Middlebury Institute *of*
International Studies at Monterey

Employee Handbook

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Employment Policies and Practices

Introduction

This handbook is designed to provide all employees with clear, concise, and accessible information about employment at the Middlebury Institute of International Studies at Monterey.

This document is intended solely to provide guidance on the mutual expectations shared by the Institute and its employees. All staff members are employed at will as defined by California Law. Neither this handbook nor any other personnel document or oral statement, including benefit plan descriptions, constitutes an employment contract or creates any type of contractual obligation or promise or representation of continued employment for any staff employee. Neither the employee nor the Institute is bound to continue the employment relationship if either, at any time, chooses to end it.

The Institute reserves the right to change, revise, or eliminate any of the policies described herein, except for the policy of at will employment for staff members. The only recognized deviations from stated policies are those that are in writing, authorized and signed by the president of the College.

Some of the policies and provisions contained herein (such as holiday and CTO benefits) are not applicable to faculty. If you have any questions as to which policies are not applicable to faculty, please address them to the Human Resources Department. Additional policies and provisions that apply solely to the faculty are described in a Faculty Handbook section of the Institute Handbook.

While the Employee Handbook provides much detail, it does not cover every permutation of every situation. Questions should be directed to the Human Resources Office at ext. 3520. The College President is the final and binding interpreter of the provisions of the Employee Handbook as they apply to the facts of a particular situation.

About the Institute

The Middlebury Institute of International Studies at Monterey is an academic community committed to preparing innovative professionals able to provide leadership in cross-cultural, multilingual environments. Founded in 1955 with a commitment to promoting international understanding through the study of language and culture, the Institute has graduated prominent leaders in foreign service and diplomacy, in language teaching, translation and interpretation, and in the international business and nonprofit communities.

Effective June 30, 2010, the Institute merged with Middlebury College following an affiliation with the College that was established in 2005. One of the country's leading liberal arts colleges, Middlebury is also home to the renowned Middlebury Language Schools, Schools Abroad in twelve countries, the Bread Loaf School of English, and the Bread Loaf Writer's Conference. Affiliation with Middlebury has created a unique opportunity for both institutions to have an even greater impact in the realm of global education.

As a graduate school of Middlebury College, the Institute is governed by the Board of Trustees of Middlebury College, which has also established a Board of Overseers of the Institute to review and advise the Institute regarding its operations and to make recommendations to the Board of Trustees of the College.

The Institute is organized into two graduate schools that offer professional master's degrees from its Monterey, California campus:

- The Graduate School of International Policy and Management
- The Graduate School of Translation, Interpretation, and Language Education

The Institute is also home to the James Martin Center for Nonproliferation Studies, the world's largest nongovernmental organization devoted to curbing the spread of weapons of mass destruction, and to a number of non-degree programs including intensive and customized language learning opportunities.

Diversity

At the Institute, our international focus reinforces our emphasis on diversity in our student body and in our faculty and staff. The Institute recognizes the importance of treating every member of the community with fairness and respect and encourages inter-cultural understanding in all our dealings with each other, just as we embed cross-cultural competence in all our academic programs.

Non-discrimination, Anti-Harassment and Related Policies

The Middlebury Institute of International Studies at Monterey, as a Graduate School of Middlebury College, falls under the jurisdiction of Middlebury College policy with regard to compliance with any and all federal and state laws that prohibit discrimination. Please see the Middlebury Nondiscrimination Statement (http://www.middlebury.edu/about/handbook/general/nondiscrimination), the Middlebury Anti-Harassment/Discrimination Policy (http://www.middlebury.edu/about/handbook/misc/antiharassment), and the Policy Against Sexual Misconduct, Domestic and Dating Violence and Misconduct, and Stalking (http://www.middlebury.edu/about/handbook/misc/October).

Americans with Disabilities Act (ADA)

The Institute recognizes and supports the standards set forth in Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) and California laws that are designed to eliminate discrimination against individuals with disabilities. The Institute does not discriminate against individuals with disabilities in any aspect of the employment relationship, and provides reasonable accommodations as required by law to otherwise qualified employees and applicants with disabilities except for undue hardship situations. Employment and educational opportunities or privileges will not be denied to an otherwise qualified employee or applicant because of the need for reasonable accommodation of the individual's disability. Discrimination based on an employee's or applicant's association with a disabled individual is also forbidden. Employees with disability-related concerns should contact the Human Resources Office to initiate the process of requesting an accommodation or to present a complaint of violation of this policy.

The Institute will make reasonable accommodations as required by law. Qualifying disabilities can include, for example, vision, hearing, or mobility impairments, psychological and medical conditions, and learning disabilities that limit one or more of an employee's major life activities and may necessitate non-essential modifications to the facilities or the job, but which do not prevent the employee from effectively performing, with reasonable accommodations, the essential functions of the job.

Employment Eligibility

It is the policy of the Institute to employ only United States citizens and aliens who are authorized to work in the United States. In complying with the Immigration Reform and Control Act of 1986, it is against Institute policy to discriminate because of an individual's national origin, citizenship, or intent to become a U.S. citizen. In accordance with federal law, each prospective employee shall be required to provide, within 72 hours of employment, documents verifying her/his identity and authorization to be legally employed in the United States. In addition, the prospective employee will be required to sign a verification attesting s/he is legally employable in the United States. The Institute shall retain copies of the documents submitted by the employee. To the extent practical and appropriate, these documents will be kept confidential. However, the Institute is required to provide copies of the documents to the U.S. Department of Labor and the Customs and Immigration Service ("USCIS", formerly "INS") on request.

Providing false documentation or making false statements on the verification shall be grounds for immediate termination. During the course of employment, if the Institute requests further information relating to the employee's authorization to work in the United States, the employee shall furnish the information requested. Failure to cooperate in furnishing such information shall be grounds for discipline, up to and including termination.

Affirmative Action

Middlebury College and the Middlebury Institute maintain Affirmative Action Plans, and commit themselves to good faith and lawful efforts to correct any under-representation or under-utilization that has been identified by the Institute as warranting such action. The Manager of Human Resources has been designated the Equal Employment Opportunity/Affirmative Action Officer for the Institute. Inquiries concerning the application of federal and state laws and regulations should be referred to the Human Resources Office.

Identification Cards

All employees are expected to obtain an Institute photo identification card within the first week of employment. After submitting the required employment paperwork to the Human Resources Office, new employees may make arrangements to obtain identification cards by contacting Security at x4153. Identification cards are property of the Institute and must be relinquished at the conclusion of employment.

Background Screenings

The Institute requires that all newly hired employees have a background screening, and in some cases a credit check, performed by a third party specialist organization.

Credit checks are conducted for positions in the Business Office, the Institutional Advancement Office and other positions with fiduciary duties or responsibilities, or with significant access to related information.

Any offer of employment made prior to the completion of the background check is conditional, contingent upon receipt of information satisfactory to the Institute.

All pre-employment background screenings are conducted by a third party to ensure privacy. Screenings are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal anti-discrimination and privacy laws. All screening reports are maintained separately from employee personnel files. Under the Fair Credit Reporting Act (FCRA), all background screenings are done only after a person has received a disclosure and has signed a release.

An individual who has previously been employed at the Institute and is returning to work after being absent for more than one year will be required to undergo a background screening.

An employee who transfers or is promoted to a position that has fiduciary responsibilities will be required to consent to a background screening.

These screenings will only be performed with the candidate's permission and only if the Institute intends to offer a candidate employment. If a candidate declines to give permission to conduct these screenings, s/he will not be eligible for employment at the Institute.

New Employee Orientation

Orientation sessions are hosted by Human Resources and are designed to introduce new staff members to the history, culture, and mission of the Institute, as well as allow them to complete required employment paperwork. The orientation program provides employees with the opportunity to meet different members of the community, become acquainted with the campus, review Institute policies, and enroll in eligible benefit programs.

Each newly hired regular staff employee receives a job description and a letter of appointment summarizing the terms of employment, compensation rate, number of work hours per week, payment schedule, whether the employee is overtime exempt, whether the employee is eligible for benefits, and the name of the employee's supervisor.

New employees also receive orientation within their departments, covering safety procedures for the particular location and other matters pertinent to the position.

Introductory Period for New Employees

All new or rehired employees work on a provisional basis for the first three months. Employees are encouraged to take advantage of this period to determine whether the position meets their expectations and to get clarification concerning responsibilities. The Institute will use this period to evaluate an employee's capabilities and work habits. Either the Institute or the employee may end the employment relationship at will, with or without cause, during the introductory period or thereafter.

Provisional employment status does not affect eligibility for employer-provided benefits.
A newly hired employee will receive a performance appraisal at the completion of the provisional period. Subsequent reviews occur annually on a schedule published by the Human Resources Office.

Personnel Records

Disclosure of personnel files is restricted to authorized persons within the Institute. Any request regarding personnel files should be directed to Human Resources staff, who are the only people authorized to release information about current or former employees. Disclosure of confidential personnel information to outside sources is limited. The Institute generally will release personnel information to third parties if the employee has given her/his written authorization or if release of the records is needed to protect or advance the Institute's business interests or otherwise is lawful. The Institute will provide information as requested by authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

Employees are responsible for ensuring that their names, addresses and information about dependents or marital status are kept up to date in their personnel files. To ensure continuity of benefits, Human Resources should be informed immediately of any such changes. The Institute is required by law to maintain current employee records and for official purposes can rely only on existing records; the Institute is not responsible for accommodating any status change not communicated in writing (including via email) to the Human Resources Office.

Personal directory information about Institute employees (home address, phone number) is maintained for the purpose of facilitating essential communication and is disseminated only to those members of the Institute administration who have a need to know.

Personnel File Access Policy

Employees have the legal right to inspect certain documents in their personnel files. Such inspections must occur in the presence of a Human Resources representative at a mutually convenient time.

Employees may inspect or receive a copy of the personnel records that the Institute maintains relating to your performance or to any grievance concerning you. Certain documents may be excluded or redacted from your personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the Human Resources Manager. You may designate a representative to conduct the inspection of the record or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. The Institute may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.
The personnel records may be made available to you either at 437 Pierce Street, Monterey, CA or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date the Institute

receives your written request to inspect or copy your personnel records (unless you/your representative and the Institute mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

Disclosure of personnel information to outside sources, other than your designated representative, will be limited. However, the Institute will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

Reporting Time & Payroll Issues

All employees of the Institute are paid every other Friday on a bi-weekly pay period basis. If a payday falls on a holiday, employees will receive paychecks on the last working day of the week. The pay period begins on Monday and ends on the following second Sunday. The pay calendar can be downloaded from the Institute's website: http://www.miis.edu/offices/humanresources/employee

Hourly and salaried staff are required to use the BannerWeb system (https://ssb.middlebury.edu/PNTR/twbkwbis.P_WWWLogin?) to record hours worked and leave taken during each pay period. All time must be submitted by 3:00 PM on the Friday prior to the close of the pay period in order to be included in the next paycheck. Failure to submit time by the prescribed deadline may result in disciplinary action. Time reporting procedures for exempt staff are not for the purposes of evaluating the amount or quality of work performed nor for pay purposes, and do not alter the fact that exempt staff are not paid based on the number of hours worked.

If you feel your check may be inaccurate, first verify that your time was submitted accurately and on time. Issues regarding rate of pay, positions or titles and time off should be directed to Human Resources. Other paycheck issues, such as those involving taxes, should be directed to the Payroll department.

Employment Status

The Middlebury Institute of International Studies at Monterey maintains the following staff employment status definitions. These definitions are used primarily to determine eligibility for benefits. The primary basis for determining employment status is committed hours, defined as regularly scheduled and budgeted hours assigned to a specific position. Regardless of the number of hours actually worked, on-call positions have no committed hours. Human Resources will work collaboratively with managers to determine the classification of each position.

> ***Regular staff employees*** work on a regular schedule for an unspecified duration and are normally employed for a position as a result of open recruitment. Regular employees may be classified as full-time; part-time benefit eligible; part-time non-benefit eligible.
>
> If a regular staff employee is classified as exempt, the employee is not paid based on the number of hours worked. If a regular staff employee is classified as non-exempt, the employee is paid based on the number of hours worked AND AN HOURLY RATE OF PAY.
>
>> ***Full-time staff employees*** are normally scheduled to work 37.5 hours per week. To be classified as full-time for purposes of benefits, an employee must be scheduled to work at least 32 hours per week (1664 hours per year). Full-time staff employees are benefits eligible.
>>
>> ***Part-time, benefit eligible staff employees*** are scheduled to work at least 20 but less than 32 hours per week (between 1000 and 1663 hours per year).
>>
>> ***Part-time, non-benefit eligible staff employees*** are scheduled to work less than 20 hours per week, or less than 1000 hours per year.
>
> ***Time-limited employees*** are employed for an assignment of a "not to exceed" specific duration.

A time-limited employee is eligible for benefits if the committed hours for his/her position totals 1000 hours in the 12 months following his/her appointment. Postgraduate Fellows are included in this category. Time-limited assignments may be extended; however, the employment status of an employee who works longer than the period originally expected and designated will not automatically change.

On-call staff employees work as needed on an hourly basis. Hours may vary from part-time to full-time. There are no committed hours attached to these positions. On-call staff are not eligible for benefits.

Staff positions funded from external sources will be classified into the appropriate job status as determined by job assignment and the duration of time that the position is not to exceed.

All staff employment, regardless of employment status definition, is at-will, at the mutual consent of the employee and the Institute. (See At-Will Employment, below.)

Part-time and time-limited employees may be ineligible for Institute Benefits. To determine eligibility for specific benefits consult the sections of this handbook addressing those benefits or, if applicable, the Summary Plan Descriptions.

Independent contractors and consultants are not employees of the Institute and are not entitled to employee benefits. Terms and conditions of their services are set forth in an agreement entered into between the Institute and the contractor.

If you have any doubt about your status as described above, contact the Manager of Human Resources.

The Institute reserves the right, at any time, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities. From time to time, employees may be asked to work on special projects or to perform other work necessary or important to the operation of the department or the Institute. Cooperation and assistance in performing such additional work is expected.

At-Will Employment

The administration of The Middlebury Institute of International Studies at Monterey hopes that every staff employee will find the employment relationship with the Institute satisfying and rewarding in all respects. At the same time, it recognizes that employment relationships are not always mutually satisfactory. To protect the rights of both staff employee and the Institute, employees should remember that employment is at the mutual consent of the employee and the Institute. As defined by the California Labor Code (http://www.leginfo.ca.gov/cgi-bin/displaycode?section=lab&group=02001-03000&file=2920-2929), either the at-will employee or the Institute can terminate the employment relationship, at any time, with or without cause, and with or without advance notice. Staff members who work in positions with a pre-scheduled not to exceed end date, whether funded by grant or contract monies or otherwise known as a “fixed term” position are in at-will status during that time and subject to conclusion of employment at or before the scheduled end date.

Work Schedule

The Institute normally is open for business between the hours of 8:30 AM and 5:00 PM, Monday through Friday. Some departments, such as the library, are open extended hours. Supervisors are responsible for assigning individual work schedules. Employees are expected to be at their desks or work stations at the start of their scheduled hours, ready to perform their work. The workday (a consecutive 24-hour period) begins at 12:01 AM and ends at midnight. The workweek begins on Monday and ends on Sunday.

Telecommuting

The Institute places a high value on community and quality of service to its students. Generally, this means that faculty and staff need to perform their work on campus with their students and colleagues. We do recognize, however, that there may be circumstances in which an employee is unable to be present on campus, but could work effectively from another location. An employee who would like to explore this possibility should first speak with his/her supervisor, who will ascertain whether or not telecommuting is feasible, and if so, work with HR to develop a telecommuting agreement that ensures compliance with relevant state and federal regulations.

Exempt/Non-Exempt Status

Under state and federal laws regarding overtime pay, the Institute's executive, administrative and support staff members are classified either overtime exempt or non-exempt. Exempt employees are paid a salary that covers all work and do not receive additional compensation for hours worked beyond their normal workweek. Determination of exempt or non-exempt status is made by Human Resources, based on the employee's job description, state and federal law, and guidelines issued by the California Industrial Welfare Commission and U.S. Department of Labor.

Compensatory Time Off

Employees who are non-exempt under the Fair Labor Standards Act or the California Labor Code are not granted compensatory time off in lieu of overtime pay. All hours worked in excess of the employee's normal workweek will be compensated as extra pay and should be recorded and submitted in the current pay period.

Exempt employees are paid a fixed salary intended to provide all of the compensation to which they are entitled. They are not entitled to additional compensation for extra hours of work or time off in lieu of additional compensation. Neither extra compensation nor compensatory time off will be owed or payable to an exempt employee upon separation from the Institute for any reason.

Meal and Rest Periods

Non-exempt employees working shifts lasting five hours or longer are entitled to a one-hour, unpaid meal period taken approximately in the middle of the work shift. Non-exempt employees working more than six-hour shifts may not "skip" the meal period to shorten the workday. If an employee is not provided a meal break, they will be paid one additional hour of pay at their regular pay rate. They are allowed paid ten-minute rest periods for every four hours of work or major portion thereof. Rest periods should be taken approximately halfway through the four-hour period. Rest periods cannot be combined or saved to create extended meal breaks, leave early, or arrive late. When necessary, supervisors are responsible for scheduling meal and rest periods.

Voting (time off)

In accordance with California Elections Code section 14000, employees who do not have sufficient time outside of working hours to vote at a statewide election may take off enough working time that — when added to the voting time available outside of working hours — will enable them to vote. The Institute will provide the employee up to two hours of time off with pay to vote. The time off for voting will be only at the beginning or end of the regular work shift, whichever allows the most free time for voting and the least time off from the regular working shifts, unless otherwise mutually agreed.

If by the third working day prior to the day of election employees know, or have reason to believe, that time off will be necessary to be able to vote on election day, they must give their supervisor at least two working days' notice that time off for voting is desired, in accordance with the provisions of this section.

Call-In Pay (Reporting-Time Pay)

In accordance with the State of California's Industrial Welfare Commission Wage Order 4-2001, the Institute will pay a minimum of two hours pay to non-exempt employees who are required to report to work on a day other than their normally scheduled workday. In addition, the Institute will pay non-exempt employees for half of the regularly scheduled workday if employees report to work as instructed and there is not work available, except if the interruption of work is because of the failure of any or all public utilities, or because of an act of God or other cause not within the Institute's power to control.

Garnishment of Wages

The Institute is obligated to comply with all wage garnishment orders. Questions regarding wage garnishment should be directed to Human Resources.

Overtime

Employees occasionally may be required to work extra hours. Exempt employees may be expected to work beyond their normal schedules, as their job responsibilities require, and do so without additional pay beyond their regular salary. Non-exempt employees receive additional compensation at the rate of time and one-half, for hours worked in addition to 8 hours per workday and/or 40 hours per workweek, up to 12 hours worked and thereafter at double time. For purposes of determining which hours constitute additional time, only actual hours worked in a given work week will be counted; sick leave taken, jury duty leave, or call-in/reporting time payment do not count towards hours worked. Failure to obtain one's supervisor's approval before working overtime may result in disciplinary action.

A workday begins at 12:01 AM and ends 24 hours later. A workweek begins each Monday at 12:01 AM.

All regular time and overtime hours must be accurately recorded on the non-exempt employee's timesheet and approved by the supervisor prior to payment. Tampering, altering, or falsifying time records will result in disciplinary action, up to and including termination.

Travel Pay

Exempt employees are not paid on the basis of hours worked, and there is therefore no additional pay or compensatory time for time spent traveling.

Employees are reimbursed for all out-of-pocket travel expenses allowable under the Institute's travel guidelines.

For non-exempt employees, travel time (defined as time spent actively traveling between the normal work site and another location where work will be done) is considered work time and should be recorded as such on the time sheet.

> Commuting time to and from the normal work place is not considered work time and is not compensated. If the employee departs from or returns to his/her home for work-related travel without first going to the normal work location, he/she should deduct the normal commute time from the travel time.
>
> If the total number of hours worked (including travel) exceeds 8 hours in a day or 40 hours in a week, the employee is entitled to overtime pay calculated in accordance with the Institute's normal overtime policy.
>
> Time spent during the course of travel on sleeping, eating meals, and other personal activities is not considered work time and is not compensated.

Pay Advances

The Institute does not provide pay advances.

Direct Deposits

Employees are eligible for automatic payroll deposit. They may initiate automatic deposit through the online Banner system at https://ssb.middlebury.edu/PNTR/twbkwbis.P_WWWLogin?. Automatic deposit can be started or stopped at any time.

Payroll Records

Employees may access their payroll records through the online Banner system at https://ssb.middlebury.edu/PNTR/twbkwbis.P_WWWLogin?

Performance Evaluations

Each staff employee is scheduled to receive periodic performance reviews.

The first review takes place after the initial three months of employment. Employees who transfer to another position within the Institute are reviewed with respect to their original job at the time of transfer, and within three months of assuming the new position. HR will notify the new supervisor when the three month review is due. Subsequent evaluations are normally conducted annually. The employee and the supervisor each complete a written evaluation of the employee's job performance. They then share their evaluations with each other, and these documents form the basis for a discussion of the employee's performance and professional development needs. The employee signs the evaluation to indicate that s/he has discussed it with her/his supervisor and is aware of its contents. The signed evaluation is placed in the employee's personnel file.

Employees have the right to submit written responses to their evaluations, which will be added to their personnel files. Employee responses should be submitted within five working days of receiving their performance review.

Performance evaluations are intended to help employees recognize their progress, become aware of areas for improvement, and set objectives or goals for future work performance. Positive performance evaluations do not guarantee increases in salary, promotions, or continued employment. Salary increases and promotions are solely at the discretion of the Institute and depend upon many factors in addition to performance.

While professional development goals are an expected component of performance evaluations in general, a specific, written performance improvement plan is mandated if an employee receives an unacceptable overall rating on a performance evaluation, if the employee's employment in that position is to continue thereafter.

Progressive Discipline

The Institute may choose in appropriate situations to utilize a progressive discipline system to serve as a fair and consistent means to enforce Institute rules and regulations and to address conduct or performance deficiencies. The purpose of progressive discipline is to retain employees through identification and correction of certain types of problems. Failure to correct such problems may lead to suspension or termination, and serious infractions may result in immediate termination. The Institute reserves the right to terminate the at-will employment of any employee at any time, with or without cause or notice; thus, progressive discipline is applicable or not, at the discretion of the Institute, for those situations deemed appropriate by the Institute.

If a situation, at the discretion of the Institute, warrants progressive discipline, the disciplinary actions applied may include a verbal warning, a written warning, a written reprimand, and/or termination from employment. Every action need not be taken in each case, and depending upon the relevant circumstances, the Institute may decide to take any disciplinary action, including immediate termination, at any time. Relevant circumstances that affect the course of disciplinary action may include the Institute's judgment as to the seriousness or severity of the individual employee's deficiencies in performance and/or conduct, prior performance and conduct, and management's assessment of appropriate factors identified during the investigation. Examples of some of the circumstances that in the Institute's judgment might lead to summary discharge include, but are not limited to:

- Conduct that is in opposition to the Institute's nondiscrimination or harassment policies;
- Sustained insubordination or refusal to comply with a reasonable request given by the supervisor or Institute official, or abusive treatment of a supervisor or Institute official;
- Theft of Institute property, personal property, or theft of service;
- Falsification of records, time cards, or claiming sickness under false pretenses;
- Disorderly conduct while on the job;
- Deliberate, frequent, and/or recurring violations of stated safety regulations, even if they are not intentional;
- Unexcused absence without notice for three days;
- Use or possession of, or being under the influence of illegal substances or alcohol while at work;
- Threatening physical harm, or actual physical violence to another member of the Institute community;
- Breach of confidentiality, which is defined as releasing to unauthorized persons, or misuse of confidential information to which an employee is privy because of her/his job.

Promotions and Transfers

Employees are encouraged to apply for promotions to positions for which they are qualified. Promotions and transfer decisions are based on the hiring supervisor's and/or his/her supervisor's judgment of ability, qualifications, and potential for the position. Some promotions or transfers may be offered without open recruitment.

Employment: Internal Career Opportunities

All vacant positions are posted on the Institute web site for a minimum of 5 business days and internal candidates have an opportunity to apply unless in a special circumstance a waiver of posting is granted by the president of the College.

Normally, an employee must have been in her/his current position for a minimum of 3 months before being eligible to apply for positions in other departments. If an employee is selected to interview for a position, and is a final candidate, the employee should inform her/his current supervisor of her/his interest in the new position. If an employee is offered and accepts a position external to her/his current department, coordination between both departments, facilitated by Human Resources, may be required to ensure that the timing of such a transfer does not result in a hardship to the Institute. Normally, the transferring employee will assume her/his new duties two weeks after being selected for the new position.

Voluntary Termination of Employment/Resignation

Resignation is defined as employment termination initiated by an employee who chooses to leave the Institute. An employee who is considering leaving the Institute for any reason is encouraged to discuss her/his situation with her/his immediate supervisor before making a final decision.

If the employee chooses to leave the Institute, it is expected that as much notice as possible will be given in order to give the Institute the opportunity to plan for a smooth transition. At least two working weeks' notice is customary for non-exempt (hourly paid) employees while administrative and professional staff

(salaried) are asked to give at least one month's notice. A letter of resignation addressed to the department head, stating the final date(s) of employment, will be forwarded to Human Resources. Before leaving, the employee must visit the Human Resources Office to make benefit transition arrangements, to return all Institute property, and to have an exit interview with Human Resources.

An employee who fails to report to work for three consecutively scheduled workdays without notice to, and approval by, her/his supervisor (or the Manager of Human Resources if the supervisor is not available) will be considered to have abandoned her/his job and will be considered to have resigned unless, in the sole judgment of the Institute, a true and reasonable excuse is thereafter offered and accepted by the Institute.

CTO time may not be taken in lieu of working the last two weeks of employment. The termination date is the actual last day of work. All unused accrued CTO hours will be paid on the employee's last day of work.

All Institute-owned property (vehicles, keys, identification cards, parking permit, credit cards, laptop computers, uniforms, etc.) must be returned immediately upon termination of employment in order to receive final payments.

Institute Re-employment

Consideration for re-employment is based on qualifications and demonstrated ability, as well as prior job performance and fitness for Institute employment. An employee who was terminated by the Institute in a manner such that the employee left not in good standing may not be re-employed.

Emeritus Status

Emeritus status may be granted to retiring staff as a special recognition for exemplary work performance and outstanding, loyal, and dedicated service to the Institute. To be eligible for consideration for Emeritus status, an employee must be in retirement status from the Institute, have at least ten years of service in a full-time regular position, be nominated by the senior administrator of her/his department, and have the approval of the VPAA.

Retirement

There is no mandatory retirement age for Institute employees; they may continue working without regard to age, subject to provisions concerning at-will and other termination of employment. Continuing employees nearing age 65 should contact Human Resources regarding Medicare coverage and certain decisions that must be made about health insurance coverage at age 65.

An employee planning to retire should consult Human Resources six months prior to her/his expected retirement date.

Retirement plan participants should initiate procedures for receipt of retirement income benefits by writing directly to the retirement plan office. Payment of benefits to any continuing employee who participates in a retirement plan is subject to terms established by that plan.

Although the Institute has no retirement age, work restrictions may be imposed under TIAA-CREF... Employees should refer to the TIAA-CREF summary plan description for details.

Reductions in Force

Under some circumstances, the Institute may restructure or reduce its workforce. If so, the Institute will make a reasonable effort to inform affected employees in advance. Employees to be laid off will be told the expected duration of the layoff if known. In determining which employees will be laid off, the Institute will identify the positions to be reduced and in selecting for retention among staff members performing in

the same position to be reduced, will consider its operating requirements and other factors, including employees' skills, productivity, ability, past performance, and, where other factors are equal in its judgment, their length of service.

Exit Interview

Employees ending employment at the Institute, whether voluntarily or involuntarily are strongly encouraged to meet with Human Resources staff for an exit interview. This interview will normally occur on or before the employee's final workday. During the interview, the Manager of Human Resources or designee may ask for information about working conditions and the employee's relationship with her/his supervisor and fellow staff members and will discuss employment benefits conversion. The employee also will have the opportunity to suggest ways to improve Institute operations. It is the employee's responsibility to return all Institute property (vehicles, keys, identification cards, parking permit, credit cards, laptop computers, uniforms, etc.) by her/his final day of employment.

Employee Relations

Problem Solving Procedure

The Institute strives to maintain effective employer-employee and employee-employee relations within the context of the at-will employment relationship. The Institute seeks to promote open communication between its employees with appropriate involvement of Human Resources, if necessary, to facilitate a resolution of employee concerns. Employees are encouraged to bring concerns directly to the attention of their immediate supervisor or, if uncomfortable in doing so, to their second level manager, or Human Resources. If the concern remains unresolved, formal Institute resources should be engaged through the Human Resources office. After a minimum of two rounds of problem solving involving a member of the Human Resources Office, the employee may file a grievance.

Grievance Procedure

Individuals who are actively employed by the Institute may avail themselves of the grievance procedures if an issue concerns a person, situation, or policy that the employee believes is adversely impacting her/his conditions of employment. A grievance is understood to be a work-related problem, condition, or complaint not covered by the Institute's harassment policy that an employee believes to be unfair, inequitable, discriminatory, or a hindrance to her/his effective operation. Concerns regarding harassment or other behaviors noted in the Institute's harassment policy, salary surveys, wage and salary levels, position description re-evaluation, and job dates are not appropriate for the grievance process but other procedures are available. The grievance policy also does not apply to issues related to faculty contract renewal and promotion, or faculty misconduct as described in the Faculty handbook.

If an employee believes that s/he is being subjected to harassment or other behavior noted in the Institute's harassment policy, then s/he should promptly present a complaint under the Institute's harassment policy set forth above in this Handbook.

The employee must have attempted the problem solving process (see above) prior to filing a grievance.

Filing a Grievance

The formal grievance process begins with the creation of a written document detailing the situation. Specifically, the grievance must provide the following information:

- the employee's name,
- what s/he does,
- what the grievance is,
- how it relates to her/his employment,
- how the problem could be resolved,
- who the other parties are,

- what policies are involved, and
- what has been done to date to resolve the problem or concern.

The grievance must be sent to the Human Resources Manager (or, in the event that the grievance is with the Human Resources Manager, to the HR Manager's supervisor).

Formation of the Grievance Review Committee
Upon receipt of the written grievance, the Human Resources Manager creates a Grievance Review Committee (GRC). The three-member GRC consists of one person from Human Resources and two disinterested and impartial members of the Institute employee community drawn from departments or sectors other than those of the parties to the grievance. In appointing GRC members, care is taken to avoid direct supervisors, known personal relationships, or other conflicts of interest that could hinder an impartial decision. GRC appointees are charged with upholding the confidentiality of all proceedings.

Timeframes
Generally, Human Resources will acknowledge the receipt of the grievance and the formation of the GRC within one week of receiving the grievance. Within one week of its formation, the GRC will meet with the employee. Due to CTO/holiday schedules and illness, a specific timeframe for the process cannot be made. The GRC will complete its charge as soon as possible.

GRC Initial Meeting
Once the members have been selected and confirmed, the GRC convenes its first meeting. The focus of the initial meeting is to:

- select a chairperson to facilitate the meetings.
- choose a recorder to record the meetings.
- meet with the employee who filed the grievance and review the grievance with her/him.

During the meeting with the employee who has filed the grievance, the GRC must ascertain that:

- the grievance is not a simple misunderstanding that can be resolved immediately by the GRC,
- the grievance contains the required information, and
- the GRC understands the grievance.

Possible Outcomes
Upon completion of the initial meeting of the GRC, there are a variety of possible decisions that may be made. They include the following:

- the employee may withdraw the grievance,
- the GRC and the employee may come to the realization that the grievance has been resolved,
- the grievance may be edited and refiled, or
- the grievance may remain unchanged.

Continuing the Process
If the decision to continue the grievance is made, the GRC will:

- begin gathering facts pertaining to the grievance,
- review Institute policies and procedures, and
- meet with all parties pertinent to the grievance in an attempt to resolve the situation.

Making the Determination
Once the GRC has reached a decision, it will meet with all major parties to the grievance and share its findings. The decision will be communicated to the appropriate individuals within the Institute administration for implementation. The decision of the GRC is final unless appealed or unless in her/his sole discretion, the VPAA alters the committee decision.

Documentation
In order to make certain that documentation pertaining to the grievance process is created, maintained, and kept confidential, the following steps are taken:

- The GRC maintains written meeting summaries.
- All meeting participants sign every summary.
- Information is shared with individuals external to the meetings only upon unanimous agreement of the participants.
- A copy of all work done by the GRC will be placed in an envelope and stored in a separate file (i.e., not the employee's personnel file) in the Human Resources Office as a confidential item.

Once an employee has filed a grievance concerning a particular issue, another grievance on the same issue cannot be filed. For example, if an employee files a grievance regarding a particular section of her/his annual performance review, a grievance pertaining to a different section of the same review cannot be filed at a later date.

Appealing a Grievance Decision

There are times when an employee, after following the informal and formal procedures outlined above, may believe that satisfactory resolution was not attained. The Institute has established staff appeals procedures to provide a fair and impartial process of which employees may avail themselves under certain conditions to appeal grievance decisions. The conditions under which an employee may file a grievance appeal are:

- new evidence,
- demonstrable prejudice violative of Institute policy in the original GRC's actions, and/or
- failure by the GRC to follow the grievance procedures.

Grievance Appeals
In order to initiate the grievance appeals process, the employee must submit a written request to the VPAA of the Institute within ten working days following notification of the decision. Contained within the written request must be reasons for the appeal.

Within five working days of receipt of the request, the VPAA or her/his designee appoints an Appeals Board to hear the appeal.

Composition of the Appeals Board
In order to assure the creation of a well-balanced, impartial board, the 3-member Appeals Board is composed of:

- One administrator from the VPAA's senior staff
- One staff member
- One faculty member

To ensure impartiality and fairness, no one is eligible to serve on the Appeals Board who heard the original case, has a conflict of interest, or is the senior administrator of any of the parties involved. Conflict of interest includes employment in the same department, or family relationship with any

person involved as a principal in the case, or other relationship/circumstance that might render the process unfair to any parties involved.

The names of the Appeals Board members are conveyed in writing by the VPAA or designee to the two parties within 5 working days of initiating the appeals process. The VPAA or designee convenes the Appeals Board no later than ten working days after initiation of the appeals process.

Upon selection to the Appeals Board, if a designee is unable to participate in the hearing in a fair and impartial manner for any reason, s/he will be disqualified and another person selected. Attendance at all meetings is required.

The Initial Meeting of the Appeals Board
Within ten days of the initiation of the appeals process, the Appeals Board convenes its first meeting. The focus of the initial meeting is to:

- choose a chairperson to facilitate the meetings.
- choose a recorder to record the meetings.
- review the written request for an appeal.
- determine whether the appeal has merit.
- set timelines for the appeal.

The Grievance Appeal Process
The Appeals Board holds individual and collective responsibility for deliberating in a manner that demonstrates sensitivity to the matters brought forth and respect for those involved in the process. To that end, all proceedings of the Appeals Board are kept confidential.

The Appeals Board provides all sides involved the opportunity to present their views as well as cross-examine each other. The appellant and appellee may testify on their own behalf before the Appeals Board. The Appeals Board may make the request of both or either party. While no legal counsel is allowed at a hearing, the appellant and appellee each may bring one support person from the Institute community to the proceedings.

In cases in which a person who is not called to meet with the Appeals Board wishes to do so, the Appeals Board will vote on whether the meeting may occur. A majority of Appeals Board members are required to allow the person to present information.

In cases in which additional information is brought forth once the Appeals Board has finished its interviews and begun deliberations, a majority of Appeals Board members need to agree to reopen the hearings.

The members of the board consider carefully the information presented, and deliberate on the matter before as a board reaching a conclusion. The conclusion is reached by majority vote.

Appeals Determined Not to Be Valid
If the Appeals Board determines that the grounds for the appeal are not valid, the appeal process ends.

In Cases Involving New Evidence
Upon review of the case, if the Appeals Board determines that the grounds for the appeal are valid based upon new evidence presented, the Appeals Board will refer the case back to the original GRC. The new information will be provided with a request that the committee reviews the case.

Documentation
In order to make certain that documentation pertaining to the appeal process is created, maintained, and kept confidential, the following steps are taken:

- The Appeals Board maintains written meeting summaries.
- All meeting participants sign every summary.
- Information is shared with individuals external to the meetings only upon unanimous agreement of the Appeals Board.
- A copy of all work done by the Appeals Board will be placed in an envelope and stored in a separate file (i.e., not the employee's personnel file) in the Human Resources Office as a confidential item.

Conclusions
Upon reaching a conclusion, the board forwards its decision to the VPAA. In her/his sole discretion, the VPAA may choose to alter or not alter the appeal committee decision. Once the grievance has been through the appeals process, it cannot be appealed further.

Employee Benefits

In addition to the general description of benefits provided below, employees should consult the summary plan descriptions provided for each specific plan. All such benefits are subject to change, with or without advance notice, at the discretion of the Institute.

Paid Time Off Policies

The Middlebury Institute at Monterey offers two paid time off policies, Combined Time Off (CTO) and CA Sick Leave (CSL), both of which comply with California's Paid Sick Leave law. Eligibility for these benefits is based on employment classification: benefits-eligible staff employees fall under the CTO policy, while all faculty and all student employees as well as all non-benefits eligible staff employees are eligible for CSL.

Employees should refer to the Combined Time Off and/or the California Paid Sick Leave policies for details on these time off benefits.

California Paid Sick Leave

Allowable Uses

Up to 24 hours per year of California Paid Sick Leave (CSL) may be used for the diagnosis, care, or treatment of an existing health condition or for the preventive care of an employee, or an employee's immediate family member. Covered family members include spouses, registered domestic partners, children, parents (including step-parents and parents-in-law), grandparents, grandchildren and siblings. Paid sick days are also available for employees who are the victims of domestic violence, sexual assault, or stalking.

CSL may not be used for "personal" absences or as vacation time.

Eligibility

CSL benefits are available for all faculty and all student employees as well as staff employees classified as non-benefits-eligible who have worked for the Institute in California for 30 or more days within a year from the commencement of employment.

CSL: Accrual and Lump-Sum Versions

There are two versions of CSL, "Accrual" and "Lump Sum", each with slightly different rules regarding allocation of time, carryover, and procedures for recording time used. Other rules such as allowable uses and maximum annual time are the same for both versions of CSL. The chart below shows the differences:

Version	Eligible Employee Types	CSL Allocation	Carryover Rules	Recording Time Used
CSL-Accrual	Student Employees Non-Benefits-Eligible-Staff Employees	.0334 hours of CSL are accrued for each hour worked (1 hour of CSL accrues for every 30 hours worked), up to a maximum accrual of 48 hours.	Accrued, unused CSL will carry over each year, subject to the 48 hour cap.	Use code "CA Sick Leave" on BannerWeb time-sheet.
CSL-Lump-Sum	Faculty Employees Dual-Role (Faculty/Staff) Employees	Receives a lump sum credit of 24 hours each July 1st (or date of hire for new employees).	Unused time will be forfeited June 30th each year.	Within 3 days of absence notify HR of time used via email.

Using CSL

Eligible employees:

- Can begin to use available CSL on the 90th day of their employment.
- Must use CSL in a minimum increment of one hour.
- Must provide "reasonable advance notification" of their need to use CSL as soon as practicable, either orally or in writing.
- Who are absent for longer than three days due to illness may be required to give medical evidence of illness and/or medical certification of fitness to return to work.

Protections Under the Law

The CA Paid Sick Leave Act contains strong protections for employees. The Act forbids employers from:

- Denying employees the right to use accrued paid sick days (once the 90 waiting period has passed).
- Taking any action against an employee for using accrued sick days or attempting to exercise the right to use accrued sick days. Prohibited actions include discharge, threat of discharge, demotion, suspension or any manner of discrimination.
- Retaliating against employees who file complaints alleging violations of the Act, or who cooperate in an investigation or prosecution of an alleged violation or oppose any policy, practice or act prohibited by this law.

Other Important Information

- CSL is not recognized as hours worked for purposes of overtime pay.
- Employees are not entitled to be paid for accrued but unused CSL or unused CSL from a lump sum allocation, upon resignation or termination of employment.
- If an employee is rehired within a year of his or her separation, the Institute will reinstate any unused CSL that was previously accrued/granted and unused.
- Available CSL balances will show on employee paystubs and may be viewed on Banner Web.
- An employee based in another state who works in CA for at least 30 days in a year will also be subject to the CSL policy (or the CTO policy, if applicable).

- Employees who work in cities that have paid sick leave ordinances that are more generous than the California Paid Sick Leave law may be covered by the local ordinance. Contact HR for further information.

Holidays

Eligibility for holiday pay begins on the date of hire.

To be eligible for holiday pay, staff employees must be regularly scheduled to work on the day on which the holiday is observed. If employees are required to work on a paid scheduled holiday they will receive Holiday Premium Pay (time and a half). Benefit-eligible employees required to work on a paid scheduled holiday will receive Holiday Premium Pay in addition to holiday pay. Regular part-time employees receive prorated holiday pay.

The Middlebury Institute of International Studies at Monterey observes the following paid holidays:
• January 1 (New Year's Day)
• Martin Luther King Jr.'s Birthday
• Thanksgiving Day and the Friday after
• Christmas Eve Afternoon
• Christmas Day

The Institute is closed the week between Christmas Day and New Year's Day. These are paid holidays for all staff members eligible for holiday pay.

In addition, the following holidays are considered "floating" holidays:

• Memorial Day
• July 4th (Independence Day)
• Labor Day

Normally, the Institute will be closed on these holidays, and all CTO eligible employees will be expected to record CTO time taken on their time sheets. CTO accruals have been expanded from the former schedule of vacation accruals to account for this change. If a particular department needs to remain open on a floating holiday in order to support an Institute function, employees of that department will be so informed by their manager, and will be able to use their CTO hours on another day.

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday, respectively. However, the Institute may close on another day or grant other time off within the pay period instead of closing. Any changes to holiday observance will be announced in advance.

Combined Time Off (CTO)

Eligible staff employees accrue CTO in accordance with the following schedule:

Length of Service	Hours per Pay Period	Days per year
0-2 years	7.5	26
2-10 years	8.94	31
10-20 years	10.39	36
20+ years	11.54	40
Administrative officers regardless of length of service	11.54	40

CTO accrual begins on the date of hire.

Faculty and temporary employees are not eligible for CTO.

CTO accrues in hours after each biweekly payroll is run. CTO is not accrued while in an unpaid status.

Employees must receive approval from their supervisors before they may take time off from work, with or without usage of CTO hours.

Eligible part-time staff who qualify for CTO benefits accrue CTO hours on a prorated basis, based on the accrual rate earned by regular full-time employees.

CTO hours taken are considered hours worked for purposes of overtime calculation. The Institute does not allow borrowing against future CTO accrual. CTO will not be paid in lieu of taking time off, except upon termination of employment.

If an Institute recognized holiday falls during an employee's scheduled vacation, the employee will receive holiday pay for the day if s/he is eligible for such pay and will not be charged for CTO for the day.

For full-time employees, CTO accrual ceases when the employee's CTO account reaches the maximum of 187.5 hours (25 days). Accrual will resume when some CTO is used so that the total number of hours is below the maximum. Prior to reaching the accrual limit, employees may choose to transfer some of their accrued CTO hours into Sick Leave Reserve (SLR), which can be used only for those purposes described under Sick Leave Reserve, below. There is no limit to the number of hours that may be accumulated in SLR. It is the employee's responsibility to monitor CTO accrual and to make the transfer to SLR in Banner as needed.

The Institute does not grant any alternative form of compensation for any period of time during which the accrued CTO was at the maximum. It is the employee's responsibility to keep track of her/his accrued CTO time and CTO days used, and to transfer hours to Sick Leave Reserve as desired.

Sick Leave Reserve

Employees may use CTO hours to provide a cushion for incapacitation due to illness or injury. They may also use hours they have transferred to Sick Leave Reserve. Sick leave reserve may only be used for legitimate illness or injury to the employee or to care for members of the employee's immediate family who are in need of care by the employee due to illness or injury of the eligible immediate family member. ("Immediate family" is defined for this purpose as the employee's parent, spouse, domestic partner, child, or sibling; or another closely related person living in the household.) Sick Leave Reserve may also be used for time off for medical and dental appointments. The Institute will not tolerate abuse or misuse of sick leave reserve.

Sick leave reserve is not vested and is not payable upon separation of employment. If an employee is absent three consecutive days due to illness or injury, medical evidence of her/his condition may be required before the Institute honors any sick leave reserve usage.

At retirement, accumulated SLR days may be used to extend a staff employee's insurance coverage. To be eligible for retirement, a staff member must have worked for the Institute for ten consecutive years after attaining the age of 45. Every accumulated sick leave reserve day will convert to an insured day (weekends and the holidays listed in this handbook do not reduce Sick Leave Reserve). For each insured day the Institute will pay 100 percent of the premium to continue the medical and dental benefits for the enrolled employee and enrolled eligible dependents, until the end of the month in which the last insurance day is used. *Example: If an employee retires with 30 accumulated sick leave reserve days on July 1, 2010, the employee's converted sick leave reserve would run out on August 12, 2010 and his or her insurance would continue until August 31, 2010.* Retiring part-time employees may transfer CTO hours to SLR prior to their retirement, and these hours will convert to paid insurance days at a conversion rate of

7.5 hours per day. CTO days that are not transferred prior to the last day of employment will be paid as wages in the final paycheck.

Medical Leave Assistance Fund (MLAF)

There are circumstances in which an employee may find him/herself in an emergency medical situation without enough accrued CTO (Combined Time Off) or SLR (Sick Leave Reserve) to cover the amount of time required for the absence. At such times, if the employee meets the prerequisites, he/she may make application to the fund for up to 150 hours of paid sick leave reserve within a 12-month period. Appeals can be made for further use of the Medical Leave Assistance Fund (MLAF) in situations requiring absences of a longer duration.

An emergency medical situation is defined as the incapacitation of an employee for an extended period of time due to a non-work-related illness or injury or quarantine, which creates a financial hardship as the employee has exhausted all accrued CTO and SLR. The emergency medical situation may relate to either the employee or a member of her/his immediate family. The latter refers to an employee's spouse, domestic partner, parent, parent of a spouse, and child, stepchild, foster child, or ward.

Prerequisites for applying to the fund:

1. The employee must be employed at the Institute for six-months.
2. The employee must be eligible to accrue CTO.
3. Prior to application to the fund, the employee must have exhausted his/her CTO and SLR.
4. During the time away from work, the employee must not be receiving any disability benefits, worker's comp payments, or other type of Institute-related payments.
5. The employee must have received no written warnings or reprimands for excessive absenteeism during the year prior to the request to the Medical Leave Assistance Fund.

Application to the fund:

1. The employee or his/her representative, if the employee is medically unable to do so, must request an application form from the Human Resources Office.
2. The employee or his/her representative must provide all information requested on the application.
3. The employee's or immediate family member's physician must complete a certification form, if FMLA/CFRA is not being used. In cases in which the FMLA/CFRA is applicable, please make note of it on the application form.
4. The employee or his/her representative must return the completed application and physician's form to the Human Resources Office.

Administration of the fund:

1. Upon receipt of the application, the Manager of Human Resources will review the application for completeness. S/he will review the applicant's employment information to ensure all eligibility requirements have been met.
2. Upon review of the application, the Manager will contact the applicant or his/her representative. If the applicant does not meet the requirements, the Manager will advise the employee or his/her representative of the decision.
3. If all eligibility requirements have been met, the Manager will ask the employee or his/her representative whether his/her name should be used in the staff query.
4. Once an application has been approved, the Manager will send an e-mail to all benefits eligible staff, advising staff that an application to the fund has been made. The notice will ask that the recipient post the request for those without immediate e-mail access. The employee's name will be used only if permission was given on both the application and upon interview with the Manager. Staff members who are interested in donating time will complete a donation form and return it to the Manager. While the donation will be made in time increments, the number will be converted to dollars based on the donor's rate of pay.
5. Upon receipt of MLAF donations, or if there is residual time in the fund, the Manager will transfer the approved amount of time into the employee's SLR account. This will be based on the employee's rate of pay.

6. The employee will be paid the donated time through the regular biweekly pay process, and therefore will be paid a maximum of 75 hours per pay period depending on his/her regular schedule.

   Example: An employee makes application for one week's amount of SLR and is approved for funding. The applicant makes $8.00/hour and works a 37.5 hour workweek. This translates into a maximum of $300/week that can be requested per week. The donor makes $12.00/hour and works a 37.5 hour workweek. This translates into a donation of $450 for one week's worth of CTO. Upon distribution of the donated time, the approved applicant will receive $300 while the MLAF will contain a balance of $150 to be used in the future by other approved applicants. The remaining amount will not be re-deposited into the donor's CTO account.
7. If no donations are made and there is no balance in the fund, the applicant will not receive any payment. If partial funding of the approved applicant's request can be made, it will be paid. The remainder cannot be made up in a future payment.

Donation to the fund: An employee who has a minimum of 80 hours of CTO and/or SLR may make a maximum contribution of 10 hours of **CTO** to the MLA fund. This is done by completing the Donor form and sending it to the Manager of Human Resources. SLR and/or CTO hours cannot be donated to the Medical Leave Assistance Fund upon notification of termination of employment.

Social Security & Medicare (FICA)

In compliance with the Federal Insurance Contributions Act (FICA), the Institute contributes one-half of the total tax prescribed by law, and each employee contributes one-half through payroll deductions. Social Security provides retirement benefits, disability benefits, life insurance/survivor benefits, and medical insurance. Please direct all questions concerning social security coverage to the local offices of the Social Security Administration.

Insurance Benefits

Regular staff members who normally are scheduled, and who work 20 hours or more per week, are eligible for enrollment in the Institute's medical, dental, vision, long-term disability, and life insurance programs.

Coverage is effective the first day of the month coinciding with or following the date of employment. The enrollment period is for 30 days from the date of eligibility.

Institute Employees participate in the Middlebury College Health and Welfare Benefits plans. For details about eligibility and coverage, please see the Summary Plan Descriptions for each benefit program, provided to each eligible employee and available from the Human Resources Office.

Medical Insurance

The Institute currently provides a comprehensive medical insurance plan for employees and their eligible dependents. The employee's contribution, determined by the President and approved by the Board of Trustees, will be deducted each pay period for the elected coverage.

Dependent coverage, which is substantially subsidized by the Institute at this time, is available at the employee's option. The employee contribution for dependent coverage is paid through payroll deduction.

In the event of an increase in medical insurance premium rates, employees may be required to contribute to the cost of increased premiums to retain coverage. Notice of such increases will be made to employees as they occur.

When employees terminate employment (and under certain other circumstances), except in cases of gross misconduct, they have the option of continuing insurance benefits at their own cost plus a minor administration fee, as provided by the federal Consolidated Omnibus Budget

Reconciliation Act (COBRA). Specific information on COBRA can be obtained from Human Resources, and will be provided when employees enroll in the benefits plans and when they end qualifying employment at the Institute.

Dental and Vision Insurance
The Institute currently provides dental and vision insurance plans for qualified employees and their eligible dependents. Dependent coverage is at the employee's option and expense, and is paid through payroll deduction. Please refer to the applicable Summary Plan Description, available from the Human Resources Office, for details of the plans.

Long-Term Disability Insurance
The Institute currently provides a long-term disability (LTD) insurance plan for qualified employees. LTD insurance provides partial income replacement for long-term absence when an employee is totally disabled. Please refer to the Summary Plan Description, available from the Human Resources Office, for details of the plan.

Life Insurance
The Institute currently provides a life insurance plan for qualified employees. Benefit level is determined by base salary. Please contact the Human Resources Office for details of the plan.

Accidental Death and Dismemberment Insurance
The Institute currently offers Accidental Death and Dismemberment Insurance (AD&D) for qualified employees and their eligible dependents. Employees pay the full premium for this optional coverage through payroll deduction. Contact the Human Resources Office for details of the plan.

Literacy Education

California Labor Code Sections 1040-1044 require employers to reasonably accommodate and assist employees in need of literacy education. Institute employees wishing to improve their literacy should contact Human Resources. The Institute itself does not offer literacy education, but Human Resources can provide assistance in the following ways:

- helping employees enroll in adult literacy education programs;
- arranging for literacy education providers to visit the Institute; or
- providing contact information for local literacy education programs.

The Institute will attempt to assist the employee if the accommodation requested would not result in an undue hardship. The Institute does not provide paid time-off for participation in such programs.

Employee and Family Assistance Program

The employee assistance program, provided through LifeScope, helps employees and their family members with personal problems. It is available at no cost to all Institute employees and their family members. Employee assistance is confidential; when an employee or family member contacts the program, the employee's supervisor will not be informed. The goal of the program is to assist staff members to resolve personal problems before they adversely affect an employee's ability to perform her/his job effectively. For more information see: http://www.LifeScopeEAP.com/.

Retirement Plan

The Middlebury College retirement program includes 401(a), 403(b), and 457(b) plans, all of which are administered by TIAA-CREF. The plans are designed to offer various advantages to eligible employees, such as a generous employer contribution, tax advantages, and retirement, death, and disability benefits. For information regarding eligibility, contributions, benefits and tax status, contact the Human Resources Office. As a condition of employment, eligible employees are required to participate in the 401(a) plan (called the "Core Retirement Plan"). Employees who are not eligible to participate in the group retirement plan, and who wish to contribute to an individual plan available through payroll deduction, should contact

the Human Resources Office for more information.

State Disability Insurance (SDI)

Each employee, except those who claim valid exemption, currently contributes to the State of California to provide disability insurance pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. Coverage begins with the first day of employment and applies without regard to the number of hours worked per day or length of contract.

Disability insurance is payable when an employee cannot work because of illness or injury not caused by employment at the Institute or when an employee is entitled to temporary workers' compensation at a rate less than the daily disability benefit amount.

Unemployment insurance and disability insurance benefits cannot be paid for the same period.

It is Institute policy to integrate SDI payments with salary continuance payments for covered disabilities (see sick leave policy). Specific rules and regulations governing disability are available from the Human Resources Office.

Flexible spending accounts

Sometimes referred to as a cafeteria plan, flex plan, or a Section 125 plan, a Flexible Benefits Plan lets you set aside a certain amount of your paycheck into an account before paying income taxes. During the year you have access to this account for reimbursement of expenses you regularly pay, such as health-care and dependent daycare. When you use tax-free dollars to pay for these expenses, you realize an increase in your spending power and substantial tax savings.

Additional information about options and limitations is available in the HR office.

Employee Educational Assistance

After one year of benefits-qualifying employment, full-time employees and part-time benefits-eligible employees may register tuition-free for one Institute course or four units, whichever is greater, per term or semester. A tuition credit form, available from the Human Resources Office, must be completed and signed by the employee and his/her supervisor, and by representatives of the registrar's, cashier's and HR offices. If the course is scheduled during normal working hours of a non-exempt staff member, an amended work schedule for the semester or duration of the course must be submitted for the file in the Human Resources Office.

Tuition benefits above $5,250 are taxable, and taxes will be withheld from employee's pay during the semester of attendance, as required by the IRS.

Educational Assistance for Dependents of Employees

After one year of qualifying employment, a full time employee's dependents may register for up to and including a full load of courses free of tuition. Dependents include spouses; domestic partners; and dependent children as defined by the Internal Revenue Code of the United States. Dependents of part-time staff are not eligible for tuition credit. A tuition credit form, available from the Human Resources Office, must be completed and signed by the employee and by representatives of the registrar, cashier and HR offices.

The services of the Custom Language Services (CLS) are not included in this benefit.
If an employee uses this benefit for an eligible dependent, that dependent may not also, in the same semester, receive a merit scholarship from the Middlebury Institute. The employee and his/her dependent must choose between using the benefit and accepting a scholarship.

This is a taxable benefit, and taxes will be withheld from the employee's pay during the semester of attendance, as required by the IRS. Please consult with HR to assess the financial implications of accepting this benefit.

Questions about merit scholarships should be addressed to the office of enrollment management. Other questions having to do with student financing should be addressed to the office of financial aid.

Unemployment Compensation

The Institute currently contributes as required to the California Unemployment Insurance Fund on behalf of its employees. Coverage begins with the first day of employment and applies without regard to the number of hours worked per day or length of contract. For further information, contact the Human Resources Office.

Workers' Compensation

Employees are currently protected by the Institute's workers' compensation insurance policy while employed at the Institute, at no cost to the employee. The policy covers an employee in case of occupational injury or illness. Coverage begins with the first day of employment and applies without regard to the number of hours worked per day or length of contract. Benefits may include:

- payment of all medical expenses related to the accident or illness,
- weekly payments, tax-free, based on Institute salary to partially cover lost wages, and
- vocational rehabilitation to help qualified injured employees return to suitable employment.

Since workers' compensation payments are less than normal salary, an employee may elect to use part of her/his sick leave reserve and CTO accrual in addition to the workers' compensation payment in an effort to maintain full salary during the time off work.

If an employee is injured on the job, s/he must notify her/his supervisor and the Human Resources Office immediately. If medical treatment is needed, Human Resources staff will assist with arranging appropriate medical care. If an employee has sustained a serious injury, someone nearby should call 911 for emergency medical care and then inform the supervisor and the Human Resources Office.

If an employee wishes to be treated by her/his personal physician in the case of a work-related injury, the employee should make sure that the Human Resources office is aware of this ahead of time by making the request in writing. The request will be placed on file in the Human Resources Office.

After an employee has received medical care, s/he must provide the Human Resources Office and her/his supervisor certification from her/his health care provider regarding the need for workers' compensation disability leave (if any) and her/his ability to return to work from the leave.

The Institute or its insurer will not be liable for the payment of workers' compensation benefits for any injury that arises out of voluntary participation in any off-duty recreational, social, or athletic activity that is not part of work-related duties.

The law requires that the Institute notify the workers' compensation insurance company of any concerns of false or fraudulent claims. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

For further information, please contact the Human Resources Office.

Paid Family Leave

Paid Family Leave (PFL) provides partial income replacement if an employee takes leave for any of the following reasons:

- the birth or adoption or foster care placement of a child of the employee, or a child of the employee's spouse or domestic partner,
- to care for a sick child of the employee, employee's spouse, or employee's domestic partner, or
- to care for a sick spouse or domestic partner or the employee's sick parent.

Each of these programs has eligibility requirements, waiting periods, and limits on benefits. For example, PFL provides income replacement for up to 55% of the employee's wages, to a maximum cap per week, for up to six weeks. There is a seven day waiting period before an employee can apply for PFL and employees are allowed to use any accrued sick leave prior to the commencement of PFL benefits.

Employees should inform Human Resources as soon as they become aware of circumstances that may trigger eligibility for benefits under any of these programs. Although these programs are funded and run by the state and all eligibility and benefit decisions are made by the state agencies involved, not by the Institute, Human Resources will assist you in obtaining additional information about these programs.

Employee Conduct

Drug Free Workplace

The Institute promotes a safe, health, and productive work environment for all individuals at The Institute. We comply with federal, state, and local laws governing the possession, use, and distribution of unlawful drugs at the work place.

It is the object of The Institute to have a workforce that is free from the influence of controlled substances (illegal drugs) and alcohol during work hours. The sale, possession, distribution or use of illicit drugs will not be tolerated. Any employee member may be demoted, suspended, or dismissed for noncompliance with these laws or Institute policy.

The Institute complies with the Drug-Free Institutes and Communities Act (as amended in 1989) and prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by its students, staff and faculty members on Institute premises or as part of any of its activities. Furthermore, each and every member of the Institute community has the right and responsibility to pursue his/her academic endeavors in a safe, effective, drug-free environment.

The Institute will impose discipline on faculty, students and staff members who violate the standards of conduct. Students who violate the provisions of the drug-free campus policy may be subject to suspension or expulsion. Faculty and staff members including administrators found to be in violation of this policy may be subject to disciplinary actions, up to and including dismissal. Violating California state statutes may also subject the individual to criminal prosecution.

Code of Conduct for Employees

The success of the Institute depends not only on the competence of its faculty and staff, but also upon its reputation for honesty, integrity, and lack of bias in conducting its affairs. This Code of Conduct identifies basic policy and standards concerning ethical conduct and provides guidance in several areas of specific concern. Each employee of the Institute is expected to adhere to these standards of conduct.

Other expectations for the Middlebury Institute faculty and staff are covered in other sections of the Employee Handbook.

General Principles

Institute faculty and staff should conduct themselves ethically, honestly, and with integrity in all dealings. They need to be fair and principled in their official interactions and to act in good faith in these matters with others both within and outside the Institute community. They should act with due recognition of their position of trust and loyalty with respect to the Institute and its students, fellow employees, research sponsors, and donors. When in doubt about the propriety of a proposed course of action, they should seek counsel from those colleagues, supervisors, or administrators who can assist in determining the right and appropriate course of conduct.

Proper Use of Institute Property and Funds
Institute faculty and staff must see to it that Institute resources are not used for other than their intended purposes. Institute employees have an obligation to manage the Institute's resources prudently, with a responsibility to those who provide those resources, including students, parents, alumni, foundations, other donors, and government agencies. Faculty and staff are responsible for safeguarding the tangible and intangible assets of the Institute that are under their control. Institute resources may not be converted to personal use, either for oneself or another person. Institute funds may not be used to make contributions to candidates for public office, to political parties, or to other political organizations that are organized and operated primarily to accept contributions and make expenditures for the purpose of influencing the selection, nomination, election, or appointment of any individual to federal, state, or local public office or office in a political organization, or the election of Presidential electors.

Accuracy of Records and Reporting
The records, data, and information owned, used, and managed by the Institute must be accurate and complete. The accuracy and reliability of financial reports is of the utmost importance to the business operations of the Institute. Faculty and staff must record, allocate, and charge costs accurately and maintain supporting documentation as required by established policies and procedures. All reports, vouchers, bills, invoices, payroll information, personnel records, and other essential business records must be prepared with care and honesty.

Grants and Contracts
Members of the faculty and staff requesting funding from government agencies, corporations, foundations, and other granting organizations have an affirmative obligation to make full, accurate, and honest representations concerning all relevant information submitted to or requested by the granting organization. Accurate and complete records, including supporting documentation as required by the granting organization, of the uses to which grant funds are put must be maintained.

Confidential Information
Members of the faculty and staff may be privy to confidential information in the course of their daily work. This information may relate to, among others, students, parents, alumni, donors, employees, and candidates for positions on the faculty or staff. All Institute employees must safeguard confidential information. This includes insuring that confidential documents, in either paper or electronic form, are not left unattended; refraining from engaging in discussion of confidential information in forums where the information may be overheard; and protecting the privacy of past and present students, faculty, and staff by maintaining the confidentiality of student and employee records.

Conflicts of Interest
Members of the faculty and staff should avoid improper conflicts of interest that might compromise the integrity and objectivity of the Institute. Examples of situations involving potential conflicts of interest include working for the Institute as an outside vendor; using information that the Institute considers privileged or confidential for the benefit of a person or entity outside the Institute; utilizing discounts allowed to the Institute for personal gain; and soliciting for oneself or for a third party anything of value from any person or entity in return for any business or service provided by the Institute.

Financial conflicts of interest (for example, an employee's participating in the ownership or management of an entity that regularly does business with the Institute) should be disclosed, reviewed, and appropriately managed or eliminated. No member of the faculty or staff may approve, recommend, or promote a business transaction with a firm in which that person is an officer or senior management employee, or holds more than a 5 percent equity interest, unless such person first discloses in writing the business relationship and the circumstances of the contemplated activity to the Senior Director, Middlebury Business Information Systems/MIIS Operations.

No member of the faculty and staff shall solicit anything of value in return for influencing or exercising his or her discretion in a particular way on an Institute matter. Faculty and staff should not accept any material gift, gratuity, or other payment, in cash or in kind, from a vendor currently doing business with the Institute or seeking to do so. Members of the faculty and staff may not solicit or receive discounts or rebates on goods and services offered to them in their private capacity by vendors to the Institute that exceed those generally available to other customers. Exceptions to this general provision include unsolicited gifts of a nominal value given at holidays, birthdays, weddings, and other commonly recognized social occasions.

Antitrust
Members of the faculty and staff may not improperly collude with other entities, including other colleges and universities, in matters affecting the financial or administrative decisions of the Institute.

Compliance with Laws and Regulations
Members of the faculty and staff are expected to transact Institute business in compliance with all federal, state, and local laws and regulations related to their positions and areas of responsibility, including, but not limited to, equal employment opportunity, fair employment practices, and nondiscrimination laws; laws regarding the privacy and confidentiality of employee and student records; and laws regarding workplace safety, workplace policies and regulations, and occupational health. Members of the faculty and staff whose programs operate internationally are expected to comply with the laws of the nations in which those programs operate, including foreign corrupt practices acts.

Obligation to Report Suspected Violations
Faculty and staff are obligated to report suspected violations of these standards promptly to their supervisor, department chair, the Manager of Human Resources, the Chief Academic Officer, or the Associate VP for Human Resources. A supervisor or department chair to whom a report of a violation is made is obligated to follow up the report with the appropriate administrative authority. In investigating claims of inappropriate activities, care will be taken to maintain confidentiality. The Middlebury Institute will protect from retaliation anyone who makes a good faith effort to appropriately disclose perceived wrongdoing. However, the Institute reserves the right to distinguish between retaliation and ongoing performance management related to the "whistleblower." Employees who feel that they have been subject to retaliation as a result of compliance with this policy should communicate their concerns to Human Resources.

Consequences of Violation
Material violations of this code or related Institute policies and procedures will be considered under the Institute's established disciplinary practices and procedures for members of the faculty and staff and may carry disciplinary consequences, up to and including dismissal from employment. Such violations may also subject individuals to civil or criminal actions in state or federal courts.

Supervisor's Obligations
Individuals who supervise others should ensure that their direct reports have received adequate instruction and explanation with respect to their obligations under this code.

Other Prohibited Conduct

The Middlebury Institute of International Studies at Monterey expects satisfactory job performance and appropriate professional conduct of every employee. The Institute also considers these to be important factors in retention, promotion, and salary decisions.

In addition to the expectation of high ethical standards as defined in the Code of Conduct, employees are expected to be polite, courteous, prompt, and attentive in their dealings with colleagues, students and members of the public, and to avoid conduct injurious to security, personal safety, employee welfare, and the Institute's operations.

Prohibited conduct includes but is not limited to:

- Possession, distribution, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on Institute property, while on duty, or while operating a vehicle or potentially dangerous equipment leased or owned by the Institute.
- Breach of confidentiality.
- Falsification of employment records, employment information, time reports, or other Institute records.
- Unsatisfactory performance or conduct.
- Theft, deliberate or careless damage or destruction of any Institute property, or the property of any employee, student, or customer.
- Removing or borrowing Institute property without prior authorization.
- Unauthorized use of Institute equipment (including computer systems and software), time, materials, or facilities.
- Provoking a fight or fighting during working hours or on Institute property.
- Carrying firearms or any other dangerous weapons on Institute premises, including parking lots, at any time.
- Engaging in criminal conduct, whether or not related to job performance.
- Causing, creating, or participating in a disruption of any kind during working hours on Institute property.
- Insubordination, including but not limited to failure or refusal to follow the orders or instructions of a supervisor or a member of management, or the use of abusive or threatening language toward a supervisor or member of management.
- Threatening, intimidating, coercing, harassing, or interfering with other employees.
- Violating the Middlebury Anti-Harassment/Discrimination and/or Sexual Misconduct policies.
- Failure to work cooperatively with others.
- Failure to notify a supervisor when unable to report to work, unless a reasonable excuse is offered and accepted by the Institute.
- Excessive absenteeism.
- Unreported absence of three (3) consecutive scheduled workdays, unless a reasonable excuse is offered and accepted by the Institute.
- Failure to observe working schedules, including rest and lunch periods.
- Leaving the job during working hours without permission.
- Failure to provide a physician's certificate when requested or required to do so.
- Sleeping or loitering on the job.
- Conducting excessive personal business on Institute time.
- Working overtime without authorization or refusing to work assigned overtime.
- Violation of any safety, health, security, or Institute policies, procedures, or mandates.
- Violation of Human Resources policies and procedures.
- Failure to cooperate in an investigation.
- Committing a fraudulent act or a breach of trust under any circumstances.
- Attempting any of the above actions.

Institute action in a particular case might depend on its judgment or consideration of, among other things,

- the severity of the conduct,
- the circumstances surrounding the matter,
- the past employment record of the employee, and
- the needs of the Institute.

It should be remembered that employment is for an unspecified term and is at the mutual consent of the employee and the Institute. Consequently, the employment relationship can be terminated at will, at any time, either by the employee or the Institute, with or without cause or notice.

Personal Business, Telephone Use, and Personal Mail

We recognize that there are times when a staff employee may need to conduct personal business while in the office, such as scheduling an appointment or checking with a family member. We expect that employees will keep these times to a minimum and that they will plan personal business to impact their time at work as little as possible. If an employee incurs charges for long-distance calls, personal photocopies, personal mail, etc., the employee is responsible for reimbursing the Institute for these charges.

Staff employees are not permitted to conduct business for another employer during scheduled working hours.

Employer Property

Desks, vehicles, and other Institute property and equipment must be maintained according to Institute rules and regulations. Institute property is to be used only for work-related purposes. The Institute reserves the right to inspect its property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

Prior authorization must be obtained before any Institute property may be removed from the premises.

Terminated employees should remove any personal items at the time they leave the Institute. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

Housekeeping

All employees are expected to keep their work areas clean and organized. People using common areas such as lunchrooms, locker rooms, and restrooms are expected to keep them sanitary.

Confidentiality

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

- Compensation data
- Donor information
- Employee personal information
- Student records and information
- Financial information
- Marketing strategies
- Pending projects and proposals
- Research and development strategies

Any employee who misappropriates for her/his own use or discloses confidential information to other persons or organizations will be subject to disciplinary action (up to and including discharge) and legal action, even if s/he does not actually benefit from the disclosed information.

Confidential information may be exchanged among Institute employees on a need to know basis in connection with official responsibilities. If an employee has any uncertainty as to whether someone is authorized to receive certain confidential information, the employee should contact her/his supervisor to discuss the matter before any such disclosure is made.

Since it can be difficult to distinguish legitimate inquiries from invasions of others' privacy, no information about an employee is to be divulged in response to outside inquiries without proper authorization. Refer verification of employment inquiries to the Human Resources Office. Human Resources will verify employment, job title(s), and dates of employment, and additional information authorized by the employee, if the employee completes an Information Release Waiver. This form is available from, and must be completed and filed with the Human Resources Office. HR will also verify employment information if it receives a written request accompanied by a waiver prepared by the requestor and signed by the employee. Specific references will not be provided without a completed Information Release Waiver.

All other requests for information (i.e. those involving private attorneys, or state or federal agency representatives) should be directed to Human Resources.

Conflicts of Interest and Supervision of Related Individuals

It is the Institute's policy not to discriminate against an individual because of that individual's marital status, because the individual may be related to another Institute employee, or because of any legal off-duty conduct of employees that does not bear on the fitness for duty of the employee and/or does not affect adversely the interests or reputation of the Institute. However, the Institute reserves the right to take appropriate action if familial or personal relationships between employees interfere with the safety, security, or morale at the Institute or create actual or apparent conflicts of interest.

For example, relatives of employees may be ineligible for employment positions with the Institute if the related employee works in a direct supervisory relationship or in job positions in which a conflict of interest could arise.

"Relatives" include spouses, domestic partners, children, siblings, parents, grandparents, in-laws, and step-relatives. Employees who become spouses or domestic partners of each other will be permitted to continue working in the positions held only if they do not work in direct supervisory relationship with one another or in job positions involving conflict of interest.

Conflicts of interest may include initiating and/or participating in, directly or indirectly, decisions involving a direct benefit (e.g. initial employment or appointment, retention, promotion, evaluation, salary, work assignments, research funds, leave of absences, etc.) to members of the employee’s immediate family.

In general terms, a conflict of interest exists when an employee or a member of the employee's immediate family has a personal or financial interest in a person or company dealing with the Institute which is of such a nature that it might affect or appear to affect decisions made on behalf of the Institute. It is a serious violation of trust if the interests of the Institute are subordinated in the course of performing professional duties. If there is any doubt as to the propriety of an existing or planned relationship, which could create, or appear to create, a conflict of interest, an employee should consult her/his supervisor or the Manager of Human Resources.

No employee may conduct Institute business with a person with whom s/he is related, or with a business organization with which the employee or related individual has a significant association, without first having the written approval of the Manager of Human Resources.

No employee or any member of her/his household shall accept gifts or gratuities or other favored treatment from any person associated with a present or prospective customer, competitor, or supplier of the Institute. Routine gifts of nominal value (i.e., advertising novelties or holiday gifts) are generally acceptable and should be shared with fellow employees. Similarly, no employee may give money or gifts

of significant value to a customer, competitor, or supplier if it could be reasonably viewed as being done to gain an unfair advantage.

Technology Policies

In matters pertaining to privacy, security, and responsible use of computing facilities, Institute faculty, staff and students are subject to Middlebury Library and Information Services policies.

In particular, the following policies related to shared resources, as described in the **Middlebury Handbook**, apply to Middlebury Institute faculty, staff, and students:

- Responsible Use of Computing facilities
- Network Monitoring Policy
- Password Policy
- Privacy and Security of Files, Data and Communications

Dress Code and Other Personal Standards

Employees are expected to wear clothing appropriate for the nature of the type of work performed and reflecting a high standard of professionalism. Employees should avoid clothing that can create a safety hazard or that restricts their ability to perform work. Supervisors will inform employees of any additional requirements regarding acceptable attire. In consideration of professional image, as well as in consideration of colleagues, good habits of grooming and personal hygiene are expected.

Media Contacts

On occasion, employees may be approached for interviews or comments by the news media. Only contact people designated by the VPAA may comment on Institute policy or events that have an impact on the Institute. Any questions regarding this policy should be directed to the director of communications.

Punctuality and Attendance

While absences may be unavoidable for some acceptable reasons, attendance is an important factor in judging a staff employee's value to the Institute. Regular, quality attendance is an essential function of all faculty and staff positions.

Staff employees are expected to report to work as scheduled, on time and prepared to start work. Late arrival, early departure, or other absences from scheduled hours are disruptive and should be avoided. If an employee is unable to report for work on any particular day due to illness or emergency, s/he must call her/his supervisor before or at the time he or she is scheduled to begin work. In all cases of absence or tardiness, it is expected that an employee will provide her/his supervisor an accurate reason or explanation.

Excessive and repeated absences, early departure from the employee's work station and/or tardiness is cause for termination. Tardiness is defined as being away from the assigned workstation at the start of the workday or being late in returning from an allotted rest or meal period.

Supplementary Employment ("Moonlighting")

While the Institute does not seek to interfere with the off-duty and personal conduct of its staff employees, certain types of off-duty conduct may interfere with the Institute's legitimate business interests. While employed by the Institute, full time staff employees are expected to devote their energies to their jobs with the Institute. Other employment that conflicts with work schedule, duties, and responsibilities, or that impairs work performance with the Institute is not acceptable. The hours and expectations of the job at the Institute will not be altered to accommodate supplemental employment.

Leaves of Absence

Family/Medical Leave

General Provisions

This policy is designed to provide the leaves required by the federal Family and Medical Leave Act and California state law. This policy provides for paid and unpaid family and medical leave under the terms and conditions set forth below. Leaves are available for:

- the birth or adoption or foster care placement (by the state) of a child; or
- to care for the employee's child, parent, spouse, or domestic partner who has a serious health condition; or
- a serious health condition that makes the employee unable to perform one or more of the essential functions of her/his job.

There are special rules that apply only to pregnancy-related disabilities.

Eligibility for Leave

In order to qualify for unpaid family and medical leave, other than a pregnancy disability leave, the employee must:

- be employed for at least 12 months and have worked at least 1,250 hours within the 12-month period prior to making a request for such leave;
- complete a certification of eligibility.

Family and Medical Leave Definitions

The unpaid family and medical leave policy is administered in accordance with the following definitions:

- "Child" means biological, adopted, or foster child, a step-child, a legal ward or a child to whom the employee stands *in loco parentis*, who is under the age of 18, or is an adult dependent child, i.e., one who is incapable of self-care because of a mental or physical disability.
- "Spouse" means the employee's husband or wife as recognized by state law.
- "Parent" means the employee's biological parent or the individual who stood *in loco parentis* when the employee was a child. It does not include a grandparent or parent-in-law.
- "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that includes:
    1. in-patient care in a hospital, hospice, or residential medical care facility; or
    2. continuing treatment by a health care provider which includes any period of incapacity due to:
        (a) a health condition lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes: treatment two or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or
        (b) a chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may include occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence in this category; or
        (c) pregnancy-related disabilities (special rules apply); or
        (d) a permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
        (e) any absences to receive multiple treatments for restorative surgery or

for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

A "serious health condition" generally will not include conditions like the common cold, the flu, earaches, upset stomach, minor ulcers, headaches (other than migraines), or routine dental problems, unless complications arise.

Duration of Family and Medical Leave

Employees may be granted a maximum of 12 weeks of family or medical leave in any 12-month period, unless otherwise required by law. For purposes of determining eligibility, the 12 months will be calculated backward from the date on which the employee first takes family or medical leave.

Leave for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth or placement of the child. If both parents of a child are employed by the Institute and request family care leave to care for a newly arrived child, their aggregate childcare leave is limited to 12 weeks. The time each parent takes off will count against her/his 12-week allotment of family and medical leave. If an employee uses less than 12 weeks to care for a newly arrived child, the remainder of his/her 12 weeks of leave can be used for any permissible FMLA purpose.

If there is a medical need, leave may be taken intermittently or on a reduced work schedule basis to care for a sick family member or for an employee's own serious health condition. If the need for intermittent leave is foreseeable based on a planned medical treatment, the Institute reserves the right to require the employee to temporarily transfer to an equivalent position that can better accommodate the recurring periods of leave.

Intermittent leave for the birth, adoption, or foster care of a child generally must be taken in two-week increments. However, the employee can take childcare leave in increments of less than two weeks on two occasions in connection with each birth, adoption, or placement for foster care.

Notice/Certificates for Family and Medical Leave

Employees must give the Institute as much advance notice as possible of the need for family or medical care leave. If the employee knows about the leave more than 30 calendar days before the leave is to commence, the employee must give the Institute at least 30 days written notice. If 30 days notice is not possible, i.e., the need for the leave is not known more than 30 days prior to its commencement, or because there has been a change in circumstances or a medical emergency, the employee must give as much notice as possible.

Where the employee's need for the leave is for planned medical treatment or supervision, s/he must consult with the Institute to schedule the treatment to minimize the disruption of the Institute's business.

The employee is required to provide a certificate from the health care provider setting out, among other things, the expected duration of the leave and certifying the condition warrants family or medical care. If the Institute does not receive proper certification prior to commencement of the leave or within 15 calendar days of requesting the certification, the absence from work may be deemed unexcused unless the delay was caused by circumstances truly beyond the employee's control.

The Institute reserves the right to require a second opinion, at its own expense, regarding the employee's serious health condition. Also, in certain circumstances, recertification by the doctor may be requested.

Generally, if given advance notice of the need for the leave, the Institute will designate the leave as family and medical leave before the employee goes out on leave. However, the Institute reserves the right to designate a leave as family and medical leave after the leave has begun if it

learns of additional facts that allow it to make a determination while the employee is on leave. In addition, the Institute reserves the right to designate the leave as a family and medical leave after the employee returns to work if it does not have sufficient facts on which to make a determination while the employee is out on leave.

If the Institute does not have sufficient information regarding why an employee is off work, it will inquire as to the reason for the employee's absence. If the employee establishes that the absence is for a family and medical leave or other permissible leave, the time off will be treated consistent with the applicable policy. However, if the employee does not provide the requested information or the information provided is insufficient to establish that the leave is for a purpose covered by the Family and Medical Leave Policy, the leave will be treated as an unexcused absence.

In order to return to work from a medical leave for the employee's own serous health condition, s/he must submit a release to work certification form her/his health care provider.

Benefits during Family or Medical Leave
Employees must take any accrued sick leave reserve as part of any family and medical leave for their own serious health condition, including a pregnancy-related condition. In other circumstances, employees may take any accrued sick leave reserve as part of an unpaid family and medical leave when permitted by the sick leave policy. Employees must take any accrued CTO as part of any unpaid family and medical leave; special rules may apply to pregnancy disability leaves. After all paid leave is exhausted, the remaining period of the leave will be unpaid. Benefit Eligible Employees will continue earn CTO during the unpaid portion of any family or medical leave, but not during an accommodation leave.

While taking unpaid family and medical leave, the Institute will continue to provide health benefits, including during pregnancy disability leave and child care leave, under the same terms and conditions as if the employee was still working. The employee will be required to continue paying the employee's portion of any premiums.

Employees may arrange to pay for their own life insurance premiums and premiums for any other insurance during the unpaid portion of the leave. Coverage will terminate at the end of the last period for which premiums are received.

Reinstatement
If an employee returns to work at the end of an unpaid family or medical leave which lasts 12 weeks or less, s/he will be returned to the same position held before the leave or to an equivalent position with the same equivalent pay, benefits, and terms and conditions of employment. Special circumstances apply to pregnancy disabilities.

An employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the unpaid family and medical leave.

If the employee fails to return to work on the next regularly scheduled workday following the expiration of the leave of absence, her/his employment will be subject to termination.

All requests for family or medical leave of absences will be administered in compliance with applicable federal, state, and local laws.

Pregnancy Related Disability Leave
In addition to the provisions above, the following policies apply when pregnancy results in a disability. Pregnancy related disability leave will be designated as leave under the federal Family and Medical Leave Act, but not under the equivalent California statute.

Duration of Leave
If an employee is disabled because of childbirth, pregnancy, or a related condition, she may take a leave of absence of up to four months with medical verification of the disability. Paid family leave is not available for care of a newborn, but only for the mother's own disability. However, after her doctor releases the employee to work, she may apply for a family care leave to care for her newborn.

The estimated duration of pregnancy related disability leave is initially determined by the employee and her doctor. To assist in a smooth transition, employees should share this information with the Institute as far in advance as possible.

Transfer Rights
An employee who is pregnant is entitled to a transfer from her current position to a less strenuous or hazardous position or duties if:

- the employee provides a certification from her doctor stating less strenuous work is medically advisable; and
- transfer can be reasonably accommodated by the Institute.

If it is foreseeable that it would be medically advisable for a pregnant employee to take intermittent leave or work a reduced schedule, the Institute may require the employee to transfer temporarily to an available alternative position that has equivalent pay and benefits, so long as the employee is qualified for the position, and the position better accommodates recurring absences than the employee's regular job.

The employee will be reinstated to her regular job or a comparable position when the employee's health care provider certifies that there is no further need for less strenuous work, intermittent leave, or a reduced work schedule.

Rights to Reasonable Accommodation
The Institute will make a reasonable accommodation for conditions that are related to pregnancy, childbirth, or related medical conditions if requested by an employee, with the advice of her health care provider, to the extent provided by law.

Benefits During Pregnancy Related Disability Leave
An employee must take any accrued sick leave reserve as part of her pregnancy related disability leave. An employee may take any accrued CTO as part of her pregnancy disability leave. After all paid leave is exhausted, the remainder of the employee's pregnancy disability leave will be unpaid.

The Institute will continue to provide health benefits for an employee on pregnancy related disability under the same terms and conditions as if the employee were still working. The employee will be required to continue paying the employee's portion of any premiums. For policies regarding other benefits, refer to the section of this handbook dealing with benefits during family and medical leave. With respect to all benefits, an employee on paid family leave will be treated no less favorably than employees on other disability related leaves.

Reinstatement After a Pregnancy Related Disability
If an employee returns to work at the end of a pregnancy disability of four months or less, she will be reinstated to her former position unless the position no longer exists because of business changes, such as a reduction in force or job abolishment. If the employee's former position does not exist, she will be reinstated to an equivalent position, if one is available.

The employee will be required to provide the Institute with a fitness for duty certification from her doctor stating she is released to return to work and indicating any work

restrictions she may have.

If the employee fails to return to work at the end of any authorized leave, her employment will be subject to termination, unless she is eligible for another form of leave.

Child Care Leave After a Pregnancy Related Disability Leave
After the employee is released to return to work from a pregnancy disability, she may request any remaining family and medical leave to care for her newborn, pursuant to the terms of the family and medical leave policy above.

Employee Responsibilities

- Furnish evidence as requested to substantiate the medical need for disability leave.
- Notify the Institute in the event the need for or anticipated duration of the leave has changed.
- Notify supervisor in writing or in person two (2) weeks prior to the expiration of the leave to confirm interest in return to work.
- Notify supervisor in writing or in person of any address or telephone number changes while on leave.
- Return to work promptly at the end of an authorized leave.

Other Disability Leaves

In addition to family/medical and pregnancy-related disability leaves, employees may request a temporary disability leave of absence if in the judgment of the Institute, it is necessary to accommodate reasonably a workplace injury or an ADA-qualified disability to the extent mandated by law. Any disability leave under this section may run concurrently with any medical leave to which the employee is entitled under the Family/Medical leave section of this handbook.

Employees taking disability leave must comply with the family/medical leave provision of this handbook regarding substitution of paid leaves, notice, and medical certification. For the purpose of applying these provisions, a disability leave will be considered a medical leave.

An employee taking a disability leave will not be paid and must exhaust her/his sick leave reserve and accrued CTO time.

If a disability leave under this section extends beyond 12 weeks in a 12-month period, the employee will not be entitled to any continued employer contributions towards any employee benefit plan. An employee, however, may elect to continue participating in such benefit plans, at the employee's own expense, to the extent permitted by such plans.

The duration of a leave under this section will be consistent with applicable law, but in no event will the leave extend past the date on which an employee becomes capable of performing the essential functions of her/his position, with or without reasonable accommodation. For a full explanation of leave duration and reinstatement rights, employees should contact the Human Resources Office.

Jury Duty and Witness Leave

The Institute encourages employees to serve on jury selection or jury duty when called. Any employee summoned for compulsory jury duty will be excused for the duration of the trial.

A regular employee will receive her/his full salary for the time s/he is on duty, up to a maximum of 30 days in a 12-month period. An employee should notify her/his supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. A copy of the summons should be submitted when recording jury duty leave at the end of the pay period.

An employee may be requested to provide written verification from the court clerk of having served for Jury Duty. If work time remains after any day of jury selection or jury duty, the employee will be expected to return to work for the remainder of the work schedule.

Jurors' fees, exclusive of mileage, that are received should be remitted to the Institute Cashier's office. Normal work hours that are spent on jury duty will not be considered as time worked for the purpose of computing overtime pay for non-exempt employees.

An employee who is required by law to appear in court or at another legal proceeding to which s/he is not a party will be provided time off for that purpose, provided s/he provides the Institute with reasonable advance notice. For non-exempt employees, this leave will be unpaid. For exempt employees, salary during leave will be offset by any amounts received as witness fees and no salary will be paid for workweeks in which no Institute work is performed.

Bereavement Leave

In the event of a death in an employee's immediate family, s/he may be granted a leave of absence with pay not to exceed three working days, without any deduction from CTO or SLR balances.

Immediate family includes mother, step-mother, father, step-father, spouse, domestic partner, child, step-child, brother, step-brother, sister, step-sister, current mother-in-law, current father-in-law, grandparents, and grandchildren. Bereavement leave requests must be made known to the supervisor as soon as the employee has need for the leave.

Approved time taken in excess of three working days may be recorded as CTO or SLR.

Regular Full-Time, Regular Part-Time and Temporary Employees with six months or more of service are eligible for Bereavement Leave.

Military Leave

The Institute complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA), which guarantees reemployment rights and benefits if an employee leaves to serve in the uniformed services as long as the cumulative period of absence from employment does not exceed five years.

If an employee serves in the military and needs to take military leave, s/he must inform her/his supervisor and contact the Human Resources Office for information about the employee's rights and responsibilities before and after such leave. A regular employee will receive her/his full salary for the time s/he is recalled to active duty, up to a maximum of 30 days in a 12-month period. Annual training leave or leave for related schooling and/or training is considered leave without pay, although the employee may elect to use her/his CTO to cover the leave.

The employee is entitled to reinstatement upon completion of military service provided s/he returns or applies for reinstatement within the time allowed by law.

Personal Leave

A staff employee may apply for a non-medical leave of absence without pay of up to six months. Requests for leave of absence will be considered on the basis of the employee's length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact of the leave on the Institute.

Because of the essential functions of most staff positions and the Institute's lean staffing, approved personal leaves of absence are very limited. Requests must be submitted in writing to the supervisor and must be approved by the administration in writing before the leave begins.

It is the employee's responsibility to report to work at the end of the approved leave. An employee who fails to report to work on the first working day after the leave expires will be considered to have voluntarily resigned.

School Activities

If an employee is the parent or guardian of a child and it becomes necessary to attend the child's school because of a suspension, the employee should alert her/his supervisor as soon as possible. Pursuant to California Labor Code Section 230.7, no discriminatory action will be taken against an employee for taking time off for this purpose.

Any school activity absence is subject to the following provisions:

- Parents, guardians, or grandparents having custody of one or more children in pre-school, kindergarten, or grades 1 to 12 may take time off for a school activity.
- The time off for school activity participation cannot exceed 40 hours for the entire school year and cannot exceed eight hours in any one calendar month.
- Employees must provide as much advance notice as possible to their supervisor.
- If both parents are employed by the Institute, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by her/his supervisor.
- Non-exempt employees must use CTO leave in order to receive compensation for this time off.
- Exempt employees may take less than a full day off without loss of pay.
- Employees who do not have paid CTO time available will take the time off without pay, or complete a make-up time arrangement through her/his supervisor.

Domestic Violence Leave

The Institute will maintain the confidentiality of any employee requesting domestic violence leave to the extent possible.

Employees who are victims of domestic violence are entitled to take time off to:

- get medical attention for injuries caused by domestic violence,
- get services from a domestic violence shelter or rape crisis center,
- get psychological counseling for a domestic violence related experience,
- try to ensure safety from future violence, including seeking restraining orders or other injunctive relief and/or temporary or permanent relocation.

To be eligible for leave, employees must qualify as domestic violence victims. This includes individuals who are being abused by:

- a spouse or former spouse,
- someone living with them,
- someone they are (or were) dating,
- someone they are (or were) engaged to,
- someone they have a child with, or
- a member of their immediate family or a very close relative.

Generally, employees must give their employers reasonable advance notice that they need time off for domestic violence leave. However, in certain circumstances, employees may take an unscheduled leave without giving advance notice.

Certification for domestic violence leave may include:

- a police report which indicates that the employee was a victim of domestic violence;
- a court order protecting or separating the employee from the abuser, or other evidence from the court or prosecuting attorney that the employee appeared in court; or
- a report from a medical professional, domestic violence advocate, health care provider, or

counselor documenting that the employee was treated for mental or physical injuries.

Domestic violence leave is unpaid. However, the employee may use any accrued CTO.

Required Use of Sick Pay Before Unpaid Leave

Employees are required to take accrued and unused paid CTO/sick leave reserve before taking unpaid leave, or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, and you have not yet accrued or have no CTO available, you are required to use any accrued and unused sick leave reserve during the 7-day waiting period before PFL benefits begin.

You must exhaust all paid CTO/sick leave reserve before taking any unpaid absences.

PFL benefits do not replace all of your usual wages. Your PFL benefits will be supplemented with any accrued and unused CTO/sick leave reserve. If you have no sick leave reserve, or once you exhaust your sick leave reserve, accrued and unused CTO will be used to supplement your PFL benefits.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for 7 calendar days. If you have accrued paid sick leave reserve, sick leave reserve will be used for the first 7 days, before SDI payments begin. If you have no accrued sick leave reserve, any accrued CTO will be used during this waiting period.

SDI benefits do not replace all of your usual wages. Your SDI benefits will be supplemented with any accrued and unused sick leave reserve. If you have no sick leave reserve, or once you exhaust your sick leave reserve, accrued and unused CTO will be used to supplement your SDI benefits.

Sick Pay and Workers' Compensation Benefits

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy, or other prescribed appointments will not be paid as time worked. If you have accrued and unused sick leave, the additional absences from work will be paid with the use of sick leave. If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute CTO/paid time off for further work absences related to your illness or injury.

Safety Personnel Leave

Eligible employees may take time off to serve as volunteer firefighters, reserve police officers, or emergency rescue personnel during emergencies. This leave is unpaid, though the employee can use any accrued CTO time.

Volunteer firefighters, reserve police officers, and emergency rescue personnel may take leave only for emergency duty. There is no limit on the amount of time they may take off to perform emergency duties. Volunteer firefighters are also entitled to take up to 14 days each calendar year for fire or law enforcement training.

Miscellaneous Considerations

Lost and Found

Money, clothing, or other valuables should not be left in areas where a theft might occur. The Institute's lost and found area is located in the Security Office. The Institute is not responsible for lost or stolen property.

Parking

All on-campus parking is by permit only, and permits are issued to employees residing a mile or more from the campus. Eligible employees may request a permit from Security. Vehicles may be parked in designated parking stalls as space permits in the faculty/staff parking areas. If space is not available, employees must park off Institute property. Employees may not use Institute parking areas specifically designated for students. Handicap parking is by permit only. The Institute is not responsible for any loss or damage to employee vehicles or contents while parked on Institute property.

Lactation Accommodation

The Institute will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time will, if possible, run concurrently with any paid break time that is already provided to the employee. If additional break time is required, it shall be unpaid.

Outside Organizational Activity/Solicitation

Employees are expected to devote their working hours to job-related activities that contribute to the goals and objectives of the Middlebury Institute. Except for activities related directly to the benefit of the Institute, employees may not solicit, distribute, or receive solicitation materials during working time or in work areas. Work areas generally exclude eating areas, parking lots, or employee lounges. Working time excludes unpaid lunch break, rest periods, or any other specified period during the workday when employees are not required to engage in performing their work tasks.

Because of the Institute's status as a nonprofit organization, no employee may use the Institute's name in carrying on any partisan political activity. The name of the Middlebury Institute of International Studies at Monterey, the logo commonly used to represent the Institute, or the name of any department of the Institute should not be used on letters or other written material intended for political purposes.

Security Investigations

The Institute seeks to maintain a safe, healthy, and secure work environment. The Institute may occasionally find it necessary to investigate current employees where behavior or other relevant circumstances raise questions (For example, work performance, honesty, trustworthiness, or potential threat to the safety of coworkers or others). In the event that an investigation is necessary, the Institute will comply with all applicable federal and state laws. Employees subject to an investigation are required to cooperate with the Institute’s lawful efforts to obtain relevant information and may be disciplined up to and including termination for failure to do so.

Health and Safety

Each employee is responsible for her/his safety as well as the safety of others in the workplace. In compliance with California law and to promote the concept of a safe workplace, the Institute maintains an Injury and Illness Prevention Program. The program is available for review in the Human Resources 7office. All accidents that result in injury must be reported to the appropriate supervisor and Human Resources, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and to initiate insurance and workers’ compensation procedures as applicable.

In compliance with Proposition 65, the Institute will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

Emergency Closure

If weather conditions, such as flooding, prevent employees from safely traveling to work, they must notify their supervisors as soon as possible. Absences due to inclement weather will be considered as leave without pay, unless the employee chooses to use accrued CTO hours to cover the absence.

In the event of a natural disaster such as earthquake, fire, explosion, etc., offices will be closed if the building is damaged or roads immediately leading to the offices are damaged. For instruction on reporting to another location, employees should contact their supervisors immediately, if possible. Refer to the Emergency Action Plan (http://www.miis.edu/offices/security) for further details.

If the Institute is closed due to inclement weather or natural disaster, regular salaried employees will receive regular pay, up to a maximum of three days per calendar year. If the Institute is open, yet an employee is unable to get to work due to personal circumstances, the time off will be counted as leave without pay, unless the employee elects to use accrued CTO hours. If there is a temporary power outage, employees are expected to remain at work and perform what duties are safely possible under the circumstances, until and unless they are officially notified that the office is closed for the remainder of the day and that there is no other office on campus where they can continue to work.

Security/Workplace Violence

The Institute is committed to providing a workplace that is free from acts of violence or threats of violence. In keeping with this commitment, the Institute has established a policy that provides “zero tolerance” for actual or threatened violence against co-workers, students, visitors, or any other persons who are either on our premises or have contact with employees in the course of their duties.

Every threat of violence is serious and must be treated as such. Threatening behavior can include such actions as throwing objects, making a verbal threat to harm another individual or destroy property, displaying an intense or obsessive romantic interest that exceeds the normal bounds of interpersonal interest, or attempting to intimidate or harass other individuals.

If an employee becomes aware of any actual violence, imminent violence, or threat of imminent violence, obtaining emergency assistance must be a matter of first priority. The employee should immediately contact Security by calling extension 4153 and, if appropriate, should contact Monterey Police Department authorities by dialing 911. Then the employee must report the incident to her/his supervisor, who shall in turn notify the manager of human resources and Security. Employees may report any incidents of violence or threats of violence without fear of reprisal.

Employees who become aware of any threats of workplace violence must report the threats immediately to their supervisors, who, in turn, will be responsible for notifying Security and the Manager of Human Resources.

Compliance with this anti-violence policy is a condition of employment and will be evaluated, together with other aspects of an employee’s performance. Due to the importance of this policy, employees who violate any of its terms, who engage in or contribute to violent behavior, or who threaten others with violence may be subject to disciplinary action, up to and including immediate termination.

Employees are reminded to secure their desks, files, and confidential information at the end of the day or when called away from the work area for an extended length of time. Employees should not leave valuable and/or personal articles in or around their workstations.

Employees must immediately report to their supervisor when keys, identification cards, or other Institute

property is missing.

Smoking

Smoking is prohibited in all campus buildings. This includes porches, balconies, decks or any part of the building structure. E-cigarette smoking is also prohibited in campus buildings. Failure to observe this policy will be treated as a fire safety violation and subject to MIIS discipline and fines as appropriate.

Travel Policies

Members of the faculty and staff traveling on behalf of the Institute are expected to seek the least expensive option that allows them to do their job effectively and safely when incurring any expense that will be charged to the Institute.

All travel plans and individual travel programs must be approved in advance by the employee's supervisor and the budget officer of the department to be charged with the travel costs.

Advances for travel are prohibited except in cases where travel without an advance would impose an unreasonable hardship. Requests for advance are officially discouraged. Recommendations for advances must have the approval of the department head, VPAA, and the Associate VP for Human Resources.

Travelers booking plane or train fares must secure the most economical rates available and should use an individual or departmental Institute purchasing card whenever possible, following all policies associated with such cards. If a personal credit card must be used, the traveler must submit original copies of the card statement along with accounting codes to be charged and a clear explanation of the itinerary in order to receive timely reimbursement.

The Institute reimburses members of the faculty and staff using their own vehicles on trips for official Institute business on a per-mile-driven basis, at the rate authorized by the IRS. Requests for reimbursement, using the check request form, must include details of the dates, points of departure and arrival, and miles driven, and should be submitted to the Business Office.

Employees who are required to drive an Institute vehicle, or a personal vehicle, on Institute business will be required to show proof of current, valid driver's license and current effective insurance coverage prior to the first day of employment.

The Institute retains the right to transfer to an alternative position, suspend or terminate employment if driving on Institute business is an essential function of a position and an employee's license is revoked, or s/he fails to maintain personal automobile insurance coverage, or if s/he is uninsurable under the Institute's policy.

Allowable Travel Expenses: Allowable travel expenses include essential transportation and associated costs such as parking and tolls, lodging, meals, and appropriate thank-you gifts for a dinner or event host. Normally, travelers should select compact class rental cars; restrict meal costs to the recommended maximums published by the business office; and provide customary tips (not to exceed 15%) associated with their activities. Other expenses must receive advance approval from the department head.

Accounting: Formal accounting for reimbursable travel expenditures made by an individual must be submitted to the Business Office immediately upon return from a trip. This accounting must include original receipts for meal, hotel accommodations, transportation, etc., and must be approved by the supervisor and budget officer.

Internal Revenue Service regulations require that adequate records substantiate all expenditures for travel and entertainment. This substantiation must include information relating to the:

- Amount of the expenditure;
- Time and place of the expenditure;

- Business purpose of the expenditure; and
- Names and the business relationships of individuals (other than the traveler) for whom the expenditures are made;

Reasonable incidental expenses of $10 or less do not require documentation but need to be enumerated.

Travel Expenses Not Permitted

No expenses for a spouse/partner accompanying the faculty or staff member may be charged to the Institute, with the exception of the cost of a meal if the spouse/partner's presence is essential to the event and where there has been prior approval.

No personal expenses may be charged to the Institute, including (but not limited to) traffic and parking tickets; rental, repair, and replacement of clothing items; personal entertainment such as sporting-event or theatre tickets and in-room movies; alcoholic beverages other than those customarily taken with a meal that is part of an Institute function; and any item which an individual would normally purchase for her/himself if not traveling.

Other Expenditures Not Permitted

Budget administrators are expected to exercise restraint and good judgment in committing Institute funds. The Institute's principal revenue sources are from students and from donors (individuals, foundations, and industry). Increasingly, we must be sensitive to how we use these funds toward promoting the primary mission of the Institute. The following expenditures should not be incurred since they relate more directly to personal needs:

- Artwork for offices
- Briefcases
- Contributions (political and charitable)
- Expensive desk accessories
- Flowers (except when coordinated through the VPAA's Office)
- Holiday decorations and parties
- Memberships in non-job related professional societies
- Travel related:
    - Air travel clubs
    - First class/business class airfare
- Health club memberships
- Hotel amenities (movies, etc.)
- Optional conference events (golf outings, tours, etc.)
- Non-business entertainment and travel
- Payment of fines or parking tickets
- Purchase of clothing and other personal items
- Spouse related costs
- Meals among co-workers (except when staff are traveling together on Institute business, or for community-building meals approved by a budget administrator.)

Procurement Card Program

The Middlebury Institute has implemented a Procurement Card Program to provide an efficient and effective method of purchasing and paying for goods and services. Procurement Cards are issued to individuals who place orders on behalf of the Institute and/or individuals who frequently travel on Institute business. An individual receives a procurement card upon recommendation of her/his department head, and then only after completing the application form and cardholder agreement, and after attending a Procurement Card Training Session to learn the proper procedures for using and documenting use of the

card. Complete guidelines for P-card use can be found at:
http://www.middlebury.edu/offices/administration/vpfin/controller/payment/pcard

Cardholders are accountable for the proper use of Institute funds. Although the card is issued to the cardholder, it remains Institute property, and may be rescinded at any time. Use of the card is **only for Institute business**. If the procurement card is misused (for example, for inappropriate purchases, exceeding budget and or card limits, or failure to maintain proper records) penalties could range from a warning to adhere to the procedures to cancellation of the card. Should the Institute cancel a card, that action will be noted in the cardholder's personnel file. In extreme cases, such as flagrant misuse and/or use for personal items, additional consequences, up to and including termination of employment could be imposed.

The adoption of the Procurement Card does not constitute a change to the Institute policies regarding travel on Institute business. Rather, for many Institute employees whose job responsibilities dictate regular travel, the "P Card" will provide a means to process and pay those travel expenses more conveniently.

Faculty and staff with only occasional travel needs may be able to make use of a "departmental" card held by an administrative assistant or other departmental support staff who make air, hotel, or auto reservations for department faculty and staff.

As with any travel on Institute business currently made using a personal credit card with subsequent reimbursement, it is the responsibility of the traveler using a Procurement Card to obtain full documentation/receipts for all expenses processed on the card and to file and retain those receipts with the monthly statement mailed to the cardholder.

Please direct any questions regarding the use of the Procurement Card to the card administrator.
Employee Recognition

Above and Beyond Award
The Above and Beyond Award was established in 2006 to recognize employees of the Institute who go above and beyond the normal duties of their position. The award is presented during the faculty/staff holiday reception each December. Each award recipient receives a certificate and a $500 cash award. Recipients of the award are those who:

a) Consistently provide outstanding customer service.
b) Is the "go-to" person.
c) Provides an outstanding service that is not part of their normal job duties.
d) Strives to innovate, improve, or streamline processes.

The VPAA and the senior administrators (direct reports to the VPAA) will consult with staff in their areas to nominate candidates. Generally, up to three awards will be made during the Faculty/Staff Holiday Reception.