OFFICE OF BUSINESS AND FISCAL AFFAIRS
Revised: October 1992

AN EQUAL OPPORTUNITY EMPLOYER
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ALMA MATER - FLORIDA MEMORIAL COLLEGE

NEGRO NATIONAL ANTHEM
PREFACE

Welcome to the Florida Memorial College family.

Florida Memorial has a long and rich history in the business of educating young men and women and we are delighted that you have joined us as we continue to affirm our proud legacy. Like you, each family member plays an important role in the total operation of the College. Our philosophy is that every job at the College is essential; therefore, each employee, regardless of their job classification, is an important member of the College team.

This handbook has been prepared by the Business & Fiscal Affairs Office to answer some of your basic questions about employment at the College. It provides some general information about the personnel practices, policies and procedures that govern the operation of the College and affect non-academic personnel. It explains your general responsibilities as a College employee, and summarizes the benefits you can expect to receive while employed here. The practices, policies and procedures outlined in this handbook are binding on all persons employed by Florida Memorial College who do not hold faculty rank or whose duties are primarily non-teaching. Practices, policies and procedures which are applicable to faculty, are set forth in the faculty handbooks.

This manual contains statements of personal policies and procedures. As an employee at Florida Memorial College, you are subject to the "terminal-at-will" doctrine under Florida law. No statements in this handbook are intended to alter in any way the
College's right to terminate an employee at will. This handbook is not an employment contract, and the College reserves the right to change the policies and procedures set forth herein at any time.

All non-academic employees (including faculty with staff assignments) are expected to read and be familiar with the contents of this handbook. Acceptance and continuation of employment at Florida Memorial College indicates a willingness to adhere to the policies, procedures, rules and regulations of the College.

As the need arises, appropriate amendments, revisions and other changes of College policies and procedures will occur, subject to the approval of the President and Board of Trustees of the College. This handbook will be periodically reviewed and revised to reflect those changes that affect your privileges and responsibilities as a non-academic employee of Florida Memorial College. Changes to this handbook will be communicated to you and will become applicable at the effective date of the change.

This handbook is published for informational purposes only and does not provide an employee with legal or contractual rights.

If you have any questions, now or at any time in the future, about the personnel practices, policies and procedures of Florida Memorial College, please contact your supervisor or the College's Human Resources Office in the Administration Building.

Please write your name on this handbook and keep it as a reference manual for use now and later.
This handbook is the property of Florida Memorial College

and is assigned to:

________________________________________

Name

________________________________________

Department

1.3
EMPLOYEE ACKNOWLEDGEMENT FORM

I understand that the personnel handbook describes important information about the College and that Florida Memorial College retains sole discretion to alter the personnel handbook from time to time. All such changes to the policies, procedures, rules, regulations, employee benefits or services will be communicated through official notices.

My employment relationship with Florida Memorial College is voluntarily entered into and is subject to termination by me or the College at will, with or without cause, at any time.

I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received, read, understood, and will comply with the policies, procedures, rules and regulations contained in this handbook and any revisions made to it.

_________________________  __________________________
EMPLOYEE'S SIGNATURE    EMPLOYEE'S NAME

DATE ___________ (Typed or Printed)

(This form must be signed and returned to the Human Resources Office prior to release of the employee's first paycheck)
HISTORY

Florida Memorial College is one of the oldest academy centers in Florida. It was founded in 1879 as the Florida Baptist Institute for Negroes near the historic Suwanee River in Live Oak, Florida. Soon after its founding, the American Baptists Home Mission Society gave its full support and the first regular school year began in 1880.

In 1892, the Florida Baptist Academy was established in Jacksonville, Florida, which later changed its name to Florida Normal and Industrial Institute. It was there, in the history of this college in the making, that 2 brothers, James Weldon Johnson and J. Rosamond Johnson, wrote the words and music to what has now become the Negro National Anthem: "Lift Every Voice and Sing" in 1900.

Later, in 1918, the school moved to St. Augustine where the famous bell was purchased that was once used to call the slaves together for orders. College historians state that this bell was cast at the same foundry as the Liberty Bell which is enshrined in Philadelphia. The bell was rung each day at noon to remind students of their religious heritage.

In 1941, the school in Live Oak and the school in St. Augustine merged, changing its limiting offerings from the junior college classification to a 4-year liberal arts institution which graduated its first 4-year class in 1945 and changed its name to Florida Normal and Industrial Memorial College in 1950.
In 1963, the charter was again amended to change its name to Florida Memorial College and to open the institution to students of all races. Finally, in September of 1968, the College moved to a new campus created for Florida Memorial College in Miami, Florida, where it has been located for the past 23 years.

Florida Memorial College is accredited by the Southern Association of Colleges and Schools and approved by the Florida State Department of Education. It is a member of the College Entrance Examination Board (CEEB); the National Association of College Deans, Registrars, and Admissions Officers; the Florida Association of Colleges and Universities; the United Negro College Fund; the Association of Teacher Educators; and the Florida Council of Deans and Directors of Teacher Education.

Florida Memorial College offers bachelor degrees in the following areas: Aviation and Computer Science, Business Administration, Education & Humanities, Social Sciences, Natural Sciences and Mathematics, as well as Dual Degree programs in Engineering with Florida Atlantic University and Pre-Hospitality Management with Florida International University.

Current funding comes from the Federal and State Department of Education, the United Negro College Fund, foundations, corporations, endowments, Baptist conventions and individuals who support the College.
Florida Memorial College is a private, co-educational, 4-year liberal arts college in South Florida, which offers programs to liberally educate students for the world of work in a post-industrial, high-technical society. It is a historically Black college, related to Baptist churches and traditions, which serves students from Florida, the Caribbean and other areas.

Florida Memorial College seeks to meet students at their level of achievement at the time of entry and to raise those levels of skill and achievement to the point where graduates can function successfully in economic, social, and other life areas. To this end, the College provides appropriate curricula and programs which provide the student with instructions to improve those skills necessary for successful completion of a progression of academic standards.

The College offers educational opportunities, including internships and other experimental learning programs, which are designed for resident and commuting students and which accommodate the mature learner. The educational programs are offered through the College's academic divisions. Support for these academic divisions is provided through academic advising, testing, developmental education, support services, career placement, counseling, and student activities.

The College expects that, as students leave its community of traditions and scholars, they will be prepared to participate fully
in society. The College is dedicated to the free exchange of ideas, pursuit of knowledge, and the transmission of Black history and heritage. These goals are achieved through 3 processes: effective and efficient teaching, scholarly activities, and community service. The College also recognizes that education contributes to the quality of one's life. Because productive membership in a technological society requires technical, social and communication skills, the College seeks to positively assist all students to realize their potential as individuals, as participants interacting in multi-ethnic groups, as skilled members of complex organizations, and, ultimately, as leaders of society.

The definitive mission of Florida Memorial College can be stated quite simply: to inculcate in students a desire for life-long learning and to encourage in them a commitment to leadership through service that will enhance their lives and the lives of others.

Nondiscrimination Policy

It is the policy of Florida Memorial College to provide equal membership/employment/service opportunities to all eligible persons without regard to race, religion, color, national origin, citizenship, age, sex, marital status, parental status, handicap, labor organization membership, political affiliation, height, weight, and record of arrest without conviction.
POLICY: Florida Memorial University is committed to providing equal employment opportunity for all applicants and employees. The University does not unlawfully discriminate on the basis of race, color, religion, sex, national origin, marital status, sexual orientation, age, physical or mental disability (including AIDS and HIV), medical conditions, political affiliations and record of arrest without conviction.

This policy applies to all applicants and employees throughout every aspect of the employment relationship including, but not limited to: recruitment, selection, placement, training, promotion, transfer, compensation, benefits, performance management, and termination.

The University is committed to providing a workplace free from harassment, intimidation, threats, coercion or discrimination. This policy provides that no employee will harass any other employee on the bases listed above. Similarly, the University will not tolerate harassment by its employees of non-employees with whom the University has a business, service of professional relationship.

PROCEDURES: Employees who feel they have been discriminated against by a co-worker, supervisor or agent of the University, should immediately report the facts of the incident(s), without fear of reprisal, to management or to Human Resources.

It is the responsibility of all University Management staff to refer all discrimination and harassment inquiries and/or complaints to Human Resources.
SUBJECT: Affirmative Action
Rev. Date: May 1, 2011

POLICY: Florida Memorial University develops and maintains Affirmative Action Plans and Programs designed to achieve, in all job groups and in all organizational units, a work force that is representative of the composition of our community and labor markets, through the employment process, including hiring, training and promotion practices.

The University's affirmation action plan provides for a prompt, fair and impartial consideration of all complaints of discrimination against the University. Employees filing discrimination charges will not be subjected to harassment, intimidation or discriminatory actions.

PROCEDURES: Employees who feel they have been discriminated against or harassed by a co-worker, supervisor or agent of the University, should immediately report the facts of the incident(s), without fear of reprisal, to management or to Human Resources.

It is the responsibility of all University Management staff to refer all discrimination and harassment inquiries and/or complaints to Human Resources.

Human Resources will conduct a prompt, thorough, confidential and impartial investigation of all reported incidents of discrimination, harassment and/or retaliation. Each case will be handled on an individual basis. Any employee who violates this policy will be subjected to prompt, effective corrective action which could include termination of employment.

The University prohibits retaliation against an employee who opposes harassment or discrimination, files a complaint, testifies, assists or participates in any manner in an investigation, proceeding or hearing conducted by the University or outside enforcement agency. No retaliation or reprisal will be taken against employees based upon their good faith inquiries and/or complaints.

Every new employee will be provided a copy of the Human Resources Employee Handbook. They will be required to sign an acknowledgment form indication that they have read the Affirmative Action policy.
Americans with Disabilities Act (ADA)

POLICY: It is the policy of Florida Memorial University to comply with all relevant and applicable provision of the Americans with Disabilities Act ("ADA"). The University is committed to providing equal employment opportunities to qualified individuals with disabilities. This may include providing reasonable accommodation where appropriate in order for an otherwise qualified individual to perform the essential functions of the job. It is your responsibility to notify human resources of the need for accommodation. Upon doing so, human resources may ask you for your input on the type of accommodation you believe may be necessary or the functional limitations caused by your disability. Also, when appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals.
SUBJECT  Sexual Harassment
Revised:  November 25, 2013

POLICY  Florida Memorial University (the University) is committed to maintaining a respectful work environment free from Sexual Harassment of all employees (faculty/staff). In support of this commitment and in accordance with applicable laws, the University prohibits sexual and other unlawful harassment and discrimination in the workplace. This policy applies to all aspects of the employment relationship and includes any verbal, physical, and visual harassment, solicitation of sexual favors, unwelcome sexual advances and creating or maintaining an intimidating or hostile work environment.

Examples of unlawful sexual harassment include, but are not limited to unwelcome sexual advances, request for sexual favors and other verbal, visual or physical conduct of a sexual nature where:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic decision;

2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working, living or academic environment.

Employee Procedures for Informal Reporting

Employee Responsibilities

Any employee (faculty/staff) member who believes that (s)he is a victim of sexual harassment should immediately report such actions in accordance with the following procedure. It is important to report concerns of harassment or inappropriate sexual conduct to Human Resources or a supervisor/manager as soon as possible. All complaints will be promptly and thoroughly investigated as confidentially as possible. Timeframes for investigations may vary, however, it is the intention of the University to complete through investigations within thirty business days.

Every new employee will be provided a copy of the Human Resources Employee Handbook. They will be required to sign an acknowledgment form indicating that they have read the Sexual Harassment – Hostile work environment policy.
Supervisor Responsibilities

It shall be the responsibility of each University supervisor to maintain his or her work place free of sexual harassment. This duty includes discussing this policy with all employees and assuring them that they need not endure insulting, degrading, or exploitative sexual treatment, and informing employees of their right to file complaints about such conduct. Supervisors must expeditiously and fairly address allegations of harassment/sexual harassment within their departments.

The Human Resources Office shall provide necessary training to managers and supervisors in the area of sexual harassment. Also available to personnel who may be affected by sexual harassment, is an employee assistance program where access to counseling is available.

PROCEDURES

HUMAN RESOURCES PROTOCOL

It is the responsibility of all University management employees to refer all discrimination and harassment inquiries and/or complaints to Human Resources. It is important to report concerns of harassment, sexual harassment or inappropriate sexual conduct regardless of the seriousness to Human Resources or a supervisor/manager as soon as possible.

Employee Procedures for Formal Reporting

Employees who believe they have been discriminated against or harassed by a co-worker, supervisor or agent of the University, should immediately report the facts of the incident(s), without fear of reprisal, to a supervisor or to Human Resources.

If an employee makes a report to a supervisor and the supervisor either does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to one of the other members of management designated in this policy to receive complaints.

To ensure a prompt and thorough investigation of a harassment/sexual harassment complaint, the complainant should provide as much of the following information as possible:

- The name, department and position of the person or persons allegedly causing the harassment.

- A description of the incident(s), including the date(s), location(s) and the presences of any witnesses.
- The alleged effect of the incident(s) on the complainant's position, salary, benefits promotional opportunities, or other terms or conditions of employment.

- The names of other employees who might have been subject to the same or similar harassment.

- The steps the complainant has taken to try to stop the harassment.

- Any other information the complainant believes to be relevant to the harassment complaint.

Immediately following a formal complaint an internal investigation will commence. Said Investigation shall take no longer than thirty business days. Once Human Resources completes the investigation written determination will be given to both the complainant and the respondent promptly within an intended timeframe of ten business day.

All reported incidents of sexual harassment or retaliation will be investigated promptly by Human Resources in a confidential manner and appropriate action taken based upon the findings. Complainants will be kept informed of how the investigation is proceeding. Each case will be handled on an individual basis; and if necessary disciplinary action will be taken. The severity of the action will depend upon nature of the infraction up to termination.

During the investigation period, the available counseling services will be made available to the complainant through the Employee Assistance Program offered through the University's Employee medical insurance.

**COMPLIANCE**

It shall be the responsibility of the Human Resources Office to provide compliance information to managers and supervisors concerning the University's sexual harassment policy, the gravity of such conduct, and the procedures to be employed in conducting sexual harassment investigations.

**DISCIPLINE**

Any staff member, supervisor or agent of the University who has been found to have violated this policy may be subject to appropriate disciplinary action, up to and including immediate discharge.

The University prohibits retaliation against an employee who opposes sexual harassment or discrimination, files a complaint, testifies, assists or participates in any manner in an investigation, proceeding or hearing conducted by the University or outside enforcement agency. No retaliation or reprisal will be taken against employees based upon their good faith inquiries and/or complaints.
Sexual Harassment-Hostile Environment Policy

Acknowledgement Certification

I certify that I have read and understand the Sexual Harassment Hostile Work Environment Policy of Florida Memorial University. I understand that the University prohibits sexual and other unlawful harassment and discrimination in the workplace. This policy applies to all aspects of the employment relationship and includes any verbal, physical and visual harassment, solicitation of sexual favors, unwelcome sexual advances and creating or maintaining an intimidating or hostile work environment.

________________________________________  __________________________
Signature                                             Date
All corporate powers of Florida Memorial College shall be exercised by or under the authority of the Corporation and Florida Memorial College shall be managed under the direction of its Board of Trustees. The Board of Trustees is responsible for the overall governance of programs and policies of the College and shall:

1. establish and review the educational purpose of the College;

2. provide for appropriate organization of the College;

3. approve plans for development and maintenance of physical facilities of the College and authorize construction or modification of facilities;

4. approve comprehensive, long-range plans for the future development of the College, including provisions for educational programs, administration, staffing, facilities, financing, and other factors;

5. provide for meeting the financial obligations of the College, approve budgets for operating expenditures, assure proper financial management, including an annual independent audit, and have full power and authority to borrow money whenever, in its discretion, the exercise of said power is required in the general interest of the College;

6. provide for the establishment of advisory groups and define their relationships to the Board of Trustees;
7. have the control and disposition of the real and personal property of the corporation, including the sale, leasing and mortgaging thereof;

8. give recognition to organizations that are supportive of the College and receive reports from these organizations in order to advise them in their work;

9. have a common seal of the Corporation;

10. take other actions as necessary for the effective governance of the College.

BOARD OF ADVISORS

Florida Memorial College has established a Board of Advisors to be composed of distinguished persons in the outside community. This group consists of business executives, legal executives, alumni and church-related persons. The membership of this group consists of persons who have actively and verbally expressed their interest in Florida Memorial College. The function of the Board of Advisors is to serve as advisors to the President and his/her Cabinet within their areas of expertise and influence.
The By-laws of Florida Memorial College, adopted by the Board of Trustees, designate the following as College Officers: President, Academic Dean (Vice President of Academic Affairs), Business Manager (Vice President of Business and Fiscal Affairs), Deans and Other Administrative Officers.

The President is empowered to appoint a Cabinet whose duties are to assist the President in the decision-making process of the College. The Cabinet Members act in the capacity of advisors to the President in the areas of their individual expertise. A brief summary of the authority and duties of the College Officers and the Presidential Cabinet follows:

**President** -- As chief executive officer, the President is appointed by the Board of Trustees and is responsible to the Board for administration of all aspects of the institution including supervision, management, government, and direction of the College within limits prescribed by the Board of Trustees and By-laws of the Corporation.

**Vice President of Academic Affairs** -- Serves as chief deputy for overall direction, exercising such authority as the President may delegate. As Chief Academic Officer -- serves as the representative for academic affairs at the Cabinet level. Responsible for development, organization and operation of the educational program, administering the day-
today operations related to the regular academic program, and aiding in increasing the effectiveness of faculty and staff personnel.

**Vice President of Business and Fiscal Affairs** -- As chief financial officer -- serves as representative for business and fiscal affairs at the Cabinet level. Directs, coordinates and administers the financial operations and activities of the College and manages the College's institutional resources.

**Vice President of Student Development and Enrollment Management** -- Responsible for student services on the campus, enforcement of regulations governing conduct, coordination of social and recreational activity, supervision of campus organizations, health services, residence halls and all other non-academic affairs of the students.

**Director of Development and College Relations** -- Responsible for organizing and implementing fundraising activities and programs. Responsible for developing and recommending planned-giving strategy and programs for the College and for providing leadership, particularly to all members of the development team for its full implementation. Responsible for identifying, cultivating and soliciting prospective donors, particularly foundations and corporations.
CAMPUS COMMITTEES

Campus committees are appointed by the President for the purpose of advising the Central Administration on matters relating to the internal governance of the College. Each campus committee is made up of 3 faculty members, 1 to 2 staff members and 2 or more students. Special committees may be appointed by the President as the need arises. Committee appointments are for a period of 1 year.

Committees are as follows:

**Academic Council**
Advises the Vice President for Academic Affairs concerning all academic matters for maintaining the academic integrity of the College. The Council holds monthly statutory meetings. Division Chairpersons, the College Librarian, the Registrar, the Program Directors and 2 members of the faculty elected at-large, comprise the Academic Council. The at-large members shall be elected at a meeting of the general faculty during September of each academic year.

**Campus Beautification and Physical Facilities Committee**
Offers advice concerning the general maintenance of the grounds and physical plant and reviews and proposes expansion plans. In cooperation with the Director of the Physical Plant and the Office of Student Development, it shall propose policy and procedures for allotting student organizations space for their displays, as well as setting guidelines for them.

2.6
Campus Life and Student Activities Committee
Advises the Vice President of Student Development and Enrollment Management in developing and monitoring activities involving students.

CLAST Advisory Committee
Advises the Division Chairperson of the General College Division and the Vice President for Academic Affairs in regard to curriculum requirements relative to the State of Florida College-Level Academic Skills Test.

Curriculum and Instruction Committee
Reviews academic courses and programs and formulates recommendations to the Academic Council relative to their appropriateness.

Development and Community Committee
Serves as a channel through which faculty, staff, and students can provide input and assistance to the Office of Development in the areas of fundraising, communications and promotion of a positive image in the community.

Honors Advisory Committee
Advises the Director of the Honors Program relative to the admission of students into the Honors Program, Program content, and awarding of Honors degrees. Works in consultation with the Office of Admissions.

Intercollegiate and Intramural Athletics Committee
Recommends policies regarding the governance of the College's intercollegiate and intramural athletic programs, in accordance
with the regulations of the appropriate local, state, and national bodies. It shall monitor the expenditure of funds and the academic welfare and eligibility of the participants and shall serve in an advisory capacity to the Director of Athletics.

**Library and Archives Committee**

Serves as an advisory body to the College Librarian in the acquisition of holdings, as well as in monitoring and promoting all activities of the Library. It shall be responsible for assisting in the development of strategies, for encouraging library use and in preserving the history of the College.

**Long-Range Planning Committee**

Recommends revisions to the mission, goals, and objectives of the institution to insure appropriateness.

**Recruitment, Admissions, and Retention Committee**

Recommends and monitors procedures and standards for the recruitment, admission, and retention of students. This Committee also cooperates with appropriate offices in the preparation of statistical profiles of students, including those who leave the College.

**Scholarship and Financial Aid Committee**

Advises the Financial Aid Office regarding the issuance of scholarships and financial aid. The Committee works closely with the Recruitment, Admissions, and Retention Committee in determining the profiles of students receiving financial assistance through the College. The Committee is also responsible for insuring that the school follows all campus, state, and federal regulations regarding
financial assistance.

**Personnel Review Committee**

Conducts hearings to insure the right of due process for all employees being dismissed or released. This committee is composed of 3 full-time non-probationary staff members and 1 representative from each of the following areas: Business & Fiscal Affairs, Student Development & Enrollment Management, Secretarial Group and the Cabinet.
THE HUMAN RESOURCES OFFICE

The Human Resources Office functions to serve the best interests of both the employees and the College. The Director of Human Resources is responsible for implementing and maintaining College personnel policies, recruitment, orientation, training, employee records, staff benefits, and payroll. If you need information or counsel, visit or call the Human Resources Office in the Administration Building. The telephone number of the Human Resources Office is listed in the College Directory.

YOU AND YOUR JOB

As an employee of Florida Memorial College, whatever your job may be, you can be proud to be a member of the Florida Memorial College team and an intricate part of this important educational institution. You were selected for your job because we felt that you possessed the qualifications to carry out the duties and responsibilities of the position. Only through your dedication and loyalty can the College meet the day-to-day challenges that are part of its operation.
MANAGEMENT RIGHTS

The College seeks the opinions of its employees individually or through their department heads about working conditions, improving job efficiency, and other items of interest to employees. At times, however, it is necessary for the College to make decisions without prior consultation with employees. Therefore, the College reserves the right to use its discretion in carrying out the normal functions of management including, but not limited to, the discretion to hire, promote, suspend, dismiss, assign, supervise and discipline employees; to determine work schedules; to determine the size and composition of the work force; to establish, modify and abolish policies, procedures, rules and regulations; to determine and modify job descriptions and job classifications; and to assign employees in accordance with the needs and requirements determined by the College.
EMPLOYEE SUGGESTIONS

The College values employee suggestions for the improvement of operations or procedures and feels that employees should be rewarded for their input. Employees may submit their suggestions, in writing, to their supervisors, Cabinet representation or to the Human Resources Office. Suggestions must explain how implementation would save money, time or materials; contribute to the safety of employees; or lead to an improvement in the quality of College services. If an employee's suggestion is approved and implemented, he or she will receive a reward to be determined by the Cabinet.

EMPLOYEE RIGHTS AND RESPONSIBILITIES

The following are rights of full-time employees which Florida Memorial College recognizes and upholds:

Rights:

1. to be governed by sincere, clear and mutually binding terms of agreement;
2. to full remuneration for services in relationship to status and responsibility according to agreement;
3. to full, non-discriminatory and impartial evaluation by the appropriate supervisor for promotions and salary increments.
Responsibilities:

The following are responsibilities of employees which they shall assume in correlation with the rights accorded to them as members of the Florida Memorial College family.

As a member of the non-academic staff, you are an important person in the operation of Florida Memorial College. Fully 95% of the impression visitors and students receive of the College is based on what they see of the grounds, streets, and inside and outside of the buildings. Whether this impression will be good or bad, depends largely on each employee. Whatever the job may be, each employee will contribute to the success of the College by his/her efficiency, cooperation and loyalty. The College feels it is vital that all employees understand the policies, regulations, opportunities, and conditions under which they are expected to function.

Specifically, your responsibilities are:

1. to promote the spiritual atmosphere on the campus;
2. to know the objectives of the College and to work toward the realization of these objectives while in the service of the College;
3. to meet financial responsibilities promptly to avoid embarrassment to the College;
4. to respect the rights of students and co-workers. At all times, employed personnel should keep in mind that leadership and wholesome behavior are essential in helping the students make satisfactory adjustments to the College.
5. to participate in the social and cultural life of the College and community so as to foster good morale and demonstrate goodwill;

6. to promote the interest and good reputation of the College;

7. to cooperate with the administration and to observe and enforce the regulations of the College to the best of your abilities;

8. to give dedicated service to the College during your period of appointment

9. to continue to improve your personal and/or professional standing at the College;

10. to refrain from destructive criticism of the College, to offer constructive criticism to those having the power to influence change; and

11. to arrive at group decisions democratically and to adhere to such decisions in matters dealing with actions that do not conflict with legal contractual agreements.
EMPLOYMENT PROCEDURE

It is the policy of the College that the President is the hiring and firing agent for all personnel. The President and the Vice President of Business & Fiscal Affairs will work together to obtain well-qualified employees and place them where both their personal contribution and satisfaction will be maximized.

The Human Resources Office will have the primary responsibility for recruiting, testing, interviewing and referring persons to department/divisions/offices with vacancies. Firm offers of employment should be coordinated with the President and be contingent upon the employee providing the College with the necessary employment information before starting work. No supervisor is authorized to hire an employee and no employee is permitted to commence employment without a written letter of appointment from the President. A supervisor's failure to comply with this rule may result in disciplinary action against the supervisor. An employee's failure to comply with this rule may result in loss of right to compensation.

It is the policy of the College that equal employment opportunity be provided. (SEE DISCRIMINATION AND AFFIRMATIVE ACTION STATEMENT SECTIONS)

When a division/office needs to fill a job vacancy, the following steps must be followed:

1. The supervisor must fill out a "Request for Personnel" form in accordance with the procedures outlined on the form.
2. The form must be submitted to the Department Head for approval.

3. Subsequent to his/her approval, the Department submits the form to the Budget Office for salary and funding verification.

4. The Budget Office submits approved forms to the President's Office and disapproved forms go back to the initiating Department Head or Cabinet representative. The approved "Request for Personnel" form then authorizes the Human Resource Office to begin recruitment efforts.

Qualified employees on layoff or termination lists will have first opportunity to be considered for available jobs. Job openings will be posted by the Human Resources Office on the bulletin board in the Administration Building for 3 working days so that persons already employed by the College may also apply for the position.

Where transfers are involved, the former supervisor of a transferred employee will initiate the transfer papers and forward them to the new supervisor who will complete the necessary paperwork and forward it to the Human Resources Office. All transfers/promotions will require concurrence by the President's Office prior to actual transfer of duties, responsibilities, or personnel.
The practice of nepotism will not be permitted, as stated in the following rule:

RULE: No individual shall be employed in a department or unit under the supervision of a relative who has or may have a direct effect on that individual’s progress or performance. No faculty member, department chairperson, dean or other administrative officer shall vote upon, make recommendations, or in any way participate in decisions pertaining to any matter which may directly affect the appointment, promotion, salary, or other status or interest of a relative. (Relative - Husband or wife, parents, children, brothers and sisters, grandparents, uncles and aunts, nieces and nephews, first cousins, and the following in-laws: mother, father, sisters, brothers, sons and daughters.)

All recommendations for termination will be cleared through the President's Office with final action being determined by the President.
ADVERTISING

Advertisements of all positions will be done through the Human Resources Office, which coordinates the services to all areas. The Human Resources Office will endeavor to recruit candidates through sources such as newspaper advertisements, advertising with the Florida State Employment Service, listing the job on the bulletin board in the Administration Building, and a new review of applications currently on file.

EMPLOYEE SCREENING PROCESS

The Human Resources Office will initially screen all applicants. All prospective candidates for job vacancies are required to complete an "Application for Employment" form and to list 2 references. The Human Resources Office will then conduct an initial screening interview and administer tests as necessary. The interviewer in the Human Resources Office will give the applicants a brief description of the College and the department in which the job is vacant, describing rate of pay for the position and benefit programs of the College.

If applicants appear to be qualified, the Human Resources Office interviewer will contact the department for an appointment to interview the prospective applicants. The department/area supervisor must notify the Human Resources Office, by telephone, of the hiring decision immediately after the interview, or within 3
working days, furnishing the Human Resources Office with the reasons for non-selection where applicable.

When the department/area supervisor makes a decision to hire an applicant, the Human Resources Office will verify employment references, notify the candidates of the decision to hire, and arrange for the applicant to return to the Office for completion of the required employment forms. This Office will also inform the candidate of the starting date and other necessary particulars. The candidate will be advised that employment is contingent on satisfactory reference checks. If the supervisor has a reason for wanting to check a particular reference, the Human Resources Office should be notified first for approval. Supervisors must send the Human Resources Office a written record of any references obtained which will be kept with the individual's application.

Candidates will normally be hired at the starting rate of the appropriate salary range. Department supervisors must not quote a rate of pay above the starting rate without approval of the Vice President of Business and Fiscal Affairs or the President. A new employee will be required to complete the pre-employment process in the Human Resources Office before the first day of work. This includes filling out a health history and tax withholding forms.

All new employees will be automatically placed on a 90-day probationary period. (SEE EMPLOYMENT STATUS SECTION)

Citizenship and Alien Status Verification - The College complies with the Immigration Reform and Control Act of 1986 by
hiring only those persons who are eligible to work in the United States. New candidates for employment will be required to provide the Human Resources Office with appropriate documents verifying their citizenship/alien status. A listing of acceptable verification documents will be provided to the candidate ahead of time. This process should be completed before the employee's first reports to his/her work station.

EMPLOYEE ORIENTATION

A general orientation session is conducted by the Human Resources Office and is open to all employees. The orientation sessions provide employees with information about the College's personnel policies, procedures, and benefits. In addition to the general orientation, the employee's supervisor will orient the new employee on departmental policies and procedures and the duties associated with his/her job.

TERM OF APPOINTMENT

Non-academic personnel may be appointed on an annual basis. Achievement of agreed upon objectives as a measure of job performance and productivity, loyalty to the administration and institution, punctuality, creativity, and ingenuity are factors considered for reappointment. For purposes of this policy, non-academic personnel are those employees who do not have faculty rank
or primary teaching responsibilities (as indicated on their hire notices or contracts). All such persons are subject to the procedures outlined in this handbook.

GENERAL IMPLICATIONS OF EMPLOYEE APPOINTMENTS

An appointment is a contract between the College and an employee at a specified annual salary or hourly wage rate for performance of services within the spirit of the agreement. The implications of this statement are contained in the following:

The employee of Florida Memorial College, as at many small colleges, performs a variety of activities and services not specifically expressed in an agreement. Thus, the actual work of an employee has a much broader scope than one would ordinarily assume from one's title and job description. Meanwhile, no member of the Florida Memorial family is asked to perform any task that violates individual freedom or the laws of propriety and good taste.

1. the term "services" includes the employee's work performance where applicable, such as student conferences, meetings, participation in College functions, and special assignments.

2. Before a full-time employee shall become engaged in other activities where regular hours are served and fees or salaries are received, he/she shall present
the matter to his/her supervisor for approval. However, the normal pursuit of non-remunerative civic, religious or hobby activities is to be expected.

3. The normal work day is 8 hours per day -- Monday through Friday or 40-hours per week.

4. Basic office schedule for non-academic employees:
   (a) 8:00 a.m. -- 5:00 p.m. Monday - Friday
   (b) Exempt employees are to be on duty for general College programs such as commencement, convocations, pre-planning, and post-evaluation. Non-exempt employees whose work week must not exceed 40 hours per week will have adjustments made in the respective offices in order that persons may be on duty for commencement, convocations, pre-planning, etc., when involving non-working days.

5. The major area supervisor reserves the right to adjust work schedules to meet the needs of the area. The College complies with the federal wage and hour employment regulations.
TYPES OF NON-ACADEMIC APPOINTMENTS

Full-Time Appointment

Full-time employment are those positions requiring regularly scheduled shifts of at least 40 hours per week on either an academic or fiscal year basis.

Part-Time Appointment

Part-time employment are those positions requiring regularly scheduled shifts of less than 40 hours per week on either an academic or fiscal year basis. Hours worked may vary from week to week and may occasionally be 40 or more hours per week. Part-time employees are not eligible for benefits available to employees with full-time appointments, except for those specifically included as a matter of policy and approved by the President.

Temporary Appointment

Temporary employment are those positions that are required for a specific period of time to assist in a short-term project or assignment. Employment of temporary individuals must be approved by the Vice President of Business & Fiscal Affairs. In no instance will temporary employment extend to 1 month without the expressed prior written approval of the College President.

Hours worked by temporary employees may vary depending on the requirements of the job to be done. Temporary employees, regardless of hours worked, are not covered by College benefits.

Reappointment

The Cabinet Representative, after consultation with the
immediate supervisor, recommends the employee for reappointment and, where applicable, promotion and salary increments. The recommendations are made to the President by the Cabinet representative at least 60 days before the expiration of an employee's current appointment. Upon approval by the President, recommendations for reappointment of employees are forwarded to the Vice President of Business & Fiscal Affairs for inclusion in the College's budget. The President's Office will then issue or sign the new appointment letters and hire notices. These letters will be sent to employees at least 30 days before expiration of their current appointment term. Appointment letters will state the conditions of appointment and is limited to those terms within its four corners and such other terms as are incorporated by specific reference.

Employees who are not being reappointed to a new term will be sent a letter of non-reappointment at least 60 days before expiration of their current appointment term. If an employee does not receive a letter of non-reappointment as stipulated above, he/she should presume that his/her appointment was renewed under the terms and conditions of the current contract or letter of appointment.

EMPLOYMENT STATUS

Permanent - The status of employees who have satisfactorily completed 90 days of employment at the College.

4.10
**Probation** - The status of an individual hired to fill a permanent position but who has not been employed for more than 90 days. Probationary employees are eligible for some College benefits. This period is established to benefit both the employee and the College. All initial appointments are probationary. Every employee will be on probationary status, ordinarily for his/her first 90 days of employment, and this period may be extended to 6 months upon the recommendation of the supervisor.

Probation is a period of adjustment and adaptation, both personally and in terms of learning the job requirements and work rules. If, during this period, you are unable to adapt successfully to the requirements of the position, the department, or the College, your employment can be terminated immediately. Your supervisor may offer advice and counseling when a problem becomes apparent but is not required to do so. You may be given advance notice, but that also is not required.

During the 90-day probation period for new employees, you are not eligible for annual leave or paid sick leave; however, upon successful completion of the probationary period, you will be credited with retroactive annual leave and sick leave earned during the probationary period. Refer to specific policies regarding benefits.

**Probation (imposed)** - The status of employees who have been placed on probation for inadequate performance or improper
SUBJECT: Progressive Disciplinary Procedures
Issued By: Business & Fiscal Affairs
Approved: June 22, 1999
Eff. Date: July 1, 1999

POLICY: Progressive Disciplinary Procedures shall be used to communicate to employees concerns surrounding performance and/or conduct/behavior, and to establish an improvement plan or notice to assist employees in achieving satisfactory job performance and conduct.

PROCEDURES: The Performance Management Process shall be the progressive disciplinary procedures use to achieve satisfactory job performance or conduct.
Performance Management Process

Purpose:

To establish a process to communicate to employees concerns surrounding performance and/or conduct/behavior, and to establish an improvement plan or notice to assist employees in achieving satisfactory job performance and conduct.

Progressive Process:

Any violation of the College’s policies and guidelines or improper behavior or conduct may warrant coaching and/or corrective action. Although the employment relationship may be terminated at will by the Employee or College with or without cause or advance notice and without following any formal system or process, coaching, corrective action or warnings, the College may exercise its discretion to use a progressive coaching and corrective action process to ensure a fair method of guiding Employees toward acceptable job performance and conduct. When followed, the progressive counseling and corrective action process is intended to give Employees advance notice, whenever possible, of problems with their conduct or job performance in order to provide them an opportunity to correct any problems.

Typically, when a job performance or conduct deficiency is identified, the supervisor should counsel the Employee and discuss steps to correct the problem. The supervisor in private and in a constructive manner should conduct such discussions. These discussions should involve a joint, interactive, problem-solving approach. In some cases, supervisors may introduce a formal “Plan for Improvement” to help Employees correct deficiencies prior to other documented steps or in conjunction with below standard performance appraisals.

If it becomes clear that counseling efforts have not been effective in resolving performance or conduct-related deficiencies, the following process should be followed. However, exceptions or deviations from the normal procedure may occur whenever serious offenses occur or whenever the College deems that the circumstances warrant that one or more steps in the process be skipped.

Process:

Documented Verbal Notice
When Employee performance and/or conduct does not meet College standards, the supervisor must clearly communicate the performance and or conduct issues and expectations for improvement. A Performance Improvement document should be
completed informing the Employee in writing of performance or conduct-related deficiencies.

The document should be signed and dated by the Employee and supervisor and retained in the supervisor's department file. (The documented verbal notice is not placed in the Employee's main personnel file.) If the Employee refuses to sign the notice, another supervisor should be immediately brought in and asked to sign and witness that the Employee has seen but refuses to sign the notice and that a copy has been provided to the Employee.

**Written Notice**

If the Employee does not demonstrate sufficient progress in remedying the deficient conduct or performance within a reasonable time frame, the supervisor should issue a written notice. The supervisor must complete a Performance Improvement document informing the Employee of the continuing performance or conduct deficiencies and the improvement required.

Written Notices should include a specific time frame in which the Employee is expected to improve. The supervisor and the Employee should sign written Notices. The original must be forwarded to the Human Resources Department to be included in the Employees official personnel file.

The Written Notice should be signed and dated by the Employee. If the Employee refuse to sign the notice, another supervisor should be immediately brought in and asked to sign and witness that the Employee has seen but refused to sign the notice, and that a copy has been provided to the Employee.

While on Written Notice, the Employee is not eligible to apply for internal consideration for job openings within the College for 90 days following the date a Written Notice is given.

Employees should be provided a copy of all Performance Improvement and Written Notice documents that they have signed. Employees may respond to the documents in writing. The original copy of the written response from the Employee should be forwarded to Human Resources and placed in the Employees official personnel file.

An Employee who is on Written Notice at the time of the evaluation cycle will be evaluated for his or her job performance on schedule. However, any merit increase will be delayed until the Employee is removed from corrective action. Any correction action taken with the Employee during the evaluation period should be taken into consideration when writing the performance evaluation.

Termination of employment may occur if the Employee does not satisfactorily meet performance or conduct expectations.
Final Written Notice
A supervisor may, within his or her discretion, determine if it is appropriate to add another step such as a Final Written Notice prior to termination depending upon the circumstances.

Suspension
This is a severe form of discipline, which may be administered as a step in progressive process following one (1) or more written reprimands, or for the first discipline following the commission of a serious offense. Suspension is defined as the action taken by the College to temporarily relieve the employee of duties and place the Employee on leave without pay.

Serious/Severe Performance and/or Conduct Problems
While it is impossible to list all situations which are considered serious or severe performance and/or conduct problems, the following situations may result in placing the Employee immediately on a Written Notice, a Final Written Notice or may result in termination of employment:

- (insubordination) dishonesty, gross carelessness/negligence of duties
- sexual or other unlawful harassment of other Employees
- violation of the Code of Conduct
- altercations (verbal or physical contact) outside the reasonable bounds of office decorum and communication
- theft or unauthorized removal or College documents/equipment from premises
- falsifying or tampering with College documents or records, including time sheets and applications
- fraud or dishonesty
- intentionally damaging or defacing College property
- reporting to work under the influence of alcohol, illegal drugs or controlled substances
- use, sale, dispensing or possession of illegal drugs or controlled substances on College premises
- possession of dangerous or unauthorized materials such as explosives or firearms
- violation of security guidelines dealing with Employee or company information
- excessive absenteeism or tardiness, or unexcused absence or tardiness
- failure to comply with safety and health standards and regulations
- criminal conduct or conduct involving moral turpitude (i.e., acts that are contrary to accepted moral standards of the College), whether within or outside the workplace, which the College determines to impact adversely on the College’s image, business activities or business objectives.
**Termination of Employment**

Recommendations for terminations are submitted to the Human Resources office. All recommendations for termination must be accompanied by the progressive disciplinary actions taken. The Director of Human Resources will review the recommendation and forward the request to the President for action.

**At-Will Employment**

The College recognizes the Performance Management Process as a sound business practice. However, the Employees of the College are Employees "at will". Nothing in this policy is intended to interfere with the "at will" status of College Employees. It shall not limit in any way the rights of the College to terminate the employment of any Employee at any time for any reason, nor confer upon the Employee any right to continue employment with the College.
Types of Disciplinary Actions

Verbal notice, written reprimand, final written notice, suspension and dismissal are disciplinary actions covered by this policy and shall be administered in accordance with the Performance Management process. **Warnings and counseling sessions are not disciplinary actions.**

a. **Verbal Notice.** This is the least severe type of disciplinary action and is a constructive action used to get the attention of the employee to alter the employee's behavior, if counseling has not been effective in correcting a particular problem.

b. **Written Notice.** A written reprimand notifies an employee in writing of a specific standard of conduct which has been violated and places the employee on written notice corrective action must be taken.

c. **Final Written Notice.** A final notice to notify the employee of the severity of their behavior and that suspension or termination is imminent.

d. **Suspension.** This is a severe form of discipline, which may be administered as a step in progressive discipline following one (1) or more written reprimands, or for the first discipline following the commission of a serious offense. Suspension is defined as the action taken by the College to temporarily relieve the employee of duties and place the Employee on leave without pay.

d. **Dismissal.** This is the final and most severe form of discipline that may be imposed on an employee. Dismissal is defined as the action taken by the College to separate the employee from employment. Dismissal should be used in the case of major offenses or as the final step in progressive discipline.

**Termination during probationary period.** An employee may be terminated at any time during the probationary period.

Through documentation of factors leading to termination should be maintained in the employee's official personnel file.
Florida Memorial College
Human Resources Department
Performance Improvement Plan

Employee Name: ____________________________

Department: ______________________________

Date: ____________________________________

Type of Notice: Verbal Notice: ______
Written Notice: ______
Final Notice: ______

Performance or conduct deficiency that needs improvement:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Improvement Plan:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Improvement Deadline:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Employee Signature ______________________ Supervisor Signature ____________________

Implemented July 1, 1999
behavior. You may be placed on probation for a designated period to correct recognized shortcomings that you are able and willing to correct.

**Suspension** - Employees who become involved in attendance problems, inadequate performance, improper behavior or other problems may be suspended from duty by their supervisor from 1 to 10 working days. (SEE DISCIPLINE PLAN SECTION)

**TERMINATION OF SERVICE**

An employee's appointment may be terminated in a variety of ways and for a variety of reasons. We distinguish between the following: (1) expiration of contract; (2) retirement; (3) resignation; (4) release or non-reappointment and (5) dismissal.

Before an employee is dismissed, released or denied reappointment after expiration of term, the supervisor and/or the Human Resources manager should discuss the matter with the employee in a personal conference. The matter may be terminated by mutual consent at this point. If an adjustment does not result, the employee may request in writing, a written confidential statement of the grounds for his\her proposed non-reappointment, release or dismissal.

If not satisfied, the employee may take the necessary steps to secure a hearing conducted by the Personnel Review Committee. The decision and the circumstances under which this hearing will be
allowed is solely within the discretion of the President. (SEE PERSONNEL REVIEW COMMITTEE PROCEEDINGS SECTION)

Expiration of Term

The service of such an employee terminates with expiration of his/her current appointment. Should the College feel that it will no longer require the services of an employee, it will send the employee a letter of non-reappointment, at least 30 days before the expiration of the employee's current appointment term.

Retirement

Retirement is the natural cessation of full-time service by one who has been a full-time employee. This implies cessation of salary payment, except as provided by the employee's annuity plan and Social Security. Retirement may be voluntary before the age of 70 or automatic termination of employment at age 70. Upon recommendations of the major area supervisor, in agreement with the employee, the employee may be approved for 1 additional year of full-time employment at a pay rate not less than the rate received upon retirement. Only part-time employment may be granted beginning with the second year following retirement.

In the best interests of the individual and the College, retirement for reasons of physical or mental disability may occur at any age, provided there is documented proof of the disability.

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Resignation

Resignation is the termination of service by voluntary action of the employee. It implies that the employee conceives it to be to his/her advantage to sever connections with the college. Notice of voluntary resignation should always be submitted in writing to the President of the College with a copy to the Cabinet representative, immediate supervisor and Human Resources Office. An exempt employee must give at least 30 days notice. A non-exempt employee must give at least 15 days notice. Resignation is voluntary when the employee takes the initiative. Resignation is negotiated when the College takes the initiative, preferring the employee to submit his/her resignation in lieu of dismissal to protect his/her professional status. When resignation is negotiated, the College will give a non-exempt employee at least 15 days notice and an exempt employee at least 30 days notice.

Release

Release is the termination of services of an employee because of non-reappointment by the College. Among other recognized grounds for release will be the following: (1) financial exigency of the college, (2) change of program requiring realignment of personnel, (3) physical or mental disability impairing employee performance, (4) serious scandal in the community or constituency, focusing on the employee, that may bring damage to the College and the employee involved, (5) national security or immigration problems and (6) any other problems affecting the College. The
College is obligated to notify the individual of release according to standards re-established in the section on reappointment.

**Dismissal**

Dismissal denotes termination of service at the instigation of the College during the contract period. Among recognized grounds for dismissal are the following: (1) incompetence, (2) neglect of duty, (3) malfeasance, (4) intentional falsification of documents or information, (5) insubordination, (6) financial exigency, (7) moral turpitude (gross or repeated violation of the ethical code) (8) sexual harassment, (9) gambling, (10) obscenity, (11) contumacious behavior, (12) loafing and (13) unprofessional conduct.

**PERSONNEL REVIEW COMMITTEE PROCEEDINGS**

Florida Memorial College acknowledges and affirms the rights of every employee to due process. In order to insure due process, a Personnel Review Committee will be elected. All employees who are denied reappointment after expiration of term or are being dismissed or released will have the right to a hearing conducted by this Committee in accordance with the procedures set out below. The composition of the Committee will be as follows: 3 full-time non-probationary staff members and 1 representative from each of the following areas: Fiscal Affairs, Student Development and Enrollment Management, Secretarial Group and the Cabinet. This
7-person committee is to serve for 1 year or until replaced. Any member who at any time feels that he or she cannot, with complete impartiality render a decision in any case, must excuse himself/herself, and his/her position will be filled by an interim replacement from the member's same group.

The steps which the employee must pursue, in order to secure a formal hearing from the committee, are set out below:

Formal Proceedings:

Step 1 - Request for a Formal Committee Hearing

Within 7 days after the date for sending out reappointment notices or within 7 days after the staff member receives notice of release or dismissal, he/she must submit a letter directed to the President, with copies to the Human Resources Manager and the Vice President of Business & Fiscal Affairs requesting a formal hearing by the committee and explaining why he/she feels such a hearing is necessary. Acceptance or rejection of request will be mailed to the staff member within 14 days from date of receipt of request for hearing.

Step 2 - Written Response to Charges

Within 10 days after the receipt of statement, the staff member must submit a written response to the charges against him/her plus a list of witnesses and statements of nature of evidence and testimony the staff member intends to offer. This response will be submitted to the President with copies to the
Human Resources Manager and the supervisor.

Within 10 days after receipt of this response by the President, a fair and impartial hearing will be conducted by the Personnel Review Committee, according to the proceedings set out below.

**Step 3 - Personnel Review Committee Hearing**

1. The initial step of the hearing will be to examine the statement of grounds for non-reappointment, release, or dismissal and the staff member's written response to this statement. It is possible that the committee may be able to make a decision at this point.

2. If this examination makes it clear that it is necessary to convene itself in the presence of the staff member and such others as it feels necessary, it will give both parties at least 72 hours notice of meeting time and place.

3. Failure of the staff member to appear is reason for the committee to dismiss the case.

4. While fairness is to be stressed in carrying out the proceedings, it is to be noted that this is not, strictly speaking, a legal proceeding. While testimony of witnesses and other evidence is to be taken in an orderly fashion, the rules of evidence will not apply and wide latitude will be afforded the committee in the actual manner in which the hearing is to be conducted.
5. Even though the President has the option of attending as an observer, his/her presence is not required in order to legitimize the proceedings.

6. The main burden of questioning witnesses will be on the Committee itself. However, the staff member whose case is being considered will have a right to question the College's witnesses and to present other witnesses.

7. The staff member and the College will also have a right to counsel, who may listen and advise their clients, but may not participate in the proceedings.

8. The committee will, insofar as it is able, help in securing the presence of witnesses or written deposition of witnesses.

9. Once all the evidence has been presented by both the College and the staff member, the Committee will conduct private deliberations.

10. The Committee will render as part of its decision: (a) a set of findings of facts, (b) a determination of whether these facts, within the guidelines set out for non-reappointment, release or dismissal in this handbook and in the employee's contract, are sufficient to warrant the action sought by the College, (c) a recommendation to the President in writing, signed by all participating members of the Committee.

11. The President will inform the staff member in writing of his acceptance or rejection of the Committee's
recommendation within 10 days from receipt of the recommendation.

GRIEVANCE POLICY AND PROCEDURE

Purpose - The Board of Trustees has delegated the day-to-day operations of Florida Memorial College to the President, and through him/her, to other responsible College officials. The following grievance policy has been adopted to enable employees to communicate and resolve problems which arise during their employment at this institution:

Policy - A grievance is any complaint, dissatisfaction or difference in opinion arising from the rules, regulations, application, meaning or interpretation or alleged violation of College policies and/or working conditions. Employees are entitled to air their grievances and have them recognized and reviewed by responsible authorities of the College.

Disputes should be settled informally at the lowest possible level. When a dispute cannot be resolved between an employee and his/her supervisor, the formal grievance procedure may be utilized.

Objectives - The objectives of this policy are:

- To provide an orderly procedure to handle grievances.
- To assure fair and impartial treatment of all employees.
- To correct the cause of the grievances, thereby preventing similar complaints in the future.
- To resolve grievances as soon as possible.
Grievance Committee - The Grievance Committee will consist of 1 member elected by each of the following: administration, faculty, and non-teaching staff. Alternates will be named to serve in the absence of the elected representatives. An alternate will serve as the official representative in the event an elected Committee member is a party in the grievance. The term of office of the Grievance Committee is 1 fiscal year.

Election of Grievance Committee members will take place at the first meeting of the respective bodies during the fall semester. A Grievance Committee member will be expected to participate in all grievance hearings unless he/she is away from the College, on vacation, sick, on leave of absence, or otherwise disqualified.

Grievance Committee Officers - The Human Resources Office representative will be advised of names of the elected Grievance Committee members and alternates by the College organization. Within 2 working days of receipt of notification, the Human Resources Office representative will advise the Cabinet representative of the names of other Committee members and alternates. Within the next 2 working days, the Cabinet member will convene a meeting of the elected Committee members in order to select a chairperson and a vice chairperson of the Grievance Committee.

The Grievance Committee Chairperson will, immediately following the election meeting, distribute a memorandum to all employees stating names of Committee members and alternates.

The vice-chairperson will assume the chairperson's role when
the chairperson is absent or if disqualified through involvement in a personal grievance. If both chairperson and vice-chairperson are absent, the third regular member of the Grievance Committee will serve as chairperson.

The chairperson is responsible for correspondence between all parties concerned in a grievance procedure.

**Grievance Procedure:**

**Phase I - Informal Stage**

**Discussion between Employee and Supervisor** - An employee who has a grievance must first discuss the issue thoroughly with the supervisor in an attempt to resolve the problem promptly and fairly. If a mutually satisfactory solution is reached, the matter is settled and no documentation will be required.

**Phase II - Formal Stage**

Request for meeting with appropriate Cabinet Officer (to be initiated within 2 working days after completion of informal stage).

The formal signed grievance must specify the policy or procedure in disagreement and must outline the problem as the employee sees it. The unsatisfactory efforts to resolve the disagreement must be stated. If a satisfactory response is made by the Cabinet Officer, a request for a meeting may be made.

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A grievance has entered the formal stage when a meeting is requested. Full documentation is required. The grievance, dated and properly signed by all parties concerned, must be submitted along with written responses and reports of hearings and decisions.

Upon receipt of a request for a meeting regarding an employee grievance, the Cabinet Officer will arrange to meet within 2 working days with all parties to the grievance. At this meeting the Cabinet Officer will listen impartially to the employee, the supervisor and supporting witness(s). Within 2 working days the Cabinet Officer will, in writing, advise the employee of the decision. A copy will be furnished to the employee's supervisor, and a copy will be sent along with all supporting documentation to the Human Resources Office for inclusion in the employee's personnel file.

Phase III - Request for Grievance Hearing

If a satisfactory solution is not reached during Phase II, or if a response is not received within 2 working days, the employee may proceed to the next phase of the grievance procedure.

The employee will notify the Human Resources Office representative in writing requesting a formal grievance hearing. The request must be submitted within 2 working days after completion of Phase II.

The Human Resources Office representative is responsible for notifying the Grievance Committee of the request for coordinating the arrangements for the hearing, and for notifying interested
parties of the date, time and place of the hearing. The hearing will be held within 2 working days after receipt of the formal request.

Following the hearing, the Grievance Committee, through its Chairperson, will submit its findings and recommendations to the employee, with copies to the employee's supervisor and the Human Resources Office representative, for inclusion in the employee's personnel file. The Committee's decision will be rendered within 3 working days of the hearing.

**Phase IV: Appeal to the President**

If the employee is not satisfied with the recommendation(s) of the Grievance Committee, or if a response is not received within 3 working days of the hearing, an employee may appeal the decision to the President. This appeal must be made in writing within 2 working days of receipt of the Committee's recommendation or 3 working days after the hearing if a Committee response is not received, and must state why the employee is dissatisfied with the Committee's findings.

Action will be taken by the President or his/her designee within 3 working days of receipt of the appeal. The President may review the materials in the employee's personnel file, and/or call a meeting of the individuals involved in the grievance. A decision by the President will be made no later than 5 working days after receipt of the appeal.
Phase V: Appeal to the Board of Trustees

If a satisfactory solution has not been reached at the conclusion of Phase IV, an employee may file an appeal with the Executive Committee of the Board of Trustees. The appeal must be in writing and must state the nature of the grievance and why the employee is dissatisfied with the results of the Committee hearing and the President's decision. The petition must be filed with the Chairperson of the Executive Committee of the Board of Trustees within 2 working days after the conclusion of Phase IV. The Executive Committee will review the appeal at the first meeting following receipt of the petition and advise the employee of their conclusions in writing within 1 week of the meeting.

Grievance Between Employee and the Cabinet Officer - An employee who has a grievance with a Cabinet Officer must first discuss the issue with the Cabinet Officer as set forth in Phase I. If a satisfactory solution is not reached at this informal state, the employee may then proceed to Phase III.

Grievance Between Employee and the President - An employee who has a grievance with the College President must first proceed with Phase I through III. If a satisfactory solution has not been reached at the conclusion of Phase III the employee may then proceed to Phase V. The employee may appeal to the Executive Committee of the Board of Trustees. The Board shall act on this at the first meeting following
receipt of the appeal and advise the employee of its findings, in writing, within 1 week of the meeting.

Forfeiture of Right to Appeal (Failure to File) - An employee who fails to file a grievance and/or appeal within the specified time period at any phase of this policy forfeits the right to further appeal that particular grievance. Such failure to appeal shall be deemed acceptance of the last decision rendered.

EXEMPT/NON-EXEMPT CLASSIFICATION

Designation as an "exempt" or "non-exempt" employee will be made by the Human Resources Office at the time of hire or re-appointment, and will be in accordance with the criteria established by the Fair Labor Standards Act, as amended. A change in this status can be made only:

a) to meet new federal guidelines.

b) upon submission of a revised job description form setting forth new duties and responsibilities which will justify the recommended change.

Final decision of determination of "exempt" or "non-exempt" status rests with the Vice President of Business and Fiscal Affairs, who is charged with ensuring that the College is in compliance at all times with the Fair Labor Standards Act, as amended.

4.25
Exempt Employees - Individuals who are not protected by the Fair Labor Standards Act, as amended, and whose work schedule will not necessarily be limited to a 40-hour week. Exempt employees are paid at a fixed annual rate and do not receive overtime pay.

Non-Exempt Employees - All employees who are protected by the Fair Labor Standards Act, as amended. These employees are paid overtime (time and a half normal rate of pay) for authorized hours of work in excess of 40 hours in any given work week, provided such overtime is approved in advance by the department supervisor. Non-exempt employees may not work overtime (and will not be compensated for overtime hours) unless prior approval was given by the supervisor.

HOURS OF EMPLOYMENT

The normal work day for non-academic employees of Florida Memorial College is 8 hours. The normal work week is 5 days, Monday through Friday. The standard working hours are from 8:00 a.m. to 5:00 p.m., with a 1-hour lunch break. Employees should stagger their lunch hours so that all administrative offices are open continuously.

It may be necessary, however, for departments to schedule employees to work designated hours different from the standard working hours. Your supervisor will explain your own work schedule.
OVERTIME

During peak work loads or emergencies, it may be necessary for your supervisor to require you to work overtime. Under normal circumstances when overtime work is required, the supervisor will give reasonable notice (at least 24 hours) prior to assigning overtime work. However, in the case of an emergency, you may be required to work overtime without notice.

Employees who are exempt from the Fair Labor Standards Act (exempt employees) will not necessarily be limited to a 40-hour week. Exempt employees are paid at a fixed annual rate and do not receive overtime pay.

COMPENSATORY TIME

If you are required to work hours in addition to your regularly scheduled workday or on a day on which you are normally not scheduled to work, you may be granted compensatory time-off in lieu of overtime payment. Exempt employees are not eligible for overtime payment and therefore do not receive compensatory time-off.

ATTENDANCE RECORDS

Due to the requirements of the Fair Labor Standards Act, all non-exempt employees are required to record their actual hours worked.
At the end of each pay period, all employees must complete and/or sign their departmental attendance record certifying that the hours recorded are the hours actually worked. Any absences must be marked and explanations, if necessary, must be provided on or with the attendance record. Attendance records must then be forwarded to the supervisor for verification and approval. Under no circumstances are you to complete or sign an attendance record for another employee, nor is another employee allowed to complete or sign an attendance record for you. Violation of this rule may result in immediate dismissal for both employees.

All attendance records must be approved by the department supervisor and forwarded to the Human Resources Office. Attendance records must be received in the Human Resources Office by the 7th day of the month (for the 15th paycheck) and by the 22nd day of the month (for the end-of-month paycheck.) Failure to submit your attendance record by the due date may result in late processing of your paycheck.

PAYCHECK DISTRIBUTION

Wage and salary payments are made by check only. Employees are paid semi-monthly on the 15th and the last day of each month. If a payday falls on a holiday or weekend, paychecks will be distributed on the preceding work day. Paychecks are distributed by the cashier to the Cabinet representative or his/her designee.
who in turn issues them only to the employee or to a designee who carries written authorization. Every employee is required to sign acknowledging receipt of his/her paycheck. Paychecks which are not picked up by 4 p.m. on payday, must be returned to the College Cashier for safekeeping. The Human Resources Office is not authorized to release paychecks to employees for whom no attendance record was received. Under no circumstances will advances be given on earned or unearned wages and salaries.

On occasion, the College cashier (at the request of the Vice President of Business and Fiscal Affairs) will do an unannounced paycheck audit. On these occasions, all employees will be required to show proof of employment (such as a current Florida Memorial College identification card) in order to receive their paycheck from the cashier.

PAYROLL DEDUCTIONS

The College is required by law to deduct federal income tax (FIT) and social security (FICA) taxes. The amount of FIT withheld depends upon your gross income, marital status, and the number of exemptions claimed on your W-4 form. These deductions are calculated and withheld in accordance with the current Internal Revenue Service codes. Employees may, in writing, request additional FIT withholdings. These requests will be handled as expeditiously as possible. However, it is your responsibility to
check that the extra deductions are being withheld. Deductions may also be authorized for College-sponsored insurance and other benefit programs, credit union, donations and court-ordered garnishments. Other payroll deductions may be made from payroll checks as agreed upon in writing by you and the College.

GARNISHMENT OF PAY

The College is required by State Law to accept and process garnishments served by officials of the court.

PERFORMANCE EVALUATIONS

Performance evaluations provide a systematic way for each employee to measure his/her development, to discuss it with the supervisor, and to know how well he/she is meeting the requirements of the job.

The performance evaluation, including an interview session, will be carried out at least annually, by the employee's supervisor and/or department head.
OUTSIDE EMPLOYMENT

Florida Memorial College recognizes the right of its employees to use their skills and knowledge to augment their income outside of regular working hours. However, employee rights in this area must be balanced against the College's need for full productivity during regular working hours.

It must be realized that employment with the College is the employee's prime responsibility. Therefore, outside employment will not be considered as an excuse for poor job performance, absenteeism, tardiness, or refusal to work overtime. Should outside employment cause or contribute to any of these situations, the possible outcome may be termination of employment with Florida Memorial College.

Prior to accepting outside employment, you should discuss your plans with your supervisor and/or department head to ascertain whether such activity might interfere with or be in conflict with your employment at Florida Memorial College.

Employees who have accepted outside employment are not eligible for paid absence when absence is the result of injury on the second job.
SAFETY AND SECURITY

The safety and security of College personnel and property is of the utmost importance. Each employee is responsible for his/her work space and is required to ensure that at the close of each work day, doors, windows and equipment are properly secured and protected and that his/her work space and surrounding area is neat and clean. Lost keys should be reported promptly. Personal items such as purses should be carried at all times. Please familiarize yourself with the security as well as the safety regulations of your Division and the College and adhere to them in order to safeguard yourself, your co-workers and College property.

Employees entering buildings at hours other than the standard working hours are required to notify Security upon entering and leaving College campus buildings.

Injuries on the Job - Regardless of the nature or severity, all injuries sustained on the job must be reported immediately to Campus Security and documented on an "Incident Report" form.

ABSENCE AND TARDINESS

Your regular attendance on the job is important to our operation. Frequent or unexplained absence from work, or tardiness in reporting for work will seriously impair the value of your services to the College and will be considered sufficient cause for
disciplinary action.

If you must be absent because of illness, accident, or other unavoidable causes, be sure to telephone or otherwise advise the office or your supervisor prior to the start of your regular workday or as soon as reasonably possible thereafter. This notification is required for each day absent unless it is understood that you will be absent for a certain number of days.

A written release from a physician specifying the dates of disability and a recommended return to work date must be presented before returning to work after absences of 3 or more consecutive days.

Failure to abide by these rules will be cause for disciplinary action and may be grounds for dismissal.

INCLEMENT WEATHER - EMERGENCY SITUATIONS

When inclement weather creates conditions under which there might be a question as to whether the College will operate on a normal basis, the general expectation is that all programs and services will be maintained. When conditions are severe enough to cause modification in the College's schedule, an official announcement will be made through regular College channels and through the local public media.

Official staff notification to alter the normal work schedule
because of hazardous conditions will be made through the Office of the President.

When staff members are unable to reach the campus because of hazardous conditions and the College is not closed, the general College policy with respect to absences will be applied.

PROFESSIONAL ORGANIZATIONS

Employees are encouraged to join professional associations and are urged to attend meetings and conferences of these organizations.

COLLEGE PROPERTY USE AND CARE

All employees who handle College property are responsible for the proper use, care, protection and security of such property while it is under their control.

Employees are not permitted to use College property for personal reasons. Unauthorized use or removal of College property may be cause for immediate dismissal.

Employees found guilty of carelessness, mischievous, malicious or willful destruction of College property or loss of College property may be required to pay for the repair, recovery or replacement of such equipment or property. In addition, this action may be deemed cause for dismissal.
As a matter of policy, Florida Memorial College assumes the obligation for holding in strictest confidence any records pertaining to cause and circumstances of an employee's non-reappointment.

COST CONTROL

It is important that all employees make a continual effort to help keep College operating costs down. This includes the efficient use of office supplies; the proper use, care and maintenance of office equipment; conservation of electricity and other utilities; and the efficient use of work time. Department supervisors are responsible for creating, maintaining and evaluating cost controlling methods of operation.

PERSONAL PROPERTY

The College does not make provision or restitution for the replacement of lost, stolen or damaged personal property which has been brought to the College, whether or not used for College business.
EXPENSE REIMBURSEMENT

Authorized expenses incurred for College business must be documented on an "Expense Report" form, signed by your supervisor, and submitted to the Accounts Payable office. A receipt must accompany each reimbursable expense.

TRAFFIC/PARKING REGULATIONS AND VEHICLE REGISTRATION

Campus traffic and parking regulations are published and issued annually through the Office of Campus Security. These regulations are established for the convenience and safety of everyone and will be strictly enforced at all times.

Employees who desire to bring and park motor vehicles on campus must register the vehicle with the Office of Campus Security, purchase a current decal and properly affix it to the vehicle. All vehicles are to be parked only in properly designated parking areas.

Fines may be assessed for violations of traffic and parking regulations. The College retains the right to boot or tow, from its property, any unauthorized vehicles which are improperly parked or abandoned.

Detailed information may be obtained from the Office of Campus Security.
CONFIDENTIALITY

You may have access to records and other personal information about students, faculty, and other staff employees, as well as information pertinent to the College's operation, the unauthorized disclosure of which could be prejudicial to the College's interest. You must not discuss this information with anyone else without authority from your Cabinet representative. Violating this policy can be cause for disciplinary action and/or dismissal.

PERSONNEL FILES

Access to student, faculty and non-academic employee files is limited to the Human Resources Office staff, supervisors and department heads, College officers or those authorized by the above. Employees may inspect their own personnel files, provided they first submit a written request to the Human Resources Office. No materials are to be removed except as specifically authorized by the Human Resources Office, supervisors and department heads or College officers.

RESPONSE TO REFERENCE REQUESTS

Because of the serious legal consequences that can result from a careless or unfavorable job reference, the College will respond
only to written requests for information about current, retired or terminated employees. All such requests must be referred to the Human Resources Office, which will provide dates of employment, title/position, wage or salary level and work location. No opinion or assessment of job performance or attitude is to be given. Any employee who fails to comply with this policy is subject to disciplinary action, including dismissal.

FIRE PREVENTION

Every employee has the personal responsibility to protect his/her work area from fire hazards. Preventing fires by reducing fire hazards is the simplest way to prevent the loss of life, work, and property because of fire. The College needs and expects the help of all employees to reduce fire hazards.

SOLICITATIONS

Solicitations of employees while on the premises and on the job is strictly prohibited without written approval of the Vice President of Business and Fiscal Affairs. (SEE CODE OF CONDUCT SECTION)

5.7
VISITORS AND VENDORS

In order to avoid disruptions and possible security problems, visits by personal friends and family members of employees are discouraged. Visitors (vendors) to the College who are there on business must identify themselves and state their business to the security guard stationed at the campus entrance. In addition, no visitor or vendor is allowed to wander about the campus unescorted.

CONFLICT OF INTEREST

This policy applies to all trustees, officers, administrators, faculty, and staff of Florida Memorial College and is intended to serve as a guide for immediate family members of these individuals.

A conflict of interest exists when an individual covered by this Policy has a relationship or engages in an activity which impairs or adversely influences their judgement with respect to promoting the best interests of the College and the public good, or which impairs or adversely influences the performance of their duties and responsibilities.

A conflict of interest exists when an individual benefits financially, either directly or indirectly, from their employment or appointment with the College, by compensation or other financial benefits paid or granted by an entity other than the College.

An individual covered by this policy or their immediate family
member is an officer, director, employee, member, partner, trustee or controlling stockholder of an entity other than the College, and has such existing or potential financial or other interests which impair or might reasonably appear to impair an independent, unbiased judgement in the discharge of their College duties and responsibilities.

POLICY

Florida Memorial College (the College) prohibits its trustees, officers, administrators, faculty members and staff from engaging in any activity, practice or act which conflicts with the interests and welfare of the College or its students.

No individual covered by this Policy shall knowingly take any action or make any statement intended to influence the conduct of the College in such a way as to confer any financial benefit on such individual or his/her immediate family member or any entity for which they are employed or have significant interest.

Individuals covered by this Policy must exercise the utmost good faith in all transactions touching upon their duties and responsibilities to the College and its properties. In their dealings with and on behalf of the College they will be held to the strict rules of honest and fair dealings between themselves and the College.

Individuals covered by this Policy shall not knowingly use
their positions or knowledge gained therefrom, so that a conflict might arise between the interests of the College and their own personal interests.

Employees shall avoid any employment, activity, investment or other interests which might involve obligations which may compete with or be in conflict with the interests of the College. All potential conflicts shall be promptly disclosed at the time of employment or the institution of this Policy. If disclosure is necessary, it shall be made in writing to the President, Vice President Academic Affairs or Vice President Business and Fiscal Affairs.

Individuals covered by this Policy shall not accept gifts or favors or engage in private business or professional activities where there is or would appear to be a conflict between the individual's private interests and the interests of the College.

Individuals covered by this Policy who perceive the existence of a conflict of interest shall not endeavor to resolve the conflict or determine that the external benefits will not adversely affect the College; but shall make a full written disclosure of the facts, circumstances, relationships and transactions.

The President shall supply a copy of this Policy to all officers and employees, along with a Conflict of Interest Certificate form on which these individuals shall make annual disclosures of the existence or non-existence of any employment, activity, investment or other interests which may compete with or
be in conflict with the interests of the College.

It is the obligation and responsibility of the trustees, president, officers and department heads to enforce the College's Conflict of Interest Policy, however, each individual covered by this policy has the obligation of initially recognizing the possibility of a conflict of interest and shall disclose same as soon as he/she becomes aware of it.
CONFLICT OF INTEREST CERTIFICATE

I certify that I have read and understand the Policy of Florida Memorial College on Conflict of Interest. To the best of my knowledge and belief, neither I nor any member of my immediate family is now, or has been since the date of my last Certificate (if applicable), engaged in any employment, activity, investment or other interests which might compete with or be in a conflict with the interests of the College or might create a conflict of interest or give the appearance of a conflict of interest with the College, except as noted below.

If any potential exceptions arise in the future, I will promptly update this Conflict of Interest Certificate.

Exceptions:__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________

____________________  ______________________
Date               Signature
SUBSTANCE ABUSE

Florida Memorial College is a Drug Free School Zone. The College does not condone the use of any illegal drugs or alcohol. According to Florida Statute 893, signed into law on June 27, 1989, it is a felony to sell, purchase, manufacture, deliver or possess with intent to sell illegal drugs on the campus and within 200 feet of the institution itself. No employee of Florida Memorial College may possess substances regulated under the provision of Chapter 893 (controlled substances and "Designer Drugs"). Under the Rights and Responsibilities Provisions, employees at the College who possess, use or deliver controlled substances and designer drugs not dispensed by law and under pursuant to prescription are subject to disciplinary action, up to and including dismissal. Disciplinary action against an employee under College rules does not preclude the possibility of criminal action against the individual. The filing of criminal charges similarly does not preclude action by the College. The law requires severe mandatory sentences for the violation of this ruling. Drug offenses normally classified as second degree felonies will be upgraded when they occur in a Drug Free School Zone.

The use of illegal drugs and the misuse of prescription and other drugs poses a serious threat to the physical and mental well-being of students, faculty and staff. Contact the College Health Clinic, Counseling Center or AIDS and Drug Abuse Prevention Office
if you have questions or a problem with drug or alcohol use.

Employees or students presenting themselves for duty under the influence of or in possession of alcohol or drugs are subject to immediate dismissal and referral to appropriate authorities.

The cooperation of all employees is necessary to control alcohol, narcotics and drugs. You are asked to promptly report any unusual activity immediately to your supervisor, or if he/she is not available, to your Cabinet representative.
DRIVING WHILE IMPAIRED

DEFINITIONS

Driving While Impaired ("D.W.I."):

Operating a vehicle while adversely affected by alcohol, drugs or illicit substances. For purposes of this policy, a person may be D.W.I. even if their blood alcohol level or drug level is below the level which would violate state laws for driving under the influence or similar laws.

POLICY

The College prohibits employees from D.W.I. during the course of College business and activities. The College also prohibits employees from Aiding D.W.I.

The College recognizes that during the course of business or College activities (which includes entertaining or interacting with Associates), employees and Associates may become impaired. To prevent employees and Associates from D.W.I., the College will pay for taxicabs or other public transportation to avoid D.W.I. or Aiding D.W.I. If taxicabs or other public transportation are unavailable, the College shall pay for temporary lodging to prevent employees and Associates from D.W.I. If Associates become impaired, College employees must use their best efforts to have Associates utilize College-paid transportation or emergency lodging. Employees will be reimbursed by the College for transportation or emergency lodging for themselves and/or Associates.

5.15
College employees are required to inform their Cabinet representative and the Manager of Human Resources of any violations of this policy. Any person may make an allegation against a College employee for D.W.I. or Aiding D.W.I. College employees accused of violating this policy will be given an opportunity to respond to such allegations in writing to their Cabinet representative. A copy of this response is required to be delivered to the Human Resources office.

No employee shall be penalized or subjected to retaliatory action by the College or its employees for:

1) attempting to comply with this policy
2) encouraging Associates to comply with this Policy;
3) utilizing the benefits provided by this Policy; or
4) reporting violations of this Policy to their Cabinet representative and the Manager of Human Resources.

Violation of this policy will result in disciplinary action up to and including dismissal of the employee.
ACKNOWLEDGEMENT CERTIFICATE

I, certify that I have read this policy and understand that D.W.I. is a serious violation of Florida Memorial College policy and that entertaining or interacting with Associates in such a manner that will foreseeably lead them to D.W.I. also violates College policy. I also understand that the College will pay for transportation or temporary lodging, if necessary, in order to avoid D.W.I. by myself and Associates. I understand the scope of this Policy and the serious consequences of violating it. I pledge that I will not violate this Policy.

DATE

SIGNATURE

5.17
CODE OF CONDUCT

Rules and regulations are necessary in every society. The best working conditions prevail where employees conduct themselves with respect and consideration for themselves and their fellow employees. The following rules and regulations are needed to provide safety, happiness and productivity of employees.

Personal Appearance

Personal neatness and appropriate attire is left largely to the employee. All employees are asked to be careful of their personal hygiene, neatness of attire and cleanliness of apparel. Violations of standards of hygiene and cleanliness may be cause for disciplinary action.

Absenteeism or Tardiness

Employees are required to be prepared for duty at the beginning of their work period. Any employee who is repeatedly late for work jeopardizes his/her merit evaluation and presents grounds for dismissal.

Personal Mail

Personal mail should not be regularly delivered to you at the College address. Personal correspondence should not be written on College stationery, mailed in College envelopes or through the College mail room.

"Horseplay"

Horseplay is not permitted on College premises. Tools or equipment should never be used except for the specific purposes for which they were designed. Horseplay is a serious matter that
may result in injury to employees.

**Telephone Use**

Prompt, courteous answers to telephone calls should be a self-imposed rule. You are a direct representative of the College whenever you talk on the telephone. It is a good practice to identify yourself and your department when answering or making a call.

Local, personal telephone calls may be prohibited in some areas. In areas where they are allowed, judgement should be used in restricting the frequency and length of personal calls to a minimum. Supervisors are required to observe abuses of this privilege and caution employees who use the phone excessively for personal calls. An employee who has been cautioned and fails to respond will be reprimanded and/or dismissed.

Personal long-distance calls are not authorized for billing to the College. Violations of this rule will result in disciplinary action or dismissal.

**Solicitation Protection**

In order to protect employees from any form of solicitation, raffle, charity drive, etc., it is strictly prohibited for anyone to solicit from employees or students on any matter while on College premises without approval, in writing, from the College Vice President of Business and Fiscal Affairs. Violation of this policy will subject employees to disciplinary action. Employees who discover persons making unauthorized solicitations should report this to their supervisor immediately.
DISCIPLINE PLAN

The College has developed a discipline plan for those offenses that normally warrant disciplinary action. It is designed to protect the safety of all employees and ensure fair treatment. Action may include downgrading, reprimand, suspension, probation (imposed) and/or dismissal (SEE SECTION ON TERMINATION OF SERVICE.)

The form of discipline is left up to the immediate supervisor. Any discipline involving loss of pay, suspension or loss of job must be reviewed and approved by the department head.

A written record of discipline, except for minor offenses, will be kept within each department. Supervisors are responsible for substantiating all charges for cause -- what the employee did that was a violation and when and where he/she did it -- by obtaining complete statements from each person who witnessed the incident and the accused employee. Supervisors must then prepare a complete, accurate, and unbiased report of the violation, and determine whether the offense warrants formal disciplinary action.

If any employee disagrees with the discipline given, he or she may use the grievance procedure. The College does not waive its right to termination, at its discretion. (SEE GRIEVANCE POLICY AND PROCEDURE SECTION)

Reprimand (Warning)

Either verbal or written reprimand may be made by supervisors for substandard performance, poor attendance, and other types of minor offenses. Reprimands are usually preceded by counseling. Written reprimands will be filed in the employee's personnel
records.

**Probation (Imposed)**

Employees who fail to respond to counseling concerning attendance or performance problems may be placed on "imposed probation" for 1 to 3 months by their immediate supervisor with approval from their Cabinet representative. The action must be reported to the Human Resources Office in writing where it will be filed in the employee's record. Employees who fail to respond to guidance during their period of imposed probation may be terminated. Salary increases will not be given to an employee during this period.

Probation will be a period when you and your supervisor should pay particular attention to your performance progress. After you have successfully completed a probationary period, you will be subject to the normal rules of discipline and performance appraisal discussed elsewhere in this manual. Please note, that under these provisions you can be discharged immediately if it appears you are unable or unwilling to correct a problem, or if your continued employment would be contrary to the College's best interests or the welfare and safety of other employees.

**Suspension**

Employees who become involved in serious attendance problems, inadequate performance, improper behavior or other problems may be suspended from duty by their supervisor and/or department head from 1 to 10 working days. You may then be placed on probation for a designated period to correct recognized short-comings that you are able and willing to correct.

5.22
Suspensions may occur when employees are involved in a serious breach in discipline such as stealing, insubordination, fighting on the job, gambling, etc. In these cases, suspension is normally done to permit an investigation prior to taking final action when the offense for which suspended would normally require dismissal.

All suspension actions must be given to the employee in writing and must be reported to the Human Resources Office, in writing, by the Department Head or Cabinet representative. This information will be entered on the employees permanent record. No employee benefits will be paid or accrued to any employee while on suspension. Suspension with pay must be approved by the President or in his/her absence, by the Vice President of Business and Fiscal Affairs.

**Downgrading**

It may be necessary to downgrade an employee, for just cause, into a position of lower classification with a resultant decrease in salary. All downgrade actions will be documented in writing and filed with the employee's personnel records.
ETHICAL STANDARDS

Employment by Florida Memorial College carries with it a responsibility to be constantly aware of ethical conduct. Employees must refrain from taking part in, or exerting influence in, any transaction in which their own interests may conflict with the best interests of the College.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. The College recognizes and respects the individual employee's right to engage in activities outside of his/her employment which are private in nature and do not in any way conflict with or reflect poorly on the College. Management reserves the right, however, to determine when an employee's activities represent a conflict with the College's interest and to take whatever action is necessary to resolve the situation -- including terminating the employee.

It is not possible in a general policy statement of this sort to define all the various circumstances and relationships that would be considered "unethical." The list below suggests some of the types of activity that would reflect in a negative way on the employee's personal integrity or that would limit his/her ability to discharge job duties and responsibilities in an ethical manner:

- Conducting College business with a firm in which the employee, or a close relative of the employee, has a substantial ownership or interest.

- Holding a substantial interest in, or participating in the management of, a firm from which the College makes
substantial purchases.

- Accepting substantial personal gifts or excessive entertainment from an outside organization or agency that does business with the College.

- Speculating or dealing in materials, supplies, services, or property purchased by the College.

- Participating in civic or professional organization activities in a manner whereby confidential College information is divulged.

- Misusing privileged information or revealing confidential data to outsiders.

- Using one's position in the College or knowledge of College affairs for personal gain.

- Engaging in practices or procedures that violate Anti-Trust Laws or other policies, procedures and regulations of the College.
LEAVES

Leaves shall be granted according to individual employee preference as much as possible. However, leaves shall be scheduled by administrators to assure efficient and uninterrupted operation.

**Leave of Absence** - An employee shall not be entitled to a leave of absence as a matter of right. **Periods of absence with or without pay, regardless of the length of absence, must be approved by the College President.** A leave of absence may be granted upon request when the absence is primarily for the purpose of professional self improvement through study or travel, for health reasons or when the leave is offered by way of special appointment. Leave may be with or without pay as determined by the President and is granted for 1 year or a fraction thereof. As a general policy, no employee is granted more than 2 leaves consecutively. An employee does not forfeit his/her seniority status while on leave of absence. Application for leave should be made to the immediate supervisor at least 90 days prior to the start of the requested leave. Leave of absence for personal business should be arranged with the employee's supervisor as far in advance as possible. The supervisor makes his/her recommendation to the Cabinet representative who presents it to the President for final action.

Periods of absence without pay of **less than 30 days** are not regarded as a Leave of Absence, and may be granted at the discretion
of the employee's Cabinet representative, subject to the approval of the President. Such periods, however, must be covered by a letter directed to the Human Resources Office which will make the necessary adjustment in the employee's salary.

All periods of absence which exceed 30 days must be approved by the President. Requests should be submitted in writing through the employee's Cabinet representative and should contain both the reason for the leave request and a recommendation from the employee's Cabinet representative on whether the request should be approved or denied.

In no case shall an employee be granted a continuous leave of absence that exceeds 12 months without the written approval of the President. No employee may be granted more than 1 Leave of Absence per fiscal year, regardless of length of absence, without the written approval of the President. A leave of absence, regardless of the length of such absence, must be approved in advance; no retroactive approval is allowed.

An employee who has completed less than 4 years of service will not be granted a leave of absence except in unusual circumstances and at the discretion of the President.

**Study Leave** - Study Leave may be granted (with or without pay) only to "exempt" employees who have had 2 years of service at the College, except by special provision.
A Study Leave of Absence, regardless of the length of such absence, must be approved in advance; no retroactive approval is allowed.

Maternity Leave - The College treats pregnancy in the same manner as any temporary disability. The following describes the particulars of Maternity Leave. Maternity Leave of Absence for up to 1 year without pay shall be granted to a permanent employee upon request if she states an intention to return to the College thereafter. Employees still in their probationary period are not eligible for a Maternity Leave of Absence.

"1 year" is defined to mean the time taken prior to termination of pregnancy, as well as the period immediately following. Total length of absence from the College cannot exceed 12 calendar months.

An employee should attempt to notify her supervisor as soon as pregnancy is confirmed, indicating that a leave of absence is being requested, the probable length of time she will remain on the job prior to commencement of the leave, and the anticipated date of departure and return to her job.

Employees on Maternity Leave of Absence are expected to inform the College within reasonable time (i.e. 60 days), if they no longer intend to return to work.
Similar to benefits for sick leave or disability leave, every effort will be made to reinstate an employee returning from Maternity Leave providing her past job performance has been satisfactory. However, because of the size of Florida Memorial College, re-employment cannot be assured; nor can an employee be guaranteed reinstatement in the same position and/or salary grade as that held prior to the Maternity Leave of Absence.

Continued participation in the College's benefit plans is contingent upon the employee contributing her share of the premiums due.

Personal Leave - A permanent employee who has completed 4 years of service may request a Personal Leave of Absence. A Personal Leave of Absence is a convenience for the employee and is granted without pay for a maximum of 12 months.

An employee should submit the written request for a Personal Leave of Absence to his/her supervisor for action. The request will be forwarded by the supervisor to the Cabinet representative who, in turn, will submit the request to the President together with a recommendation for approval or rejection and substantiating reasons. Satisfactory work performance and attendance will be considered in reviewing requests.

If an adequate replacement is not available and compliance with the employee's request would seriously interfere with the work of the division/department, such request should not be granted until that condition is no longer a factor.
Reasons for requesting a Personal Leave of Absence should be of sufficient importance to warrant granting of the leave: illness of the employee or a member of his/her immediate family, which is verified by a medical doctor, personal business of a nature which cannot be delayed or other conditions based on their individual merits.

It is expected that an individual on Personal Leave of Absence will be reinstated at the end of such a leave. However, because of the size of Florida Memorial College, circumstances may occur which will make this an impossibility. Therefore, employees requesting a Personal Leave of Absence should understand that re-employment is not assured, nor can an employee be guaranteed reinstatement in the same position and/or salary grade as that held prior to the Leave of Absence.

Continuance in the College's benefit plans is contingent upon payment of the employee's share of the premiums when due. **Sick Leave** - Sick Leave is a benefit established by the College and is not a "right" of the employee. Therefore, Sick Leave will be granted only when there are valid reasons for such absence, as noted in "I" below.

Exempt and non-exempt 12-month, full-time employees earn 10 days of sick leave per employment year with a maximum accumulation of 30 days. ("Employment year" is defined here to mean the 12-month period immediately following an employee's date of hire or anniversary thereof.)
Sick Leave is earned on the basis of 1 day for each full month of employment beginning after the second month of service.

Employees must have worked at least 90 days prior to being paid for Sick Leave. Sick Leave cannot be credited to an employee until approved for permanent employment. Employees will not be compensated retroactively for sick days when taken during the probationary period. The following rules regarding Sick Leave must be adhered to by all College employees:

A) New employees who have not completed the probationary period are not eligible for Sick Leave with pay; however, upon successful completion of the probationary period, Sick Leave accumulation will be retroactive to the first day of employment.

B) If the College observes a holiday during an employee's paid Sick Leave, the employee's absence will be recorded and paid as for a holiday.

C) An employee absent because of illness or injury is required to telephone his/her supervisor no later than one half hour after his/her scheduled reporting time of the first day of absence, and as frequently thereafter as practical.

D) An employee who is absent because of illness or injury for more than 3 consecutive days must submit substantiating evidence, such as a doctor's certificate prior to returning to work.
E) In cases of absence due to illness or injury of 3 days or less, the supervisor should satisfy him/herself that the absence is a valid one.

F) Employees may be granted Sick Leave with pay as follows:

1. Personal illness or injury.
2. Medical, dental or optical treatment or consultation.
3. Quarantine due to contagious illness.
4. Critical illness or injury to immediate family members requiring your presence. (Immediate family is defined as: spouse, children, parents or any other dependent person or persons sharing the household on a permanent basis.) Sick Leave with pay in the case of critical illness or injury to immediate family members is limited to 3 days per fiscal year.

G) Employees may not add unused Sick Leave to their annual vacation, or any paid holidays.

H) Sick Leave is not transferable among employees. An employee can only use Sick Leave he/she has earned.
I) Sick Leave does not accrue while on other leaves of absence, with or without pay; however, an employee requesting Maternity Leave may use accumulated Sick Leave prior to commencing any non-pay Maternity Leave.

J) Pay in lieu of Sick Leave time is not permitted.

K) Upon termination, employees will not be compensated for unused Sick Leave.

L) In cases of repeated or excessive absences due to illness, the College may require a physical examination to determine the state of the employee's health. Such an examination may be at the expense of the employee.

(M) No Sick Leave may be granted to an employee in excess of the amount accumulated without the prior written approval of the President.

(N) On the first day of an employee's return from Sick Leave, an absence form must be completed. This form should be given to the supervisor to be turned in to the Human Resources Office along with the regular attendance sheet.

Sick Leave Without Pay - Any employee unable to work after using all accumulated sick and accrued annual leave, may be granted Sick Leave Without Pay (for a period not to exceed 6 months) by the President upon the recommendation of his/her supervisor and Cabinet representative.
**Annual Leave (Vacation)** - It is the policy of Florida Memorial College to grant annual vacation with pay to all permanent 12-month, full-time employees in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Employee Status</th>
<th>Vacation Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>An employee who does not complete the probationary period and is not approved for permanent employment.</td>
<td>NO VACATION WILL BE PAID.</td>
</tr>
<tr>
<td>An employee who has less than 1 year of continuous service.</td>
<td>1 day per month after the second month of employment or major portion thereafter. Maximum of 10 working days per year.</td>
</tr>
<tr>
<td>An employee who has between 1 and 5 years of continuous service.</td>
<td>10 working days per year.</td>
</tr>
<tr>
<td>An employee who has more than 5 years of continuous service.</td>
<td>15 working days per year.</td>
</tr>
</tbody>
</table>

6.9
An employee who terminates employment will receive prorated vacation pay for the months worked during that employment year.

Every effort will be made to honor an employee's request for vacation once the employee becomes eligible; however, the supervisor has the responsibility of seeing that work stations are covered and will have to use discretion in granting vacation time. Annual leave is to be taken at a time that is mutually acceptable to the employee, the College, and his/her supervisor. Annual Leave will not be scheduled at times that conflict with or hinder the operations of the College. If the College observes a holiday during the employee's vacation period, the employee's absence will be recorded and paid as for a holiday. No pay in lieu of vacation will be authorized.

Earned Annual Leave is cumulative to a maximum of 30 working days. Annual Leave earned in excess of the maximum 30-day accrual must be used by the end of the calendar year earned or it is automatically forfeited. Upon termination of employment, unused earned Annual Leave balances will be paid at the employee's daily rate of pay as of the date of separation.

Military Leave - A leave of absence without pay will be granted to an employee who is called into or who voluntarily enlists for the military service for the United States of America. Immediately upon receipt of orders to report for military duty, you should notify your supervisor and submit a copy of your orders together
with a Letter Requesting Military Leave to the Office of the President. This leave of absence will not exceed 4 years plus 90 days.

If any employee requests re-employment within 90 days after an honorable discharge, the individual will be reinstated in his/her previous position or one of similar grade and pay. Seniority will continue to accrue during military service, and will apply if application for re-employment is made within the time period specified and upon presentation of the official discharge papers.

Employees on Military Leave of Absence will not be continued in the College's benefit plans, but will be reinstated immediately upon return to work.

Annual Encampment - Employees who are in the National Guard or other organized Reserve Corps of the United States of America and who are required to participate annually on active duty training will receive the difference between the base daily pay rate, excluding allowances and reimbursements paid by the government, and the daily rate of pay he/she would have earned at the college, had the absence not occurred. In cases where payment for training duty exceeds that to which an employee would be entitled from the College, no salary will be paid by the College.

The employee must furnish an official statement of the earnings received from the military service, signed by an appropriate officer, before salary will be paid by the College.

6.11
The first paycheck due an employee after return from training duty will reflect payment received from the military service. In the event the statement from the military service has not been submitted prior to preparation of paychecks, the individual's paycheck will be withheld by the Payroll Office pending receipt of such statement.

A maximum of 15 calendar days in any fiscal year will be allowed for annual encampment, in addition to the employee's annual vacation. Benefit plans and deductions will continue.

Civil Leave (jury duty) - The College will permit a leave of absence with full pay to serve on a jury or to attend court as a witness under subpoena.

If you are a full-time employee and are called to jury or witness duty, the College will continue to pay you at your normal rate of pay providing you report to work on any day that you are excused from duty.

Civil Leave will be granted upon presentation of official orders from the appropriate court.
FAMILY AND MEDICAL LEAVE

Any administrator, faculty or staff who has completed one year of service is entitled to 90 days of unpaid Family or Medical Leave in any 24-month period. Intermittent Leave will not be permitted without prior written approval of the President.

Requests for Family or Medical Leave must be in writing and must be given to the employee's immediate supervisor and the Manager of Human Resources.

Requests for Family or Medical Leave must be approved in writing by the President, before the Leave period may begin. Family or Medical Leave will be granted for (1) the birth or adoption of a child, (2) care of a family member (spouse, child, parent or grandparent) who has a serious health condition; or (3) the employee's own serious health condition that makes the employee unable to perform the functions of his/her position.

Any unpaid Leave provided by the College that is taken in place of the unpaid Family or Medical Leave, will be deducted from the 90 days unpaid Leave, provided by the policy.

If the need for Leave is foreseeable (e.g. birth, adoption or planned medical treatment) the employee must provide as much advance written notice as is reasonable and practical under the circumstances.

The entitlement for Leave for the birth or adoption of a child expires at the end of the 12-month period after the date of the
birth or adoption.

In cases where more than one parent or family member is employed by the College, only one parent or family member will be allowed to take Leave, under this policy, for the birth or adoption of a child or for the care of a family member.

The College requires a written statement (certification) from the employee's health care provider, in support of requests for Medical Leave. This certification must include (1) the date the condition commenced, (2) the probable duration of the condition, (3) the appropriate medical facts regarding the condition, (4) an estimate of the amount of time needed (when the leave is necessary to care for a family member), (5) an estimate as to the extent to which the employee is unable to perform the functions of his/her position, (7) a determination as to whether the employee is capable of performing in some other capacity.

The employee may be required to obtain periodic recertification of his/her condition. Employees on Family and Medical Leave are required to provide semi-monthly status reports to their supervisor, in time for submission with the department's attendance reports. These status reports must include the employee's reaffirmation of intent to return to work.

Any employee who is on approved Family or Medical Leave will be restored to the same or equivalent position with the same or equivalent benefits, pay and other terms and conditions of employment, upon their return from Leave.
As a condition to restoration of employment, the employee will be required to provide certification from the employee's health care provider that he or she is able to resume work.

Restoration of employment may be denied if (1) the employee performs duties of a highly specialized nature which cannot be performed by other employees of the College, (2) the employee sets policy on behalf of the College, (3) the employee directs the activities of a major organizational segment of the College, (4) the denial of restoration is necessary to prevent substantial and grievous economic injury to the College's operations, (5) the employee elects not to return to employment after the expiration of the Leave period.

No accrual will be made for seniority or other employment benefits or rights of employment other than those to which the employee would have been entitled if the employee had not taken Leave.

**Emergency Leave (death in the family)** - An employee will be granted up to 3 days of Emergency Leave with pay upon the death of his/her immediate family. ("Immediate family" is defined as the spouse, children, parents, grandparents, brothers and sisters of both the employee and his/her spouse.)

An employee requesting Emergency Leave should notify his/her supervisor by 8:00 a.m. of the first day of such leave. Proof of the emergency may be requested before or after the leave period.
Leave Reporting - All employees must complete a leave slip to report any leave granted whether with or without pay. All leave slips must be signed by the appropriate supervisor and forwarded to the Human Resources Office prior to compensation for any leave.

Leave slips for planned Annual Leave (Vacation) should be prepared by the employee and must be submitted to his/her supervisor for approval, not less than 5 working days prior to the planned leave. Leave slips for unplanned Sick Leave should be completed by the employee and submitted to his/her supervisor for approval, the day he/she returns to work.
HOLIDAYS

The following are paid holidays observed by the College for all full-time, permanent employees:

New Year's Day
Martin Luther King Jr.'s Day
Good Friday
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Thanksgiving Friday
Christmas Eve through New Year's Eve

If any of the above holidays fall on a Saturday or Sunday, the following Monday will be observed as the holiday. Certain College services must be rendered on a 24-hour, 7 days a week basis including official College holidays. Employees affected by this requirement will be notified by their supervisor.

Student Holidays are not to be confused with official staff holidays.

For purposes of this policy, employees still in their probationary period are considered permanent employees. Individuals hired on a temporary basis, and part-time employees, do not receive pay for holidays observed by the College.

6.17
When it is necessary to schedule a non-exempt employee to work on an official paid holiday, the employee will be remunerated at a rate of 2 times their normal rate for hours worked, or will be paid at their regular rate for hours worked and allowed to select a substitute day that is mutually agreeable to the employee and the College.

Employees on paid Sick Leave will receive holiday pay, and no Sick Leave deduction will be made for that day.

Employees on vacation will be entitled to an extra working day which must be taken during the year's vacation period.

Employees must be at work or be in an authorized pay status the last working day preceding and the first working day following a holiday to receive the holiday pay.

Employees on Leave of Absence without pay are not considered on pay status for holiday purposes and do not qualify for holiday pay.

EDUCATIONAL ASSISTANCE PROGRAM

Florida Memorial College grants to its permanent full-time faculty, staff, administration, and eligible dependents of these College employees the privilege of attending classes at a special institutional tuition rate. This is to provide an incentive for self-improvement and a means of encouraging higher education for employees as well as their spouses and dependents.

6.18
ELIGIBILITY

**Employees:** All permanent full-time employees who have completed 90 calendar days of continuous employment at the College prior to completion of registration for the first scheduled day of class. If the completion of the 90 days falls after the first scheduled day of classes, eligibility shall commence at the next appropriate regular registration.

**Dependents:** Spouses and dependent children who meet the definition of the Internal Revenue Code of the United States. Appropriate proof may be required to substantiate dependent status, such as IRS tax returns, insurance applications and payments, birth certificates, marriage certificates, etc. (Upon the death of a regular full-time employee or retired employee, the spouse and dependent children are still eligible for benefits as set forth in this policy.)

**APPLICATION PROCEDURE:**

1. Applicants must apply and meet admissions and academic requirements as stated in the College catalog.

2. Applicants must complete an application for the Educational Assistance Program.

3. Applicants approved to participate in the Educational Assistance Program are eligible to take up to 6 credit hours
per semester, and up to half a full-time load for a summer session free of charge.

4. Applicants registering for more than 6 credit hours have the option of completing a financial aid form to cover additional tuition cost. These applications may be obtained from the Financial Aid Office. No refunds will be made for courses paid by grants, scholarship funds or the educational assistance program.

REQUIREMENTS:

1. Employees may register for up to or more than 6 credit hours per semester provided the courses do not conflict with their working schedule (i.e., after 8:00 a.m. or before 5:00 p.m.)

2. Courses may be taken, provided (a) space is available in the course after all regular tuition-paying enrollees in the course are accommodated, and (b) the course has regular tuition-paying enrollment sufficient to warrant its being offered.

3. Dependents may enroll as degree or non-degree seeking students; and may also enroll as full-time students. Dependent children must be admitted and enrolled in a class before they reach the age of 23. Dependents who register for more than 6 credit hours per semester have the option of completing a financial aid form to cover additional tuition costs.

6.20
4. Employees must be in "good standing" with the College before applying for the Educational Assistance Program, (i.e., not on probation)

5. Applicants wanting to reapply for the Educational Assistance Program must maintain satisfactory academic progress. Students unable to maintain satisfactory academic progress will be ineligible for the Educational Assistance Program and must pay the regular tuition rate until they have regained good academic standing status.

6. Upon the effective date of termination of an employee, excluding death or retirement, all tuition benefits cease. The former employee or dependent has the option of continuing enrollment by paying a pro-rated share of tuition assistance previously granted. (Employees who are placed on lay-off are eligible for tuition assistance previously granted and/or tuition assistance through the end of the semester or summer session in progress.)

7. Other Leaves of Absence with pay and medical or industrial disability leaves will not change tuition assistance. Leaves of Absence without pay will be treated the same as a termination (i.e., the assistance will be revoked as of the starting date of the leave.)
FLEXIBLE BENEFITS PLAN

All permanent full-time employees are eligible to participate in our Flexible Benefits Plan. The Flexible Benefits Plan allows employees to pay for specified benefits through salary reduction (pre-tax dollars.) Detailed information may be obtained from the Human Resources Office.

GROUP HEALTH INSURANCE

All permanent full-time employees are eligible to enroll in our group health insurance plan, which includes coverage for hospitalization, medical, surgical, and major medical. Coverage is offered on an individual and a family basis. The College shares in the individual cost for eligible employees. If an employee elects to cover his/her dependents, he/she is responsible to pay the premium for his/her dependents through payroll deduction. Since sign-up requirements vary by carrier, we urge you to seek detailed information from the Human Resources Office immediately upon employment.

COBRA benefits are available to terminated employees.
LIFE INSURANCE

All permanent full-time employees are insured through the College group life insurance plan for a minimum of $15,000. The College shares in the cost of the life insurance plan for these employees. Detailed information may be obtained from the Human Resources Office.

DENTAL INSURANCE

All permanent full-time employees are eligible to enroll in our dental insurance plans. Coverage is offered as part of the group health package or as a separate option. Both options provide individual or family coverage; however, the College only shares in the individual cost for eligible employees. If an employee elects to cover his/her dependents, he/she is responsible for paying the premium for his/her dependents through a payroll deduction.

DISABILITY INSURANCE

All permanent full-time employees are eligible to enroll in the College's long-term disability insurance plan. Premiums for the long-term disability insurance plan are shared by the College and the employee. Detailed information may be obtained from the Human Resources Office.

6.23
TAX SHELTER ANNUITY RETIREMENT PLAN (TSA)

Florida Memorial University offers a 403(b) tax shelter annuity program as a retirement plan for employees. The TSA plan has the effect of delaying taxes on this part of your income until you retire. All permanent full-time employees are eligible for participation. Part-time employees can make contributions into the plan but are not entitled to the University’s contribution. The plan is contributory; i.e., the employee contributes a certain minimum percentage of their gross base salary through payroll deduction and the University matches it with a pre-determined percentage of the employee’s gross base salary. The University offers this benefit through three companies, ING ReliaStar Life Insurance Company, TIAA-CREF and Life Insurance of the Southwest. The following is a schedule of what the employee must contribute in order to receive the University's contribution:

<table>
<thead>
<tr>
<th>Number of years of uninterrupted service</th>
<th>Employer Contribution</th>
<th>Minimum Employee Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st year</td>
<td>5%</td>
<td>2%</td>
</tr>
<tr>
<td>2nd year</td>
<td>5%</td>
<td>3%</td>
</tr>
<tr>
<td>3rd year</td>
<td>6%</td>
<td>4%</td>
</tr>
<tr>
<td>4th year</td>
<td>7%</td>
<td>5%</td>
</tr>
<tr>
<td>5th year</td>
<td>8%</td>
<td>5%</td>
</tr>
<tr>
<td>6th year</td>
<td>8%</td>
<td>5%</td>
</tr>
<tr>
<td>7th year</td>
<td>9%</td>
<td>4%</td>
</tr>
<tr>
<td>8th year</td>
<td>9%</td>
<td>3%</td>
</tr>
<tr>
<td>9th year</td>
<td>9%</td>
<td>2%</td>
</tr>
<tr>
<td>10th year +</td>
<td>10%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Please inquire with the Office of Human Resource Management for enrollment information.
TAX SHELTERED ANNUITY PROGRAM

Tax Sheltered Annuities (TSA) is a plan authorized by the Federal Government that allows you to exclude from taxable salary money you place in an annuity. The TSA plan has the effect of delaying taxes on this part of your income until after you retire.

The College participates in a 403(b) tax shelter annuity program with Northern Life Insurance Company. All permanent full-time employees are eligible for participation. The plan is contributory; i.e., the employee contributes a certain minimum percentage of gross base salary through payroll deduction and the College matches it with a pre-determined percentage of the employee's gross base salary.

The following is a schedule of what the employee must contribute in order to receive the College's contribution:

<table>
<thead>
<tr>
<th>YEAR OF SERVICE</th>
<th>REQUIRED MINIMUM EMPLOYEE CONTRIBUTION</th>
<th>FLORIDA MEMORIAL COLLEGE CONTRIBUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(AS A PERCENTAGE OF BASE SALARY) NEEDED TO RECEIVE COLLEGE CONTRIBUTION</td>
<td>AS A PERCENTAGE OF EMPLOYEE'S BASE SALARY</td>
</tr>
<tr>
<td>1st</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>2nd</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td>3rd</td>
<td>4%</td>
<td>4%</td>
</tr>
<tr>
<td>4th</td>
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<td>5th</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>6th</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>7th</td>
<td>4%</td>
<td>6%</td>
</tr>
<tr>
<td>8th</td>
<td>3%</td>
<td>7%</td>
</tr>
<tr>
<td>9th+</td>
<td>2%</td>
<td>8%</td>
</tr>
</tbody>
</table>

6.24
Please note that your contribution is subject to Internal Revenue Service limitations. Your gross income subject to Federal Income Tax is reduced by the amount you contribute each pay period. Additional information regarding this plan may be obtained through the Human Resources Office. Since individual tax situations vary, we advise you to consult your income tax return preparer regarding the proper tax treatment of your contributions.

UNEMPLOYMENT COMPENSATION

The College provides unemployment compensation insurance at no cost to the employee. This means that employees qualified for benefits will be protected against loss of salary for reasons other than sickness or injury. Employees should be aware that voluntary termination or discharge for cause are not normally covered by unemployment compensation. Specific qualification requirements can be obtained from the local State Employment Office.

WORKERS' COMPENSATION

Should you become disabled due to an injury on the job, you will be covered by Worker's Compensation. The College pays the entire cost of this protection.
SOCIAL SECURITY

All College employees participate in the Social Security Program. The contributions under the Social Security Program are shared by the individual employee and the College. The amount of the contributions and the benefits you receive are established by the United States Congress.

RAISES AND PROMOTIONS

Raises and promotions are not automatic or guaranteed; however, the College requires supervisors to do performance appraisals and review annual salaries, at least once a year. Raises may be granted from year to year within a given range and within the financial ability of the College.

Recommendations for raises, salary adjustments and promotions must be submitted to the President by your Cabinet representative. This recommendation must be in writing and must include the justification for the decision. Justification should include all or some of the following:

(a) Additional responsibilities assigned
(b) Change of position or rank
(c) Evidence of exceptional skill, ability or educational qualifications needed by the College
(d) Above-average rating on performance evaluations

6.26
(e) Satisfactory completion of probationary period

To encourage internal promotions, the College posts announcements and descriptions of openings for which any qualified applicant is free to apply. Internal applicants will get preferential consideration.

Salary and contract arrangements are considered confidential information.