person. You must then relay the report to the Associate Vice President for Human Resources and Risk Management. If the Associate Vice President for Human Resources and Risk Management is not available, you must relay the report to the Associate Director of Human Resources or the Vice President for Business and Finance & CFO. Failure to report within 48 hours is grounds for discipline.

The Associate Vice President for Human Resources and Risk Management will receive and process all complaints of sexual and workplace harassment, and will assess each such situation by holding fact finding conferences and obtaining statements from employees. The Associate Vice President for Human Resources and Risk Management will report findings to the President and make a recommendation concerning further action and disposition of the matter. After reviewing all the evidence, the President will make a determination whether reasonable grounds exist to believe that unlawful harassment has occurred. If such grounds are found to exist, the President will take all appropriate action to eliminate such conduct and impose appropriate discipline.

In any situation in which the President is accused of violating this policy, the Chairman of the Board of Trustees of Birmingham-Southern College, or a person designated by the Chairman, will fulfill the role of the President.

**5.06 HARASSMENT COMPLAINT MATRIX**

<i>Alleged Harasser</i>	<i>Victim</i>	<i>Complaint Reviewed By</i>	<i>Applicable Policy</i>
Faculty	Faculty	Faculty Advisory Comm.	Faculty Handbook
Faculty	Staff	Faculty Advisory Comm.	Faculty Handbook
Faculty	Student	Faculty Advisory Comm.	Faculty Handbook
Staff	Faculty	Staff Grievance Procedure	Staff Handbook
Staff	Staff	Staff Grievance Procedure	Staff Handbook
Staff	Student	Staff Grievance Procedure	Staff Handbook
Student	Faculty	Student Judicial Process	Student Handbook
Student	Staff	Student Judicial Process	Student Handbook
Student	Student	Student Judicial Process	Student Handbook

Student Handbook: <https://www.bsc.edu/campus/studev/student-handbook/30/#zoom=z>

Faculty Handbook: <https://www.bsc.edu/academics/academic-affairs/handbook/files/assets/basic-html/page-1.html>

**6.00 Drug-Free Campus and Workplace Policy**

Birmingham-Southern College is committed to providing a drug-free campus and workplace environment. As an institution of higher education, the College recognizes the need to establish a drug and alcohol awareness program to educate you about the dangers of drug and alcohol abuse.

You are prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using illicit drugs and unauthorized alcohol on this campus or as part of any of its activities.

The College will impose sanctions (consistent with local, State and Federal law) upon you if you violate the standards of conduct set forth in this policy. Such sanctions may include required completion (at your own expense) of an appropriate rehabilitation program chosen by the College, referral for prosecution, probation, suspension or expulsion of students and suspension or termination of faculty and staff members.

If you are convicted of violating a criminal drug statute and such conviction is for a violation occurring in the workplace, the College shall take appropriate disciplinary action against you, up to and including termination, or shall require you

at your expense, to participate satisfactorily in a drug abuse assistance or rehabilitation program chosen by the College. Notwithstanding any other procedural rule or regulation in any manual or handbook, such action shall be taken within thirty (30) days after the College receives notice of your conviction.

The unlawful possession, use, or distribution of illicit drugs and alcohol is punished by harsh sanctions under the Federal and State of Alabama laws, including but not limited to long-term confinement and substantial fines.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

The use of drugs can pose many risks to health. It can cause high blood pressure, heart or respiratory failure, impaired memory or injury, even death through violence or self-destructive behavior. Even infrequent use may lead to tremors, impaired sexual response, cardiovascular damage, and impaired performance, which could lead to poor grades, financial problems and interpersonal conflicts. (What Works: Schools Without Drugs, U. S. Department of Education (1992))

If you are engaged in the performance of federal grants or contracts, primarily if you are employed in the Finance Office, Student Financial Aid, and Sponsored Projects you will agree to abide by the terms of this policy as a condition of your employment and will notify the College of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after that conviction. Failure to so inform the College subjects you to disciplinary action, up to and including termination for the first offense. By law, the College will notify the federal agency within ten (10) days of receiving such notice from you or otherwise receiving notice of such a conviction.

This policy is established as required by the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

## **7.00 Categories of Employment**

All employees serve at the discretion of the President of the College, with the exception of the President who serves at the discretion of the Board of Trustees. The President is the final authority for the establishment of positions, titles, length of appointments, salaries, and benefits.

Your employment with Birmingham-Southern College is classified in two different ways: first, according to the number of hours you are scheduled to work, and second, according to your job duties and responsibilities.

There are working hour classifications:

- Full time – You are classified as full-time if you are regularly scheduled to work 37.5 hours per week or more. If you work for Campus Police or Operations you are scheduled to work 40 hours per week.
- Part time – You are classified as part-time if you are regularly scheduled to work less than 37.5 hours per week. If you work for Campus Police or Operations you are scheduled to work less than 40 hours per week.
- Temporary – You are classified as temporary if you are hired for a specific purpose or project or if your employment is so designated at the time of hire.

There are also two job duty classifications: exempt and non-exempt. Birmingham-Southern College classifies you as

either exempt or non-exempt for purposes of the federal wage and hours laws based on your job duties and responsibilities. If you believe you have been misclassified, you must notify the Human Resources Office immediately.

## **8.00 Eligibility for Employment**

### **8.01 ELIGIBILITY REQUIREMENTS**

An individual seeking employment must be eligible to work in the United States in accordance with applicable immigration laws. All employees hired after November 6, 1986, must complete a Form I-9 and submit evidence of identity and eligibility as required by the Form I-9. Employees must also satisfy the requirement of the Alabama Child Protection Act of 1999. Your employment is likewise contingent upon a verification of eligibility of employment via the federal E-Verify program, as required by the Beason-Hammon Alabama Taxpayer and Citizen Protection Act. If you are a former employee who terminated your employment from the College in good standing and you are seeking re-employment; you must meet all requirements for the position under consideration. If re-employed, you will be considered a new employee. Employees whose jobs require operation of a vehicle must also meet the safe driver requirements as determined by the Human Resources Office and the College's automobile insurance carrier.

### **8.02 EMPLOYMENT OF FAMILY MEMBERS**

Birmingham-Southern College does not permit employment of Family Members of current Birmingham-Southern College employees in the same department or in situations where one family member would have the opportunity to affect the employment of the other. Examples of situations where employment of a relative would not be appropriate:

- One family member is responsible for directing and assigning the work of the other family member.
- One family member has the authority to affect the pay and benefits of the other family member.

"Family members" within the meaning of this policy include the following relationships (including natural, half, adoptive, step, foster, and in-law):

- Spouse
- Parent
- Child
- Grandparent
- Grandchild
- Sibling
- Uncle/Aunt
- First cousin

If you are or become related to another employee and your work relationship might be prohibited by this policy, you must report the situation to the Human Resources Office immediately. The President will review situations involving the employment of family members and determine whether the working relationship is appropriate. The President's decision in this respect will be final.

### **8.03 PERSONNEL RECORDS**

The Human Resources Office maintains a permanent employment record on you. Your file may include, but is not limited to, application for employment, references, correspondence, reprimands, wage changes, benefit enrollment forms, and tax deduction information.

During active employment at the College, you may review your personnel file upon submitting a written request for access to the Human Resources Office.

### **8.04 INITIAL EMPLOYMENT PERIOD**

If you are a newly-hired employee, or an employee transferred to another position or an employee promoted to a higher level position, you will be considered on an introductory status for a period of ninety (90) calendar days from the date of employment or promotion. During this period, your immediate supervisor will observe your work performance and general suitability for the position. At your supervisor's discretion your introductory period may be extended for no more than an additional ninety (90) day period.

Your immediate supervisor will file a performance evaluation no later than ten (10) working days prior to the end of the introductory period. There is no obligation to continue employment through the introductory period. Your Supervisor is responsible for initiating termination if your performance is not acceptable. You do not have access to the grievance procedure during the introductory period or with respect to termination of employment at the end of the introductory period.

An electronic copy of the evaluation will be maintained by the Human Resources Office.

## 8.05 JOB VACANCIES AND PROMOTIONS

Birmingham-Southern College will post openings for staff positions so that you may apply for these positions. Management may, on occasion, deem it necessary to transfer or relocate employees to other departments without posting the position.

The posting will include a job summary and minimum qualifications. If you are interested in applying for a posted position and can meet the job requirements, you must contact the Human Resources Office.

You may not apply for a posted position if you have served less than one (1) year in your current position.

You may not apply for a posted position if you have been issued any form of disciplinary notice within six (6) months prior to the posting of the open position. Birmingham-Southern College may consider disciplinary notices older than six (6) months in reviewing qualifications for the position.

Consideration for transfer will be based on the applicants' current job performance, ability to meet all posted job requirements, and Birmingham-Southern College's staffing needs. The utmost consideration in all circumstances is that service quality be maintained for all affected departments.

You are not guaranteed a promotion or transfer solely because you are the only applicant. Birmingham-Southern College may seek additional qualified applicants from outside sources when it deems appropriate. If you are not selected for the position for which you applied, the Human Resources Office will notify you.

If you are selected for a posted position, the Human Resources Office will notify you and you will be responsible for notifying your supervisor. Your starting date in the new position will be determined by management based on staffing and other departmental needs with due regard for providing the best service. It is expected non-exempt employees will serve a two-week notice and exempt employees will serve a one-month notice before transferring.

Lateral transfers do not receive a salary increase.

## 8.06 RESIGNATION AND TERMINATION

If you are an exempt employee you must provide one calendar month's notice when resigning from the College unless notice is waived by your supervisor. If you are a non-exempt employee you must provide two working weeks notice unless notice is waived by your immediate supervisor.

The College will provide one month's notice of termination to exempt employees. Non-exempt employees will receive two working weeks notice of termination.

Benefits will cease at the end of the month following your last day worked except life insurance benefits, which terminate on your last day worked. Health, dental, and vision insurance benefits may be continued through the provisions as provided by COBRA (Consolidated Omnibus Budget Reconciliation Act of 1986).

See section 12.06 for an explanation of payment of accrued annual leave.

See section 13.01 for explanation of Holiday pay for Campus Police and Operations.

## 8.07 REDUCTION IN FORCE

Whenever the President determines that a reduction in force is required, the President, the Administrative Officers, and

the Associate Vice President for Human Resources and Risk Management will take into account the employees' relative performance levels, abilities, versatility, and the needs of the department. When all other factors are equal, seniority will govern.

## 9.00 Compensation

The Birmingham-Southern College Board of Trustees may approve a salary increase each fiscal year, at its discretion. Individual salaries and wages within the Board-approved increase must be recommended by your supervisor and approved by your Administrative Officer and the President to become effective.

### 9.01 PAYROLL PERIODS

You are paid either on a monthly or semi-monthly basis.

For exempt, monthly-paid employees, payroll statements are distributed on the 29th of the month, or the last working day prior to that date. Notification of any changes must be received in writing by the Human Resources Office by the 15th of the month in which the change is to be made.

For semi-monthly-paid employees, payroll advices are distributed on the 15th and the last day of the month, or the last working day prior to that date. Notification of any changes must be received in writing by the Human Resources Office by the 7th of the month in which the change is to be made.

Your payroll advice shows your gross pay, deductions and net pay amount. You must review it for errors immediately upon receipt. If you suspect errors in your paycheck (deductions, hours worked, incorrect pay rate, etc.), you must bring the suspected error to the attention of the Human Resources Office immediately and in no event later than the end of the next payroll period.

### 9.02 HOURS OF WORK

If you are a full-time employee, you are normally expected to work a seven and a half hour day, five days per week, unless you and Birmingham-Southern College have made prior arrangements for you to work a shortened work week. Campus Police and Operations are expected to work an eight hour day, five days per week.

If you are a part-time employee, your working hours will be established by your supervisor.

The College's normal workday begins at 8:15 A.M. and ends at 4:45 P.M. The workweek begins at 12:01 am on Saturday and ends at 12:00 midnight on Friday. Campus Police and Operations employees have designated shifts. You are expected to report to work on time and remain on the job throughout the regular workday. Your supervisor must approve any deviations from the stated workday. A one-hour meal period (usually taken between 12:00 noon and 1:00 PM) is provided by the College, but is not included in the normal workday. A thirty-minute meal period is provided for Campus Police and Operations.

### 9.03 WORKING TIME RECORDS

You are responsible for keeping and reporting an accurate record of the hours you work. If you are classified as a non-exempt employee you must reflect actual hours you work each day as well as hours you do not work (annual leave, sick leave, holidays, etc.). If you are classified as an exempt employee you must report hours not worked (annual leave, sick leave). Failure to keep accurate time records will result in discipline. Falsification of time records by any method will result in discharge.

### 9.04 OVERTIME

Sometimes work beyond the normal business hours is necessary and unavoidable. Your supervisor will make reasonable efforts to avoid requiring overtime and to schedule overtime with as much notice as possible. If your supervisor notifies you that you must work overtime, the overtime is mandatory and failure to work may result in discipline.

If you are a non-exempt employee and you are required to work overtime, you will be paid one-and-one-half times your regular rate of pay for each hour over 40 hours in a workweek. Time not worked (such as sick time, annual leave time, and holidays) does not count toward the 40 hours worked.

The workweek begins at 12:01 am on Saturday and ends at 12:00 midnight on Friday. No “comp time” will be carried from one work week to the next.

You are not permitted to work overtime without the express, prior approval of a supervisor with appropriate authority. Working overtime without approval will result in disciplinary action.

If you are a supervisor, you have the responsibility to minimize overtime by monitoring and maintaining appropriate workloads and staffing levels.

## 9.05 PAYROLL DEDUCTIONS

Deductions from your payroll check may include the following:

- Federal and State withholding tax
- Social Security (FICA & Medicare)
- Local occupation tax
- Court Ordered garnishments
- TIAA (retirement fund)
- Group life insurance
- Group health insurance, dental insurance
- Other approved deductions
- United Way
- Donor Gifts
- Flexible Benefits Plan
- HSA Deductions

If you are a Monthly paid employee you must notify the Human Resources Office in writing of any changes to be made by the 15th of the month in which the change is to be made.

If you are a Semi-Monthly paid employee you must notify the Human Resources Office in writing of any changes to be made by the 7th of the month in which the change is to be made.

## 9.06 BENEFITS

The College must reserve the right to modify its benefits program as circumstances dictate. The College will always endeavor to provide the most attractive benefits package possible. An outline of the benefits offered by the College may be viewed at [www.bsc.edu/administration/humanresources/benefits.html](http://www.bsc.edu/administration/humanresources/benefits.html).

The descriptions of employee benefits, such as group health insurance and retirement benefits, on the website are designed to provide a general overview. In case of any conflict between the website and any applicable employee benefit plan, the terms of the official plan documents control. If you have any questions about an employee benefit plan, or if you care to review the plan documents, you should contact the plan administrator.

## 9.07 EDUCATION TUITION REMISSION

Full-time employees and their dependents are eligible to receive tuition benefits at the College.

### *Part-time Undergraduate Study*

Employees and their spouses are eligible from the date of employment, effective the start date of the following academic term, for 100% tuition remission for part-time undergraduate study at BSC. Tuition remission will be granted for one (1) unit of study per term, with a maximum benefit of three (3) full units per fiscal year. Tuition remission for part-time undergraduate study for employees and their spouse includes tuition, student activity fee, and post office rental.

### *Full-Time Undergraduate Study*

Employees' children, adopted children, legal wards under the age of 25, and a spouse (“eligible dependents”) are entitled to full tuition remission at BSC after the employee has completed two (2) consecutive years of continuous employment, with work hours totaling at least 35 hours per week for staff employees, effective the start date of the following academic term. Eligible dependents must be enrolled as a first time baccalaureate degree candidate, must

meet all the standard requirements for admission, and must maintain satisfactory academic progress. Eligibility will continue for no more than six (6) calendar years from the date of first enrollment. Tuition remission for full-time undergraduate study for eligible dependents covers tuition only; the student must pay all fees. Under no circumstances will the total financial package exceed the total need of the student. Employees and their dependents who participate in the tuition remission program are not eligible to receive other institutional aid, with the exception of the federal Pell grant, the federal work study program, the federal Supplemental Educational Opportunity Grant (SEOG), the federal Perkins and direct loans (e.g. Stafford), and the Alabama State grant. An employee with ten (10) or more years of continuous service who dies, retires, or becomes disabled while employed by the College will continue to receive tuition benefits for dependent children who are currently enrolled. A dependent spouse, who is currently enrolled, is eligible for tuition benefits for the years after the death or disability, unless the dependent spouse enters upon a new marriage, at which time the benefits will discontinue.

Application for tuition remission must be submitted to Human Resources for eligibility approval. The Tuition Remission form must be submitted annually during open enrollment (typically November) for eligibility determination for the upcoming academic year.

Upon termination of employment with the College, the employee, spouse, and dependent(s) will no longer be eligible for tuition remission, effective the end of the current enrolled academic term.

## 9.08 EDUCATION TUITION EXCHANGE

Staff members with dependents planning to enter college may apply for Tuition Exchange scholarships at many colleges across the United States. The parent of the student must meet the tuition remission eligibility guidelines in Section 9.07.

You should contact the Financial Aid Office at least 18 months before the student plans to enter college to determine participation guidelines and college options.

## 10.00 Performance Evaluations

The College requires a performance evaluation near the end of your first 90 days of employment period and annually thereafter for each regularly employed staff member.

The purposes of the performance evaluations are:

1. To increase the effectiveness of each staff member and department, thereby increasing the effectiveness of the College.
2. To increase the staff member's awareness of professional strengths and weaknesses.
3. To establish a basis for counseling and making personnel decisions.
4. To identify opportunities for personal and professional growth.

The evaluation process will begin October 1 and all employee self-appraisals must be completed by November 21 and manager appraisals and face-to-face meetings must be completed no later than December 18.

If you do not receive a performance evaluation within the time set by Birmingham-Southern for performance evaluations to be administered, it is your responsibility to remind your supervisor. If you still do not receive a performance evaluation within the time set by Birmingham-Southern College, you must report it to the Human Resources Office.

## 11.00 Workplace Policies

### 11.01 ATTENDANCE

Birmingham-Southern College expects you to show up, on time, for work each scheduled day. You could be disciplined or discharged for excessive absenteeism or tardiness.

### 11.02 WORK ACTIVITIES



Birmingham-Southern College expects that you will devote your complete time and attention to your job while you are at work. Please keep non-work activities to an absolute minimum so that your work performance does not suffer and so that you do not distract other employees.

## 11.03 RESOLUTION OF DISPUTES

Birmingham-Southern College encourages an open line of communication in order to avoid misunderstandings between individual employees and management. The procedures outlined below are intended to establish an informal process to keep this channel of communication open between you and your supervisor. This procedure is not intended to mitigate the responsibility of you and your supervisor to work out differences together.

**STEP ONE** - If a difference arises, you and your supervisor must make a reasonable effort to settle the difference informally and amicably. You and your supervisor are expected to contribute to a just and equitable resolution of the difference.

**STEP TWO** – If you are still dissatisfied after you and your supervisor have made a reasonable effort to settle the difference, you may inform your supervisor that you would like to discuss the meeting with the head of your department. Your supervisor will arrange for a meeting with the head of your department.

**STEP THREE** – If you and the head of your department do not resolve the difference to your satisfaction, you should state your understanding of the issue in writing and provide it to the head of your department within seven days after your meeting, stating the reason for your dissatisfaction with any resolution suggested by the head of your department. Your department head will arrange for you to meet with your Vice President, the Associate Vice President for Human Resources and Risk Management and your supervisor. You and your Vice President will arrive at a final resolution.

## 11.04 CONDUCT

Birmingham-Southern College expects you to conduct yourself in a responsible, professional and courteous manner at all times. If you engage in unacceptable conduct while working, or while on college premises, or when you might be perceived as a representative of or reflection upon Birmingham-Southern College, you may be subject to discipline up to and including discharge.

The following examples of unacceptable conduct may result in discipline, up to and including immediate termination. These are examples only and do not necessarily include all conduct for which discipline may be imposed. Situations usually resulting in disciplinary action include, but are not necessarily limited to:

1. Falsifying information to Birmingham-Southern College or its directors, officers or employees.
2. Dishonesty, fraud, or embezzlement.
3. Violation of secrecy regarding transactions which are held in confidence and trust, including the removal of files or other information from Birmingham-Southern College for other than official purposes.
4. Theft or misappropriation of property of Birmingham-Southern College or other employees or students.
5. Using, selling, buying, possessing, or passing illegal substances on Birmingham-Southern College campus or during working hours or when you can be perceived as a representative of or a reflection on Birmingham-Southern College.
6. Using or being under the influence of alcohol during working hours or on Birmingham-Southern College campus or in College vehicles. Birmingham-Southern College reserves the right to require you to undergo drug or alcohol testing if Birmingham-Southern College has a reasonable suspicion that you have violated the drug or alcohol policy or if you are involved in an accident on working time or on Birmingham-Southern College campus.
7. Willful disobedience of instructions or directions issued by supervisory employees.

8. Fighting, threatening or using profane or abusive language toward fellow employees, students, or Birmingham-Southern College officials.
9. Willful or repeated neglect of duties.
10. Willfully concealing, while on duty, any known infections, contagious or communicable disease that presents a risk of infection toward other employees or members.
11. Willful damage of Birmingham-Southern College property or equipment.
12. Misuse of the electronic communications systems, including but not limited to providing information which would enable or assist unauthorized users to access any information in the electronic communications systems.
13. Conviction of a criminal offense involving moral turpitude or another offense that reflects negatively upon Birmingham-Southern College or impairs your ability to perform your duties at Birmingham-Southern College.
14. Failure to maintain eligibility for bonding.
15. Accepting gifts, loans, favors, or any other thing(s) of value from anyone with the expectation of favoritism or preferential treatment.
16. Violation of Birmingham-Southern College's discrimination or harassment policies.
17. Performing personal transactions for yourself, a family member, or a person with whom you have any romantic or close personal relationship, in any account in which you may have any personal interest and/or be an authorized signer.
18. Engaging in any transaction that might give the appearance of a conflict of interest.
19. Making unauthorized audio or video recordings of conversations, meetings, telephone calls or transactions in the workplace.
20. Violation of the firearms policy.
21. Violation of other policies or procedures of Birmingham-Southern College.

#### 11.05 REPORTING OF CRIMINAL CHARGES AND TRAFFIC VIOLATIONS

You must advise the Human Resources Office within 24 hours if you are arrested or convicted for a crime. This requirement applies whether the conduct was allegedly committed on or off duty.

You must report traffic violations if you drive a College owned, leased, or rented vehicle as part of your job.

#### 11.06 CONFLICT OF INTEREST

All employees must conduct College-related business, activities, and relationships without actual or apparent conflicts of interest. Conflicts may occur when an employee is in a position to influence a decision that may result in a direct or indirect personal gain for that employee, or a family member, friend or associate as a result of the College's business dealings. Additionally, full-time employment at the College is expected to be an employee's primary job. Outside employment may be allowed only if the employment does not interfere with work at the College, violate the College's policies, bring discredit to the College, or conflict with the policies, interests and mission of Birmingham-Southern. All employees considering or engaged in outside business or employment activities must disclose such activities, as follows:

1. All staff employees must disclose to the Associate Vice President for Human Resources and Vice President of the area, in writing. The Associate Vice President for Human Resources and Vice President for the respective area may

request additional information deemed necessary to evaluate the disclosure, and have final authority to confer and determine if a conflict of interest exists.

2. All faculty employees must disclose to the Provost and Area Chair, in writing. The Provost and Area Chair, in consultation with the Associate Vice President for Human Resources, may request additional information deemed necessary to evaluate the disclosure, and have final authority to confer and determine if a conflict of interest exists.

The full Conflict of Interest Policy and Statement is available from Human Resources, or at <https://www.bsc.edu/policies/hr/CONFLICT%20OF%20INTEREST.pdf>. Failure to comply with the requirements of Conflict of Interest Policy and Statement may result in disciplinary action.

## 11.07 CONFIDENTIAL COMPLAINT PROCEDURE

The College has in place a Confidential Complaint Procedure to allow you to convey concerns you might have if you perceive there to be an issue related to the proper financial management of the College. Should you have any concerns about, or knowledge of, questionable accounting or financial practices, including theft, fraud, or kickbacks, you should report it promptly. If you do not feel comfortable reporting through normal College channels, you may convey your concerns anonymously by letter to: Jim Newberry at Steptoe & Johnson PLLC, 700 North Hurstbourne Parkway, Suite 115, Louisville, Kentucky, 40222. The information will then be shared anonymously with the Chair of the College's Audit Committee.

## 11.08 SOLICITATION AND DISTRIBUTION

Persons who are not employees of Birmingham-Southern College are not permitted to engage in solicitation or distribution activities at any time on Birmingham-Southern College property without prior approval.

## 11.09 ELECTRONIC COMMUNICATIONS

Birmingham-Southern College recognizes the role of information and technology in the academic community and in the larger society. It is the policy of the College to provide you with access to a variety of technology resources and to provide opportunities for you to learn to utilize these resources effectively and efficiently. In return, the College expects that technology will be used in legally and ethically appropriate ways, consistent with the Mission Statement of the College. You should contact the Information Technology Help Desk (226-3033) with any questions about the use of electronic communications.

The Ethical Use Policy is located at: <https://www.bsc.edu/policies/it/Ethical%20Use%20Policy.pdf>

Additionally, employees must be mindful of social media use. Social media is a powerful form of communication that can have a significant impact on organizational, professional, and individual reputations. Examples of social media sites include but are not limited to Facebook, Twitter, Instagram, LinkedIn, Tumblr, Google+, as well as personal websites and weblogs (blogs). Employees must exercise care when participating in social media and not blur the lines between personal and professional content, lawful and unlawful, and between public and private content. All communications made on behalf of the College must be made or approved by the Director of Communications. When using personal social media sites, employees must be clear that they are not speaking on behalf, or representing the views of, the College. Employees should follow the same standards of behavior "online" as they would if in "person." If an Employee becomes aware of a violation of this policy, please report it to an appropriate supervisor or to Human Resources.

If an employee experiences any harassment or retaliation for reporting a violation of this policy, it should be immediately reported to a supervisor or Human Resources.

## 11.10 SMOKING

All Birmingham-Southern College facilities, including the residence halls, are non-smoking. You may not smoke within 25 feet of any Birmingham-Southern College academic or administrative facility unless it is a designated smoking area. You may not smoke within 50 feet of any Birmingham-Southern College residential hall. You may not smoke in any Birmingham-Southern College vehicle.

## 11.11 PARKING

A Birmingham-Southern College parking decal must be properly displayed on your front windshield, lower left driver's side. You may obtain, at no charge, a decal from the Bursar's Office. Green curbs are designated for staff parking. White/unpainted curb and lots are designated for student parking. You may also park in white/unpainted spaces however it is preferable that you park in the green spaces. Blue curbs are designated for disabled parking.

Disabled parking placards issued by the state and BSC are honored. BSC temporary disabled parking placards may be obtained from Campus Police. Parking is prohibited in non-designated areas.

## 11.12 IDENTIFICATION CARDS

Identification cards for all College employees should be obtained from the Bursar's Office. Identification cards entitle you to free or reduced admission charges to campus events and are required for the use of the Rush Learning Center-Miles Library and the Striplin Athletic Center. In order to use the ID card as a debit card in Campus Dining, you must deposit money with the Bursar's Office. When your employment with Birmingham-Southern College is terminated, you must return your identification card to the Human Resources Office during your Exit Interview.

## 11.13 REIMBURSEMENTS

You should contact the Finance Office (226-4630) for College policy on travel and reimbursements for travel expense. College Travel Authorization and Travel Expense forms are located at: <https://www.bsc.edu/administration/finance/forms/Expense.xls>.

## 11.14 OPERATING VEHICLES FOR COLLEGE PURPOSES

Drivers of college-owned, leased, or rented vehicles are responsible for the safe operation and cleanliness of the vehicle. Accidents should be reported immediately to the Associate Vice President for Human Resources and Risk Management. Drivers should also notify Human Resources before they drive a college-owned, leased, or rented vehicle to verify safe-driver eligibility.

Employees are not permitted, under any circumstances, to operate a College-owned, leased, or rented vehicle when any physical or mental impairment causes the employee to be unable to drive safely. Smoking is not allowed inside college-owned or leased vehicles.

Employees may not use a hand-held cell phone while operating a vehicle whether the vehicle is in motion or stopped at a traffic light. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, and reading or responding to emails, instant messages, and text messages.

Employees approved to drive College-owned, leased, or rented vehicles are required to complete driver safety training on an annual basis.

## 11.15 EMPLOYEE TRAINING

The College is obligated to provide necessary training to College employees, and retains the right to identify certain training as mandatory. Where identified as mandatory, training will be considered a job responsibility, as it is integral to the quality of work performed by the employee and contributed to the overall effectiveness of the College.

Some training may be mandatory for particular positions or may require full participation by all BSC employees. Mandatory training classes will be made available through the Human Resources Office.

Noncompliance with mandatory training will subject the employee to loss of certain College privileges and disciplinary actions, up to and including termination of employment. Exceptions may be granted waived by the President if it is in the best interest of the College or if it is warranted because of an extreme personal hardship suffered by an employee.

Satisfactory completion of mandatory training must be documented by the Human Resources Office. Such documentation is a prerequisite for authorization to perform certain tasks; e.g., drive a College-owned vehicle.

## **12.00 Leave**

### 12.01 ANNUAL LEAVE

#### 12.02 ACCRUAL OF ANNUAL LEAVE

You may accumulate annual leave according to the following schedule:

1–3	Years of Service	1 day per month
3 –15	Years of Service	1.5 days per month
15+	Years of Service	2 days per month

A year of service is defined as completion of one year of service effective with your date of hire. Accrual begins the first month of employment if your date of hire is on or before the fifteenth of the month and at the first of the following month if the date is after the fifteenth. Your accrual rate will increase in the month of your date of hire if the date is before the fifteenth of the month or on the following month if the date is after the fifteenth.

One annual leave day will be equivalent to one “employee work day” An “employee work day” will equal the average number of hours you are regularly scheduled to work each day. If you are a temporary employee, you are not eligible to accrue or take annual leave.

If you are a part-time employee (half-time or greater), you may accrue annual leave which would be pro-rated based on your employee work day.

When a recognized holiday falls within your annual leave period, the holiday will not be considered as annual leave. In cases when inclement weather causes the College to officially close the campus during your annual leave, the day will not be counted as an annual leave day.

You will be charged three (3) annual leave days during Christmas/New Year’s Break. In your initial year of employment with the College if you are hired between June 1 through the Christmas/New Year’s Break, you will not be charged three (3) annual leave days.

You are required to use accrued annual leave before taking leave without pay.

#### 12.03 SCHEDULING AND USING ANNUAL LEAVE

You are eligible to take annual leave after six months of employment, subject to scheduling requirements.

You must schedule annual leave time in advance with your supervisor. You should give as much notice of annual leave as possible. Birmingham-Southern College requires you to be considerate of other employees when scheduling annual leave. You are responsible for complying with any department rules on the scheduling of annual leave. Your request for annual leave may be denied depending upon the requirements of your department.

If you wish to take more than 10 consecutive workdays of annual leave, you must submit a written request to your supervisor no less than 90 days prior to the beginning of the requested annual leave period.

Annual leave may accumulate up to a maximum of 30 work days. If you leave employment, you will forfeit any accumulated annual leave days over 18 days.

#### 12.04 PAY DURING ANNUAL LEAVE

If you are an eligible full-time employee, you will receive 7.5 hours of pay at your regular, straight time rate of pay (excluding bonuses and other compensation) for each day of approved annual leave you may take. Campus Police, Landscape Services, and Operations staff will receive 8 hours of pay at your regular, straight time rate of pay

(excluding bonuses and other compensation) for each day of approved annual leave you may take.

#### 12.05 TERMINATION OF EMPLOYMENT

You will be paid for a maximum of 18 days of your actual accrued and unused annual leave time upon retirement or termination of employment if you give proper notice. You will forfeit any accumulated days of annual leave over 18 days. Proper notice is defined as one month if you are classified as an exempt employees and two-weeks if you are classified as a non-exempt employee. If you do not give proper notice you will forfeit all annual leave pay. Your estate will be paid a maximum of 18 days of your actual accrued and unused annual leave if you die during your employment.

If you terminate your employment or are terminated before completing the initial six month employment period you will not be paid for accrued annual leave days.

If you have taken annual leave days that have been advanced but not accrued you will be required to pay back that advanced but not accrued annual leave at the time of separation from employment.

#### 12.06 SICK AND SAFE LEAVE

#### 12.07 ACCRUAL OF SICK AND SAFE LEAVE

If you are a full-time employee, you may accrue sick and safe leave (SSL) at the rate of 7.5 hours per month. If you are a full-time Campus Police, Landscape Services, and Operations Staff you may accumulate sick leave at the rate of 8.0 per month. (12 days per year).

If you are a part-time employee who works a minimum of 18.75 hours per week you may accrue SSL on a pro-rated basis commensurate with your work day.

SSL may be accumulated up to a maximum of 90 "employee work days". Accrual begins the first month of employment if begun on or before the fifteenth of the month and at the first of the following month if the date of employment is after the fifteenth.

#### 12.08 SCHEDULING AND USING SICK AND SAFE LEAVE

You may take SSL for your illness, doctor and dental appointments, for conditions of pregnancy, birth of a child, the placement of a child for adoption or foster care; to provide care during illness of your spouse, your dependent child or your parent (does not include parent-in-law), and when you or a family member have been the victim of domestic violence, a sexual offense or stalking, and need to do any of the following: obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program for relief from domestic violence, a sexual offense, or stalking; (ii) participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of you or your family members; (iii) meet with a civil attorney or other social service provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding, related to domestic violence, a sexual offense, or stalking; (iv) file a complaint or report with law enforcement; (v) meet with a district attorney's office; (vi) enroll children in a new school; or (vii) take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of you or your family member.

Because SSL is to be used solely for the reasons stated in this policy, you will not be paid for any accumulated SSL upon termination of employment.

You may not use SSL for a day that falls immediately before or after a scheduled annual leave or holiday unless you present a written doctor's excuse or information regarding safety on the first day of your return to work.

Birmingham-Southern College may deny the payment of SSL if you are unable to provide evidence of your need for such leave in accordance with this SSL policy upon request.

For SSL related to sickness, you must provide documentation supporting your absence to your supervisor from a physician if you are absent for three (3) or more days consecutively, or in a single work week. For SSL related to safety, you must submit reasonable documentation showing that the use of safe time was authorized by this policy,

such as a document signed by an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional service provider from whom you or your family member has sought safety related assistance, or a notarized letter from you explaining the need for such leave.

## 12.09 PAY DURING SICK AND SAFE LEAVE

If you are an eligible full time employee, you will receive up to 7.5 hours of pay at your regular, straight time rate of pay for each day of approved SSL you may take. Campus Police and Operations staff will receive up to 8.0 hours of pay at your regular, straight time rate of pay for each day of approved sick leave you may take.

## 12.10 NOTIFICATION OF SICK AND SAFE LEAVE

If you need to take SSL for a medical condition or illness of your own or your family member, you must give as much notice to your supervisor as possible.

Unless you are on approved Family and Medical Leave, you must contact work each day that you take SSL. You must speak directly to or email your supervisor, or if your supervisor is not available, you must leave a voice mail message or email for your supervisor

## 12.11 SICK AND SAFE LEAVE BANK

You may be eligible to receive donated SSL if you have a serious health condition, are caring for your spouse, child, or parent (not parent-in-law) due to a serious health condition (as defined by the FMLA), have given birth to a child or received the placement of a child for adoption or foster care, or have a serious safety issue. You will be required to furnish applicable documentation.

You must have a minimum balance of 10 days SSL and annual leave (combined) at the time your Family and Medical Leave is approved to be eligible to receive donated leave. In addition, in order to use donated leave you must first exhaust your own sick and annual leave accrual. You may receive no more than 3 months (approximately 65 days) of donated time.

### Donation of Leave

You may voluntarily donate SSL or annual leave. A maximum of 5 days per fiscal year (06/01-05/31) may be donated. A minimum balance of 12 SSL days must remain in your accrual balance after the donation(s) of leave.

Birmingham-Southern College has the sole discretion to determine use of the SSL bank on a case-by-case basis.

## 12.12 FUNERAL LEAVE

You may be granted up to a maximum of three (3) scheduled work days (22.5 hours) (24 hours for Campus Police and Operations) with pay to attend the funeral of a family member listed below, depending upon the circumstances and the requirements set out below.

Family members whose funerals are covered under this policy include:

Spouse, child, or parent (all of which are defined in the same manner as in the Family and Medical Leave Policy), sibling, sibling-in-law, parent-in-law, grandchild or grandparent.

No funeral pay will be granted for any absences occurring during any leave of absence or paid holiday. You may, however, cancel and reschedule any annual leave and replace it with funeral leave (if approved) for any annual leave days that occur during funeral leave.

You will receive up to 7.5 hours of pay (8 hours of pay for Campus Police and Operations) depending upon your regular work schedule at your regular, straight time rate of pay for each day of approved funeral leave you may take.

You may request an exception to the definition (in consideration of extended families) by submitting the request in writing to your supervisor. For the funeral of someone other than your immediate family, you may request time off for

## **13.00 Holidays**

Birmingham-Southern College generally observes the following holidays:

Martin Luther King Day

Good Friday

Memorial Day

Independence Day

Labor Day

Thanksgiving Day and the day after

Approved annual Christmas/New Year's work schedule (10 days): 3 days annual leave 7 Holiday days Holiday

Any paid holiday falling on a Saturday will normally be observed on the Friday preceding that Saturday; any holiday falling on a Sunday will normally be observed on the Monday immediately following that Sunday. You must be present the days immediately before and after authorized holidays (or on pre-approved annual leave, pre-approved personal holiday, or sick leave with a written doctor's excuse presented on the first day of your return to work) to be paid for said holidays.

The President of the College may designate additional days as official holidays.

You will be charged three (3) annual leave days during Christmas/New Year's Break. In your initial year of employment with the College if you are hired between June 1 through the Christmas/New Year's Break, you will not be charged three (3) annual leave days.

You may not substitute these paid holidays for other days off unless your supervisor requires you to work on a holiday due to business needs. If you are required to work on a regular holiday, you will be paid for your working day and you may schedule another day off to make up for the missed holiday within 6 months of the missed holiday. Make-up holidays must be scheduled in the same manner as Annual Leave Days.

### **13.01 HOLIDAY PAY**

If you are an eligible full time employee, you will receive 7.5 hours of pay at your regular, straight time rate of pay for each full paid holiday. Campus Police, and Operations will receive 8 hours of pay at your regular rate for each full paid holiday.

If you are an eligible, regular, part-time employee, you will receive your scheduled hours of pay at your regular, straight time rate of pay for each full paid holiday.

You will not receive holiday pay for any day that falls during a week in which you would not ordinarily be scheduled to work. You will be paid for holidays occurring during an approved leave of absence.

Holidays do not count toward working hours for purposes of overtime.

If you are classified as a non-exempt employee and are required to work on a designated holiday you will receive regular pay plus pay at one and one-half times the hourly wage for work over 40 hours or compensatory time-off work. You will not be paid for any unused holidays upon termination of employment unless your shift (Campus Police or Operations) required you to work during that time.

## **14.00 Other Paid Time Off Work**

### **14.01 JURY DUTY**

If you are summoned to Jury Duty, you must provide your summons to your supervisor immediately and in no event more than one business day after you receive it. If you are released from Jury Duty for any one-half day or more during Jury Duty, you must report to work or immediately notify your supervisor that you cannot report to work and the reason.



Birmingham-Southern College will pay you your regular compensation for each day of Jury Duty unless you are released for a half-day or more and fail to report to work.

## 14.02 SUBPEONAED WITNESS

If you are subpoenaed as a witness or interested party, you will be allowed the necessary time off to appear in court. The time off will not be considered as annual leave or time taken without pay.

## 14.03 VOTING TIME OFF

The College encourages you to be a registered voter. Voting hours are such that you should be able to vote before or after work. If your work schedule is such that it does not allow voting time before or after work, your supervisor may allow you time off to vote during working hours with no reduction in pay.

## 15.00 Leaves of Absence

### 15.01 FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act provides for up to twelve (12) weeks of **unpaid** leave during a one year period for certain qualifying events.

### 15.02 ELIGIBILITY FOR FAMILY AND MEDICAL LEAVE

If you are eligible for Family and Medical Leave ("FML"), you may take up to 12 weeks of unpaid leave in a rolling 12-month period measured forwards from the date the first leave began. FML can be taken for any of the following reasons:

- For the birth and care of a newborn or newly adopted or newly placed foster care child during the 12 months following the child's birth or placement.
- To attend to your own serious health condition that leaves you unable to perform your job.
- To care for your child, spouse or parent who has a serious health condition.
  - o The term child is defined as: a biological, adopted or foster child under the age of 18; anyone who is treated as your child who is under age 18, which may include the child of your spouse who lives with you or your grandchild who lives with you; and any physically or mentally disabled child of any age who is incapable of self-care.
  - o The term spouse is defined as your husband or wife recognized by applicable state laws, including common law spouses recognized by state law. Please note that since January 1, 2017, no new common law marriages are effective in Alabama, while an otherwise valid common-law marriage entered into before January 1, 2017 continues to be valid.
  - o The term parent is defined as your biological father or mother or anyone who treated you as a son or daughter when you were under the age of 18 years. This term does not include in-laws.
- Because of any qualifying exigency arising out of the fact that your spouse, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

Leave will be granted under this paragraph according to applicable law and regulations. You are eligible for FML if you have been employed for at least 12 months and worked at least 1,250 hours during the previous 12 months prior to the start of leave.

The 12-month period is defined as a "rolling" 12-month period measured backward from the date an employee uses any Family Medical leave. (Using this method each time an employee takes Family Medical Leave the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. For example, if an employee used four weeks beginning February 1, 2018, four weeks beginning June 1, 2018, and four weeks beginning December 1, 2018, the employee would not be entitled to any additional leave until February 1, 2019. However, on February 1, 2019, the employee would be entitled to an additional four weeks of leave,

on June 1, the employee would be entitled to an additional four weeks, etc.)

If you and your spouse are both employed by Birmingham-Southern College, the two of you will be limited to a combined total of 12 weeks of FML for the birth or placement of a child or to care for a parent with a serious health condition. You may use any unused portion of the 12 weeks for your own serious health condition, to care for a seriously ill child, or to care for your seriously ill spouse.

### 15.03 NOTICE OF FAMILY AND MEDICAL LEAVE

You must provide Birmingham-Southern College at least 30 days' advance notice before leave is to begin if the leave is foreseeable based on a birth, adoption, foster care or planned medical treatment for a serious health condition of yourself or your family member. When 30 days' notice is not possible, you must give as much notice as is practicable under the circumstances.

You must provide a Certification of Health Care Provider to support a leave request due to the medical condition of yourself or your family member. Blank forms are available from the Human Resources Office.

Failure to provide a completed Certification of Health Care Provider within 15 days or failure to provide a 30 day advance notice of foreseeable leave may result in the delay or denial of leave.

Birmingham-Southern College may request re-certification every 30 days for a serious health condition, depending upon the circumstances. Birmingham-Southern College reserves the right to designate time as FML, including workers compensation leave.

While on FML, you are required to stay in contact with the Human Resources Office (226-4644) and your supervisor every 30 days regarding your status and intent to return to work.

When your requested leave is because your spouse, child or parent is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, and the need for leave is foreseeable, you must provide as much notice as is reasonable and practicable. You must provide certification in such time and such manner as the Secretary of Labor prescribes by regulation.

### 15.04 MILITARY SERVICE MEMBER FAMILY LEAVE

If you are eligible for FMLA leave, and you have a spouse, child, parent, or next of kin who is a "covered servicemember," you are entitled to up to 26 workweeks of leave during a 12-month period to care for the servicemember. This leave is only available during a single 12-month period. A "covered servicemember" is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The term "serious injury or illness" means an injury or illness incurred by the servicemember in line of duty on active duty in the Armed Forces that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating. The term "next of kin" means the nearest blood relative of the covered servicemember. During the 12-month period described in this paragraph, you may be entitled to a combined maximum total of 26 weeks of leave. If you and your spouse are both employed by Birmingham-Southern College, the two of you will be limited to a combined total of 26 weeks for all leave taken under the FML policy.

### 15.05 PAY AND BENEFITS DURING FAMILY AND MEDICAL LEAVE

You must substitute all available paid leave for any unpaid leave entitlement under the Family and Medical Leave Act. The employee who returns to work after FML unpaid leave will not accrue sick and annual leave for that month in which the employee is unavailable to work at least 15 calendar days.

Your health insurance benefits will be maintained while on FML. Birmingham-Southern College's and your share of the health plan premium will be paid in the customary manner. If any pay you receive while on FML is insufficient to cover your portion of the premiums, Birmingham-Southern College will notify you of the amount due. If you fail to pay your portion of the premiums after notification by Birmingham-Southern College, your coverage may be cancelled.

#### 15.06 RESTORATION TO EMPLOYMENT

You generally have the right to return to the same position or an equivalent position with equivalent pay, benefits, and working conditions at the end of the leave.

Birmingham-Southern College may decline to restore you to the same or equivalent position upon return from leave to prevent substantial and grievous economic injury to the operations of Birmingham-Southern College if you are a key employee. You are a key employee if you are salaried and among the highest paid 10% of the employees. You will be notified in writing of that status if Birmingham-Southern College believes there is a possibility you will not be restored at the end of the FML period.

#### 15.07 INTERMITTENT OR REDUCED LEAVE

You may take intermittent leave or may work a reduced leave schedule to reduce the usual number of hours per workday or workweek. Intermittent or reduced leave schedules are subject to employer approval unless medically necessary.

#### 15.08 MILITARY LEAVE

Birmingham-Southern College complies with all federal and state laws for the protection of employment rights of those persons serving in the Uniformed Services. Birmingham-Southern College prohibits discrimination against you because you belong to, have served in or are applying to join a Uniformed Service, or because you have exercised your statutorily protected military leave rights.

You must notify your immediate supervisor and the Human Resources Office as soon as you know of the likely date of the beginning of military activity that might require leave. Notice must be received no less than five (5) days before the leave is to begin, unless military necessity prevents such notice or it would otherwise be impossible or unreasonable.

You must provide a copy of your orders to your supervisor and the Human Resources Office no later than 24 hours after you receive them.

#### 15.09 BENEFITS DURING MILITARY LEAVE

If you are on active duty and unable to use your annual leave due to Military Leave, you may request to be paid accrued unused annual leave time on the next pay period. Upon your return from Military Leave, you will receive Holiday Pay for Holidays which occurred during your absence, if eligible. You may continue your medical insurance coverage while on military leave, subject to normal cost-sharing. If you wish to cancel your medical coverage, you must contact the Human Resources Office. Premiums will be deducted from any pay that you receive during leave. If any pay you receive is insufficient to cover your portion of the premiums, you may pay the premiums to the College monthly.

#### 15.10 RETURN FROM MILITARY LEAVE

When you return from military leave, you will be restored from military leave to your job, consistent with and subject to the exceptions contained in the Uniformed Service Employment and Reemployment Rights Act (USERRA).

Military leave generally extends up to five (5) years. Military leave may be extended under certain circumstances, and there are certain types of service that do not count toward the 5 year limit.

If you are on military leave for 30 days or less, you must report back to work on the first regularly scheduled shift after the end of your service, allowing reasonable travel time. If your leave extends more than 30 days, you must apply for reinstatement in accordance with USERRA and all applicable state laws. To apply for reinstatement, you must contact the Human Resources Office. Do not contact your supervisor. If your military leave extends more than 30 days, you must submit documentation showing that:

- your application for reemployment is timely;
- you have not exceeded the five year limit;
- your separation or discharge from service does not disqualify you from reemployment rights.

Upon return from Military Leave, you will be placed in the position you would have attained had you remained continuously employed or in a comparable position, depending on the length of military service in accordance with USERRA. You will be treated as though you were continuously employed for purposes of determining benefits based on length of service.

Upon your return to work, you may deposit your contributions to the 403(b) plan for the period of your military service. The College will make retroactive contributions to your retirement plan on the same basis as if you had not left, provided you were an enrolled member of the retirement plan at the time of leave. The percentage of contribution will be made on the base salary you would have earned taking into account any pay increases that may have occurred during the leave. The portion of the College contribution is dependent on your contribution.

The make-up payment period cannot exceed three (3) times the period of military service or five (5) years, whichever is less.

While on military leave you will not accrue annual leave or sick leave.

#### 15.11 PERSONAL LEAVE

Birmingham-Southern College defines a personal leave of absence as an absence without pay and authorized in advance. Short-term personal leave is less than three (3) months and requires advance approval by your supervisor and general officer. Extended personal leave is more than three (3) months and must be approved in advance by your supervisor, vice president, and the President of the College.

You will not accrue annual leave or sick leave during personal leave of absence. Insurance benefits will continue as long as you pay all portions of the benefit costs. This continuance of benefits will not be extended beyond three (3) months unless you make a written request to the Associate Vice President for Human Resources and Risk Management. The Associate Vice President for Human Resources and Risk Management and the Vice President for Business and Finance & CFO will review each case and make a decision.

#### 15.12 PROFESSIONAL LEAVE

Birmingham-Southern College defines a professional leave of absence as an absence without pay and authorized in advance. Short-term professional leave is less than three (3) months and requires advance approval of your supervisor and general officer. Extended professional leave is more than three (3) months and must be approved in advance by your supervisor, general officer, and the President of the College.

You will not accrue annual leave or sick leave during the professional leave of absence. Insurance benefits will continue as long as the staff member pays all portions of the benefit costs. This continuance of benefits will not be extended beyond three (3) months unless you make a written request to the Associate Vice President for Human Resources and Risk Management. Staff members granted professional leave for work activities related to purposes and goals of the College may be allowed to return to the same compensation benefits as those acquired by staff in comparable positions on recommendation of the appropriate general officer. The Associate Vice President for Human Resources and Risk Management and the Vice President for Business and Finance & CFO will review each case and make a decision.

### **16.00 On the Job Injuries/Illnesses and Workers' Compensation Insurance**

Workers' Compensation Insurance coverage is provided for all employees of the College. The insurance covers an employee's accidental death or injury or occupational disease, which occurs in the course of employment at the College. The Workers' Compensation Laws of the State of Alabama govern benefits.

Should your injury require time off, the first three (3) days will be charged to sick leave. Beginning the fourth (4th) day, you will be compensated as per Workers' Compensation guidelines.

You must report any work-related injury or illness to the Human Resources Office and request a Medical Referral Form. The Human Resources Office will then provide a referral for you to St. Vincent's Occupational Health Clinic, the College's approved facility.

#### After Hours Care

If you must seek medical treatment for a work-related injury or illness after hours, you should contact Campus Police (226-4700) for assistance. The St. Vincent's Emergency Room is the College's approved after hours facility. You should contact Human Resources (226-4644 or 226-4646) the next business day so we may complete the appropriate paperwork. A voice mail message may be left for Human Resources at any time. All follow-up care, including specialist referrals, will be coordinated by the appropriate approved facility and the workers' compensation carrier.

Failure to timely notify Human Resources of a work-related injury or illness, may result in denial of worker's compensation benefits.

#### 16.01 POST-ACCIDENT DRUG AND ALCOHOL TESTING

You are subject to drug and alcohol testing in post-accident and near accident events involving injury, illness, occupational disease, and/or property damage, or the potential for such injury or damage.

If you cause, contribute to, or are otherwise involved in any work-related incident, accident, or occurrence that may lead to a workplace injury, illness, occupational disease, or worker's compensation claim, you are required to immediately report such incident to the College. If you fail to report any such incident which requires drug and/or alcohol screening you may be subject to discipline.

You may be required to submit to post-accident drug and alcohol testing following the incident, accident, or occurrence, even if no medical treatment is needed and even if you have not had the opportunity to report the incident, accident, or occurrence. You must authorize the College to access any medical records which may indicate impairment or influence of drugs and/or alcohol.

Workers' compensation benefits may be denied for an injury due to an injured employee being intoxicated from the use of alcohol or being impaired by illegal drugs, if the intoxication or impairment caused or contributed to such accident or injury.

Any refusal on your part to consent, submit, or otherwise cooperate with such testing will be considered a violation of the College's standards of conduct and will be grounds for discipline and forfeiture of the right to recover worker's compensation benefits.

### **17.00 College Closings**

It is the general policy of the College that the President and the Provost shall consult during periods of inclement weather. The President will make the final decision, which will be reported to the media for general dissemination through the Office of Communications. Emergency closing information will also be posted on the BSC Website, distributed via BSC email, and the College's Information Line (226-3000).

In cases when inclement weather closes the campus during your annual leave or sick leave, the day will not be counted as an annual leave or sick leave day. You will be paid for regularly scheduled hours during closings. Campus Police and other non-exempt classified personnel who are required to remain on campus during an official closing will be paid the overtime rate for the duration of their stay. This includes the hours worked on a scheduled shift. The overtime rate will begin on the shift an officer or other non-exempt personnel are working when the College is closed and will end on the shift when the College is re-opened.

### **18.00 Safety and Security**

The College makes every effort to protect your safety and health. If unsafe conditions are observed, it is your responsibility to report the unsafe conditions to your immediate supervisor or Campus Police (226-4700). The College provides 24-hour 7-day per week security for the campus. For your safety all gates except the Bruno Entrance are locked. Vehicles not bearing proper parking decals will be stopped by Campus Police at the Bruno Entrance.

## 18.01 SAFETY AND SECURITY REPORT

An annual safety and security report is published to provide the College community and prospective students with general information related to safety and security at Birmingham-Southern College. Statistics on specific incidents are reported as required by the Crime Awareness and Campus Security Act of 1990.

## 18.02 FIREARMS

The College prohibits the possession, except as allowed in this policy, of firearms on campus with the exception of Campus Police.

If you possess a current Alabama pistol permit you may keep a firearm locked in your vehicle. Under no circumstances are you allowed to carry a firearm while on campus. (This includes possession of a firearm in any type bag, such as a purse.)

## 18.03 FIRE SAFETY

Fire prevention measures cannot be overemphasized. However, in the event that a fire occurs, the following steps should be taken:

1. Check the fire and judge its size.
2. Pull the fire alarm.
3. Call Campus Police (226-4700). They will call the Birmingham Fire Department.
4. Evacuate the building.

## 18.04 EMERGENCY RESPONSE

In the event of an emergency or disaster occurring on campus, whether natural or man made, the Campus Police are prepared to address the issue appropriately and in an expeditious manner. In the rare occurrence of an incident reaching a proportion that can not be handled through routine measures, the Campus' Emergency Response Team, composed of a diverse group of campus administrators, will be activated to direct the College's efforts.

When the situation dictates mass communication to the campus community, one or all of the following methods may be employed: College voice mail, e-mail, personal notification from the Campus Police in person or via an amplified system, and text messaging to cellular phones. It is the responsibility of the employee to ensure your cellular phone number is correct in TheSIS so you will receive any emergency notifications.

In the event of a tornado or other natural disaster, you should refer to the information located in each building which designates the safest area to assemble. Report immediately to this designated area, typically the lowest level room in the most northwest area of the building.

The Birmingham-Southern College Emergency Response Manual can be found here:  
<https://www.bsc.edu/campus/police/erm/files/assets/basic-html/page-1.html#>

## 18.05 EMERGENCY TELEPHONES

Emergency blue light phones are strategically located on campus, plus at the entrance of each residence hall. These phones may be used for assistance at any time.

## 18.06 ESCORTS

You are encouraged to call Campus Police (226-4700) if you desire an escort to your vehicle after working hours.

For security purposes, you may be issued a key upon approval by your supervisor. Keys will be issued three (3) to ten (10) days after receipt of the request (depending upon availability). You must sign for receipt of the key(s), which are not transferable from one employee to another. When your employment with Birmingham-Southern College is terminated, you must return your key(s) to the Human Resources Office during your Exit Interview. Failure to do so may result in a \$50 fine, which will be deducted from your final paycheck.

Key request forms are available on the Human Resources Forms website or through Operations.

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