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**DISCRIMINATION, HARASSMENT AND ADA POLICIES**

- ADA and REASONABLE ACCOMMODATION POLICY
- NON-DISCRIMINATION AND SEXUAL HARASSMENT
- TITLE IX POLICY

## **ADA AND REASONABLE ACCOMMODATION POLICY**

The Americans with Disabilities Act of 1990 (ADA), as amended, and applicable state law protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, compensation, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. It is the policy of Cambridge College not to discriminate against qualified individuals with disabilities, individuals with a record of a disability, or individuals with a perceived disability.

Cambridge College will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of the employment position that such individual holds or desires.

### **Definitions**

“Disability” means a physical or mental impairment that substantially limits one or more major life activities of the individual; a record of such an impairment; or being regarded as having such an impairment. In general, major life activities include, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.

“Qualified individual” means an individual who meets the skill, experience, education, and other job-related requirements for the position, and who can perform the essential functions of the employment position, with or without a reasonable accommodation.

“Essential functions of the job” refers to those job activities that are determined by the College to be essential or core to performing the job.

“Reasonable accommodation” is required under federal and state law unless doing so would create an undue hardship, compromise the health and/or safety of members of the College community, or fundamentally alter the nature of the College’s employment or academic mission. A few examples of reasonable accommodations may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

“Undue hardship” means an action requiring significant difficulty, expense, and/or disruption (i.e. administrative burden) or an action that would fundamentally alter the College’s policies or procedures, the nature of the job function, and/or fundamental nature of the College’s academic programs.

In determining whether an accommodation would impose an undue hardship on the College, general factors to be considered include, but are not limited to:

- The nature and cost of the accommodation.
- The overall financial resources of the College; the effect on expenses and resources or the impact of such accommodation upon the College's operations.
- The number, type and location of the College's campuses/offices.
- The type of operations of the College, including the composition, structure and functions of the workforce.

### **Confidentiality**

Information about an employee's documented disability will be kept in a file separate from the personnel file in the HR department. This file will be kept confidential to the extent practicable and will only be shared with individuals within the College to the extent allowed by law. However, once HR has been informed of an individual's documented disability and request for accommodations, the individual's supervisor, the union steward (if applicable) and those in the appropriate chain of authority may be notified of an individual's request for an accommodation and invited to participate in the discussion regarding possible reasonable accommodations.

### **Requests for Accommodation and Interactive Process**

All qualified individuals seeking a reasonable accommodation must contact HR to receive and submit a completed ADA Request for Reasonable Accommodation Form, along with a current physician statement which includes: the nature of the impairment/disability, its severity, the duration; the activities limited by the impairment(s)/disability; the extent to which the impairment(s)/disability limits the employee's ability to perform the essential duties/functions of the job along with recommendations for a reasonable accommodation(s). The College may require further testing or evaluation by qualified individuals to verify or further establish the impairment/disability and the need for accommodation. Upon HR's receipt of the required documentation, HR will consult with the employee's supervisor, the union steward (if applicable) and other appropriate parties, if necessary, to determine what, if any, reasonable accommodation(s) may be provided. HR will meet with the qualified individual and engage in an interactive dialogue to explore and clarify the reasonableness of any accommodation(s) being sought before reaching a final decision.

The HR department is responsible for administering this policy, including resolution of reasonable accommodation, safety and undue hardship issues.

## **NON-DISCRIMINATION AND HARASSMENT POLICY FOR EMPLOYEES**

Cambridge College (“CC” or “the College”) is committed to an educational and work environment in which all individuals are treated with respect and dignity. Each individual has the right to study and work in a professional atmosphere that promotes equal opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, CC expects that all relationships among persons in the educational setting and the workplace will be business-like and free of bias, prejudice and harassment.

### **Equal Opportunity**

It is the policy of CC to ensure equal opportunity without discrimination or harassment on the basis of race, color, religion or religious creed, sex (including pregnancy), sexual orientation, gender identity/expression, ancestry, age, disability or handicap, marital status, military or veteran status, citizenship, national or ethnic origin, genetics, or any other characteristic protected by applicable federal, state or local law. CC prohibits any such discrimination or harassment.

### **Retaliation and Obligation to Report in Good Faith**

CC encourages the immediate reporting of all perceived incidents of discrimination or harassment. It is the policy of CC to promptly and thoroughly investigate and/or resolve such reports. CC prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. An individual who retaliates against another in violation of this policy will be subject to appropriate disciplinary action.

All reports of discrimination, harassment, and/or retaliation must be made in good faith. False and/or malicious complaints of harassment, discrimination or retaliation (as opposed to complaints which, even if erroneous, are made in good faith) may also be the subject of appropriate disciplinary action.

### **Definitions**

1. Discrimination is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education because of their race, color, religion or religious creed, sex (including pregnancy), sexual orientation, gender identity/expression, ancestry, age, disability or handicap, marital status, military or veteran status, citizenship, national or ethnic origin, genetics, or any other characteristic protected by law.

2. Harassment as a form of discrimination is defined as verbal or physical conduct that is directed at an individual or group because of race, color, religion or religious creed, sex (including pregnancy), sexual orientation, gender identity/expression, ancestry, age, disability or handicap, marital status, military or veteran status, citizenship, national or ethnic origin, genetics, or any other characteristic protected by law when such conduct is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of interfering with an individual’s or group’s academic or work performance; or of

creating a hostile academic or work environment. This conduct can include technology-based communications such as texting, online classroom chats, or social networking sites.

### **Individuals and Conduct Covered**

This policy applies to discrimination and harassment allegations made by faculty, staff, vendors, contractors, visitors, and all other members of the CC community. Discrimination and harassment allegations by students and applicants are governed by the Non-Discrimination and Harassment Policy for Students. All CC community members are responsible for their actions and behavior, both on campus and off campus. Members of the CC community have a responsibility to adhere to both College policies and all laws (local, state, and federal) of wherever they reside or travel. Therefore, this policy applies both to on-campus and off-campus conduct, including, but not limited to, off-campus conduct that has an actual or potential adverse impact on any member of the CC community or the College. Off-campus settings to which this policy applies include, but are not limited to, business trips, business meetings, business-related social events or field trips, internships, or other off-campus academic or College-related functions.

This policy does not govern situations involving sexual misconduct/harassment or the College's process for reviewing and investigating such allegations. Those standards and procedures are set forth in the Cambridge College Title IX/Sexual Misconduct Policy.

### **Reporting an Incident of Harassment, Discrimination or Retaliation**

CC encourages immediate reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, Academic Dean or the Vice President of Human Resources. Any individual employed by the College who receives reported information of potential incidents of harassment, discrimination or retaliation has an obligation to appropriately follow-through and report the information immediately to his or her supervisor, to the Dean of Student Affairs (if the allegation would be made against a student) or to the Vice President of Human Resources (for all other allegations). In any case of uncertainty, the individual should consult with Human Resources.

**[A person who wishes to report discrimination or harassment may also contact an anonymous phone line to report anonymous issues. Please note that anonymous reporting may limit the ability for CC to fully investigate and follow-through.]**

### **Complaint Procedures**

#### ***Notification***

As described above, an individual who is subjected to discrimination, harassment, or retaliation should notify his/her immediate supervisor, Academic Dean or the Vice President of Human Resources. Once the individual notifies CC of his/her allegation, the individual, with the assistance of the College, will determine whether to pursue an informal resolution procedure or the formal resolution procedure, detailed below. An individual reporting harassment, discrimination or

retaliation should be aware that the College reserves the right to take action to address such conduct beyond an informal discussion.

CC encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

### ***Formal Procedure***

An individual who asserts a claim of discrimination, harassment, or retaliation may elect to pursue a formal resolution procedure. The formal procedure generally will include an investigation into the alleged conduct. Allegations of harassment, discrimination, or retaliation will be investigated promptly.

As part of the investigation process, the College will appoint an appropriate internal or external investigator (or, in some matters, two investigators), and will notify the complainant and the accused of this appointment.

At the discretion of the investigator(s), the investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The investigator(s) may also review College files, documents, and other information provided by the parties or witnesses. The investigator(s) will retain the sole discretion as to what information and documents are relevant to the investigation.

Out of respect for all parties, confidentiality of the investigation should be limited to the complainant, accused, appropriate supervisor(s), Human Resources, General Counsel, and other leadership officials with an appropriate need to know. Witnesses who participate in the investigative process will also be cautioned to maintain the confidentiality of their participation, related information, and the investigation.

At the conclusion of the investigative process, the investigator will prepare a final report with recommendations (both as to factual findings and discipline, if appropriate) and issue it to the appropriate supervisor, as determined by the College (if the accused is an employee/staff member) or to the Dean of Student Affairs or his/her designee (if the accused is a student), with copies to the complainant and the accused. While appropriate levels of confidentiality may be maintained throughout the investigatory process consistent with adequate investigation and appropriate corrective action protocols, complete confidentiality cannot be provided once the final report is issued.

Misconduct constituting harassment, discrimination or retaliation will be handled appropriately. Responsive action may include training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension or termination, student conduct probation, suspension or expulsion as CC believes appropriate under the circumstances. In the case of a student found responsible for violating this policy, responsive action may include any other sanction set forth in the Student Code of Conduct.



Recommendations from the investigative report will be considered by the supervisor in consultation with Human Resources or the Dean of Student Affairs (or designee), as appropriate, and followed through within his/her/their discretion. After considering the investigative report, the supervisor or the Dean of Student Affairs (or designee) will decide whether to accept the recommendations contained in the report, to reject the recommendations, or to take an alternative approach. If any accused student does not agree with the decision of the Dean of Student Affairs (or designee), the student may appeal the decision by pursuing the hearing process set forth in the Student Code of Conduct. If any accused employee does not agree with the decision of the supervisor, the employee may appeal to the Vice President of Human Resources within ten (10) business days of receipt of the decision. The accused employee must make his or her appeal in writing, and must set out the specific reasons for the appeal.

If there is no appeal, the decision of the supervisor or the Dean of Student Affairs (or designee) will be final. If an appeal is taken, the decision will become final upon conclusion of the appeals process.

Notwithstanding the foregoing, in the event that an employee covered by a collective bargaining agreement is disciplined or another responsive action is taken against the employee that is actionable under the applicable collective bargaining agreement, further processes may be available pursuant to the rights established pursuant to the collective bargaining agreement. Nothing in this policy is intended to abrogate any rights that a CC employee has pursuant to those agreements. If there is any conflict between the procedures in this policy and the procedures in any applicable collective bargaining agreement, the procedures set forth in the collective bargaining agreement will govern.

### **Conclusion**

CC has developed this policy and the Title IX/Sexual Misconduct Policy to ensure that all of its employees and students can work and learn in an environment free from unlawful harassment, discrimination and retaliation. CC will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and/or resolved appropriately.

Any employee who has any questions or concerns about these policies should contact the Vice President of Human Resources.

## **TITLE IX/SEXUAL MISCONDUCT AND SEXUAL HARASSMENT POLICY**

Cambridge College (“CC” or “the College”) is committed to establishing and maintaining an educational and employment environment that is free from sexual misconduct. Sexual misconduct, as defined below, is a violation of a person’s rights, dignity, and integrity, and is contrary to the mission and values of the College. Acts of sexual misconduct are strictly prohibited and will not be tolerated.

CC takes all allegations of sexual misconduct seriously and is committed to providing information, education, resources, support, interim measures, and direction to the College community to prevent and address sexual misconduct. In response to any report that a member of the CC community has engaged in sexual misconduct, the College will take all appropriate steps to eliminate the misconduct, prevent its recurrence, and address its effects. To achieve equitable results, CC will carefully review and/or investigate all reports and complaints of sexual misconduct with an earnest intent to understand the perspective and experiences of each individual involved, and to provide for fair and impartial evaluation and resolution

### **Here’s the link:**

[https://www.cambridgecollege.edu/sites/default/files/file\\_uploads/cctitleixpolicy-2016.pdf](https://www.cambridgecollege.edu/sites/default/files/file_uploads/cctitleixpolicy-2016.pdf)

- **EMPLOYEE DEVELOPMENT**
  - PROFESSIONAL DEVELOPMENT
  - PERFORMANCE EVALUATIONS

## **Professional Development for Staff union, MLA union and Non-union employees**

Purpose - Professional development funds are intended for educational and training development expenses that help in job advancement or promotion. Departmental training or job related skill development which is required to do your current job should normally be paid for with College training funds.

What's Covered — Courses, workshops, training, conferences, seminars (including registration fees, travel, lodging and food). Books, videos and other educational media may also be purchased if related to professional development. Resources available at the College (e.g. course, seminars, etc.) should be utilized first. Employees shall be allowed to use up to \$200 of their professional development benefit for technical equipment, except cell phones, so long as their supervisor and those in his/her chain of command, including the CFO, determine that such equipment is necessary for the employee's performance of his/her job. Technical equipment may only be approved once every three years for each employee.

Approval Process — All requests must be in writing and submitted at least 30 workdays in advance of the beginning date of the development need. The requests must be approved by the Supervisor, Department Head and Vice President for the area involved. All requests will be resolved within two work weeks of the receipt of such request. Professional development funds are issued on a reimbursement basis based on receipts from approved requests. Direct payment by the institution, when appropriate, can also be arranged when making the request.

Applicable to full time and part time employees scheduled to work at least 20 hours per week per year on a continuing basis are covered. The benefit provides reimbursement of professional development expenses up to \$650 per fiscal year or as contracted per collective bargaining units. The benefits are prorated by hours per week for employees working at least 20 hours.

## **PERFORMANCE EVALUATIONS**

All regular full-time and part-time employees should receive an annual, written performance review following the end of the academic/fiscal year. The performance review process is an opportunity for an employee and supervisor to discuss the employee's performance over the past year by reviewing the employee's job responsibilities, and performance of assigned tasks as they relate to the objectives of the department, work unit and/or College in general. The process is also intended to assist the supervisor and employee in planning and setting professional and personal goals for the coming year including the tools and resources needed to assist the employee in meeting the responsibilities of his/her position.

An employee is entitled to submit a written response to any information contained in his/her performance review. The performance review and the employee's response both become a permanent part of the employee's personnel file which is maintained by the Office of Human Resources.

- **EMPLOYEE RELATIONS**

- DEFINITION OF EMPLOYEE STATUS STATEMENT OF AT-WILL EMPLOYMENT
- DISCIPLINE POLICY AND PROCEDURES

## **DEFINITION OF EMPLOYEE STATUS STATEMENT OF AT-WILL EMPLOYMENT**

Employment with Cambridge College is on an at-will basis. The employee may leave the job, and the College may terminate the employee at any time, for any non-discriminatory reason or for no reason. The provisions of the following Policies are not intended to create a contract of employment, and no agreement or promise regarding an employee's terms or conditions of employment is binding on the College. The provisions of these Policies supersede any conflicting statements made by supervisors, and the College has the right to change the policies at any time without prior notice.

## **DISCIPLINARY POLICY AND PROCEDURES**

Employees at Cambridge College are employed at-will. However, Cambridge College believes in a philosophy of progressive discipline and seeks to provide employees with notice of any performance deficiencies, and to afford employees the opportunity to demonstrate sustained improvement whenever practical or reasonable. An employee's performance and conduct are evaluated on an ongoing basis, with feedback provided when necessary.

Nonetheless, termination of employment may occur at any time without the need for progressive discipline.

- GENERAL ADMINISTRATION POLICIES
  - DRUG AND ALCOHOL FREE
  - ATTENDANCE
  - EMPLOYEE DRESS CODE AND PERSONAL APPEARANCE
  - EMPLOYEE PERSONNEL FILES
  - REST AND MEAL PERIODS / BREAK TIME FOR NURSING MOTHERS
  - SEVERE WEATHER

## **DRUG AND ALCOHOL-FREE**

In compliance with the Drug-Free Workplace Act of 1988 and the Drug Free Schools and Communities Amendments of 1989, Cambridge College affirms that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by employees, students or faculty. This policy is applicable to all employees, students and faculty members of Cambridge College.

Cambridge College, consistent with the laws of the Commonwealth of Massachusetts, prohibits the consumption, possession and sale, and the provision or serving of alcoholic beverages by and to persons less than 21 years of age.

All college employees and faculty are prohibited from consuming alcohol or being under the influence of alcohol during work hours or in the workplace (except that it will not be a violation of this policy for an employee to engage in the responsible consumption of alcohol at approved social functions held during work hours or in the workplace, provided that the use of alcohol has been permitted in these circumstances). Under no circumstances may a Cambridge College employee consume or be under the influence of alcohol while operating Cambridge College vehicles or equipment. The consumption of alcohol will not constitute a mitigating circumstance when it contributes to the violation of College policies.

Vice Presidents have the authority and responsibility to govern the use of alcohol in areas they control, and to require measures to ensure that at events where alcohol will be served only individuals of legal age will have access. Those hosting such events must take reasonable steps to ensure that the acquisition, distribution and consumption of alcohol otherwise complies with applicable law and College policy.

The use of legal drugs, including prescribed drugs, is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. The misuse of prescription drugs, including drugs not prescribed to the employee is prohibited while working. These prohibitions cover arriving on College premises while impaired by the effects of such drugs, including those obtained by prescription under medical direction.

If an employee has been advised by a physician, a pharmacist, or other authorized medical personnel that the use of a legal drug may present a safety risk or inappropriate behavioral side effects, then the employee is required to submit a physician's statement to the Vice President of Human Resources that the prescription drug use will not affect job safety.

All Cambridge College employees, students and faculty and are expected to abide by all federal, state and local laws, including those regulating the use, possession, sale distribution, manufacture and cultivation of illicit drugs and alcohol.

Cambridge College has a zero tolerance for the abuse of this policy. Members of the College community charged with violations of this policy are subject to disciplinary action through the



established disciplinary procedures of the College and its collective bargaining agreements. Employees, students and faculty may face disciplinary action up to and including immediate separation from the College, in addition to criminal prosecution under applicable laws. The College may also require satisfactory completion of an appropriate substance abuse rehabilitation or treatment program, counseling or education program as a condition of reinstatement or continued employment.

In accordance with Federal law, an employee who is convicted of a criminal drug statute for a violation occurring in the workplace must, within five (5) days after the conviction, must notify the Human Resources Office of such conviction. Cambridge College is required to notify the relevant funding agency, within ten (10) days of receiving such notice, of any applicable conviction involving an employee engaged in work on a federal grant or contract, whether partially or fully federally funded.

Persons who are not employees of Cambridge College, but who perform work for its benefit (such as independent contractor, temporary employees provided by agencies, visitors engaged in joint projects, etc.) are required to comply with this policy. Violation by such persons is likely to result in their being barred from the workplace, even for a first offense.

As a member of the Cambridge College community, it is your responsibility to know and abide by all campus rules and regulations, to understand the risks associated with the use and abuse of alcohol and illegal drugs and to assist in creating an environment that promotes health enhancing attitudes and activities.

All employees, students and faculty members will receive annual reminders of the College's drug and alcohol policy and related program.

## **ATTENDANCE**

All employees are expected to be at work on time for their scheduled work period. The employee's supervisor must be informed prior to the beginning of the work period of any absence or variance from the established work schedule except in unusual and unforeseen circumstances.

A supervisor may require a physician's return to work statement and/or doctor's note when absenteeism is excessive or when the employee has been absent due to a serious illness or injury.

Unexcused absences, repeated tardiness and/or failure to report absences may subject the employee to disciplinary action up to and including termination.

## **EMPLOYEE DRESS CODE AND PERSONAL APPEARANCE**

Employees are expected to report to work well-groomed, neat, clean and dressed appropriately, in business-appropriate attire, according to the requirements of their position.

Clothing that is dirty, torn, tight or revealing is not acceptable. Any employee reporting to work dressed or groomed inappropriately may be prevented from working until the employee returns to work well-groomed and wearing the proper attire. The time not worked will be unpaid, in accordance with applicable laws.

Employees are expected to use good judgment in their selection of workplace attire, grooming, appearance, personal hygiene and personal habits and to present themselves professionally at all times. Please consult your supervisor or the Vice President of Human Resources for specific information regarding acceptable attire for your position.

There may be situations requiring more formal attire. Employees who interact with students, vendors or other visitors to the office are expected to represent the College in a professional manner and dress appropriately for conducting such business.

Casual Fridays - all employees are permitted to wear jeans on Fridays. Jeans should not have holes, frays, etc.

If an employee has any questions about this policy or wishes to seek clarification, he/she should contact HR.

## **EMPLOYEE PERSONNEL FILES**

The Office of Human Resources maintains a personnel file for each employee, and seeks to ensure the privacy and confidentiality of all personnel file records. The Office of Human Resources and/or the employee's supervisor will notify an employee within ten (10) days of any documentation being placed into the personnel file that has been used or may be used that could negatively impact the employee's qualifications for employment, promotion, transfer, additional compensation, or result in disciplinary action. If an employee wishes to dispute any contents of their personnel file, they may do so in writing and this documentation will be placed into the personnel file along with the document(s) being disputed.

An employee wishing to review his/her own personnel file must submit a written request to HR and access will be granted within five (5) business days. Employees do not have a right to review the personnel files of other employees. An employee will be allowed to review the documents contained within his/her own personnel file in the Office of Human Resources during normal business hours. An employee may not remove, discard or alter any document found within his/her personnel file. For the confidential review of a personnel file by an employee or a supervisor at a regional center location, a copy may be securely forwarded upon receiving a written and signed request.

An employee is permitted to receive one free copy of his/her personnel file per year, and may review his/her file no more than two times per year, unless he/she was recently notified of the placement of negative information in the file. Former employees will be charged a service fee of .25 cents per page for a complete copy their personnel file.

## **REST AND MEAL BREAKS**

Supervisors are responsible for establishing appropriate lunch break schedules to ensure proper coverage within the departments. Non-exempt employees are entitled to take a 30-60 minute unpaid lunch break based on their position during which time they are completely relieved of all work responsibilities. A non-exempt employee is not permitted to work through a lunch break unless his/her supervisor is notified and provides approval.

Supervisors will also schedule non-exempt employees, as appropriate, for two (2) paid ten-twenty (10-20) minute rest breaks based on position (generally one in the morning and one in the afternoon) per work day.

### **Break Time for Nursing Mothers**

In accordance with current federal law, employers are required to provide reasonable unpaid break times for an employee to express breast milk for her nursing child for up to one year after the child's birth. Breaks are to be provided as frequently as needed by the nursing mother, recognizing that the frequency and duration of the breaks will vary. Employers are required to provide a space (other than a bathroom) that is shielded from view and free from intrusion by coworkers and/or the public to ensure the employee's privacy.

Cambridge College will work collaboratively and expeditiously with an employee in need of an accommodation under this policy. Employees who wish to request such an accommodation should contact the Office of Human Resources.

## **SEVERE WEATHER / CLOSING PROCEDURES**

The Vice President for Finance and Administration (VPFA) is responsible for making a recommendation to the President to change its administrative schedule due to severe weather conditions or other emergencies. This decision takes into consideration developing weather reports and whether local cities and communities in which Cambridge College operates have declared official weather emergencies. The VPFA will confer with the ELC and the Director of Facilities to determine the appropriate course of action. The final decision will be made by the President.

For all Regional Centers, the Regional Center Directors are responsible for informing the Provost and VPFA of their recommendation. Their decision will take into consideration direct input from the Provost as well as developing weather reports and the weather emergency status of the local cities and the communities in which the College operates.

The President will make the final decision to alter the administrative schedule or to close locations.

In the absence of the President, the Provost and Vice President for Finance and Administration will make the final decision. The Vice President for Finance and Administration will inform the ELC of the decision.

The Vice President of Communications and Public Relations (or Senior Marketing Manager) is responsible for communicating all approved changes to the College's administrative schedule due to weather conditions and/or emergencies to all faculty, staff, students and Board members.

Communication methods include:

1. Sending Alerts through the RAVE Alert System
2. Contacting the TV channels 4, 5, 7, 25 and 56
3. Sending an email to faculty, staff, students and Board of Trustees
4. Updating the College's web page according to the affected regional location
5. Updating MYCC
6. Updating social media (Facebook and Twitter)

## Procedures

If the College announces **before business hours begin** that the administrative offices are closed for the day, employees will be paid for that day, but may use their own judgment in deciding whether to report in anyway. Employees of Collective Bargaining Units are subject to the terms outlined in the collective bargaining unit. **This decision will be made by 5:30 A.M. and called in to the College answering service first.**

If the College announces an **early closing of administrative operations** during a workday, employees will be paid for their assigned hours, and may use their own judgment in deciding when to leave after the announcement.

If the College, while the administrative offices are open, **has not officially announced closing operations early during a weather event (even if classes are cancelled for the evening)** and an employee decides to leave early, he or she must use their vacation accrual to cover those hours not worked. In addition, employees who are Department Managers must provide for department staffing coverage until 5:00 P.M. if classes are cancelled, or must schedule office staffing coverage, if classes are held. Department Managers do not have unilateral authority to close their departments.

If the College administrative offices are open during a weather event and no official announcement to close was made before business hours, an employee who decides not to report in should charge that day against vacation accrual.

- TIME AWAY FROM WORK
  - JURY DUTY AND COURT APPEARANCES
  - BEREAVEMENT LEAVE
  - HOLIDAY AND YEAR-END BREAK
  - PERSONAL TIME
  - SICK TIME
  - VACATION TIME
  - TIME TO VOTE

## **JURY DUTY AND COURT APPEARANCES**

Employees are encouraged to serve on jury duty and fulfill their court-related, civic obligations. Cambridge College provides regular staff members paid time off to do so without change in status or loss of pay. Individuals appearing in court on their own behalf are required to use personal or vacation days.

### **Procedure**

An employee summoned for jury duty must notify his or her supervisor, submit a copy of the summons as soon as it is received and keep the supervisor informed of the dates and times of service as soon as they are known. Upon the conclusion of jury service, employees should obtain a certificate from the clerk of the court verifying the dates of service.

An employee serving on jury duty will be paid his or her salary at the regular rate of pay (not including overtime or special forms of compensation such as incentives, commissions, shift differentials, or bonuses) for the full duration of the jury duty. Time serving on a jury is not charged against accumulated leave. Pay for jury duty will be calculated based on the difference between the amount paid to you by the court and your daily base pay rate.

An employee required to appear as a witness in court because the employee is suing, being sued, or serving as a non-state witness in a non-Cambridge College related case may have the absences counted against accumulated vacation leave or may request leave without pay. Leave without pay requires supervisory approval. The maximum approved leave without pay for witness leave is 5 days.

Employees must report to work on days when their services are not required by the court and are expected to return to work on any day or partial day of at least four hours when services are not required by the court. Any request to deviate from this procedure requires supervisory approval.

## **BEREAVEMENT LEAVE**

When a death occurs in an employee's immediate family, all regular full time employees may take up to three (3) days off with pay to attend the funeral or make funeral arrangements. The pay for time off will be prorated for a part-time employee if the funeral occurs on a scheduled work day. The College may, in unusual circumstances, require verification of the need for the leave. If travel to another state is required, up to an additional two (2) days may be granted.

Under this policy, "family member" is defined as:

1. Employee's spouse or domestic partner;
2. Employee's child (including foster child, legal dependent, or child of the employee's spouse or domestic partner, i.e. step-child);
3. Employee's sibling (including that of the employee's spouse or domestic partner);

4. Employee's parent or person who has served as the employee's parent (including that of the employee's spouse or domestic partner);
5. Employee's grandparent (including that of the employee's spouse or domestic partner);
6. Employee's grandchild (including that of the employee's spouse or domestic partner).

An employee who wishes to request bereavement leave should notify his/her supervisor or department head immediately. If an employee receives notification during the working day of a death of a covered family member, any absence that day will be excused and will not count towards any approved bereavement leave days.

Employees who need to be away from work due to the death of a non-family member as defined under this policy, may take up to one (1) day off with pay. This time off will be considered by the employee's manager on a case-by-case basis. Any additional time off will be unpaid, unless the employee chooses to use accrued vacation time, and must be approved by a supervisor.

## **HOLIDAYS AND YEAR-END BREAK**

The following shall be considered paid holidays:

**Three Kings Day (Puerto Rico Center Only)**  
**Martin Luther King Day**  
**President's Day**  
**Good Friday (Puerto Rico Center Only)**  
**Patriots Day (Except Puerto Rico Center and California Regional Center)**  
**Memorial Day**  
**Independence Day**  
**Labor Day**  
**Columbus Day (Except Puerto Rico Center)**  
**Veterans Day**  
**Thanksgiving Day**  
**Day after Thanksgiving**  
**Christmas Eve**  
**Christmas Day**

In addition, the College will be closed on the following dates and will be considered paid days off:

- December 25 – January 1

All paid holidays and year-end break dates are subject to change at the sole discretion of the College.

## **PERSONAL TIME**

All employees shall be eligible to accrue and use paid personal time. The College shall provide all full time non-union and union, benefit eligible employees with 3 days of personal time each fiscal year. Part-time employees working 20 hours or more per week will earn personal days on a pro-rata basis. Personal days do not carry over to the next fiscal year and may not be used to lengthen approved vacation time. Employees will receive their personal days at the beginning of each fiscal year. Employees will receive their personal time on the first day of work, but are not entitled to start using earned personal time until ninety (90) calendar days after their first initial day of work. Personal day's balances will be maintained in hours. An absence for a partial day may be paid using personal days and the employee's personal days will be charged accordingly. There is no pay in lieu of personal days not taken or payment of personal days balance(s) upon termination.

## **SICK TIME**

All employees shall be eligible to accrue and use paid sick time. The College shall provide all full time non-union and union, benefit eligible employees with 15 days of sick time each fiscal year. Part-time employees working 20 hours or more per week will earn sick days on a pro-rata basis. Employees begin to accrue sick time on the first day of work, but are not entitled to start using earned sick time until ninety (90) calendar days after their first initial day of work.

Unused sick days may be carried over into the next year, but no employee may accrue more than 65 sick days per fiscal year.

### **Use of Sick Time**

If an employee is going to be late for work, plans to be absent, or needs to leave early for a stated reason covered under this policy, as outlined below, then the employee must notify his/her supervisor as soon as practicable, except in cases of an emergency. Generally, an employee should seek to provide his/her supervisor with at least seven (7) days advanced notice of a scheduled medical appointment.

In accordance with Massachusetts law, an employee is entitled to use up to forty (40) hours of accrued or earned sick time per fiscal year. However, at Cambridge College, employees are permitted to use additional accrued or earned sick time per fiscal year, as approved by a supervisor or manager, and if the time is needed to:

1. Care for the employee or the employee's dependent child, spouse, parent or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
2. Attend a routine medical appointment of the employee or the employee's dependent child, spouse, parent or parent of a spouse;



3. Travel to and from an appointment, a pharmacy, or other location related to the purpose for which the sick time was taken; or
4. Address the psychological, physical, or legal effects of domestic violence on the employee or the employee's dependent child.

Accrued sick time may be used for full or partial day absences. Employees are not permitted to use sick time in increments smaller than one (1) hour.

Employees may choose, or Cambridge College may require employees, to use earned sick time to receive pay for absences covered under other leave policies if those absences would otherwise be unpaid.

Non-exempt employees are required to report their sick or personal time taken on a weekly basis. Exempt employees are required to report sick or personal time taken on a semi-monthly basis (even if none was taken).

Use of earned sick time runs concurrently with other applicable leave policies.

Cambridge College reminds all employees that regular, reliable attendance and arriving for work on time is expected. However, employees in need of leave under this policy are entitled to take the time assuming they meet the requirements. Any employee found to have engaged in fraudulent or dishonest behavior will be subject to disciplinary action up to and including termination.

Employees are not entitled to receive pay for unused sick time upon termination of employment.

### **Medical Certification**

Cambridge College reserves the right to require an employee submit a doctor's note or other documentation to support the use of sick time if the absence:

1. Exceeds 24 consecutively scheduled work hours or three consecutive days on which the employee was scheduled to work;

Employees are required to submit the requested documentation within seven (7) days after taking the earned sick time, unless a valid reason is given to justify the delay. If the employee fails to comply after a reasonable amount of time has been provided, then Cambridge College has the right to recoup the amount paid for earned sick time from the employee's future wages. If an employee fails to provide documentation for use of unpaid earned sick time, then Cambridge College can deny the employee the future use of an equivalent number of hours of earned sick time until documentation is provided.

## **VACATION TIME**

The College shall provide all full time, benefit eligible employees with 20 days of vacation each fiscal year. Part-time employees working 20 hours or more per week will earn vacation days on a pro-rata basis.

Vacation time will accrue monthly at a rate of 11.67 hours. Vacations must be requested by the employee and approved in advance by the employee's supervisor and will not be unreasonably withheld. Non-exempt employees are required to report their vacation time taken on a weekly basis. Exempt employees are required to report vacation time taken on a semi-monthly basis (even if none taken). Employees are expected to utilize their vacation days in the fiscal year earned, however they may carry over no more than 5 days into the next fiscal year. Employees are required to ensure all time off reports are completed by September 10<sup>th</sup> of the calendar year in order to carry over 5 days.

The value of accrued, unused vacation days shall be paid upon termination of employment with the College. With the approval of the employee's immediate supervisor, which will not be unreasonably withheld, an employee may borrow up to 5 vacation days prior to accruing vacation time. The employee must agree, however, in writing to repay the College the value of the borrowed time if the employee terminates his/her employment with the College for any reason prior to accruing the borrowed time. The repayment shall be made from any amount due the employee upon termination and if no such payment is due, the employee will re-pay the College directly upon termination.

## **TIME TO VOTE**

As required by law, employees who cannot reach their polling place outside their scheduled working hours will be permitted paid time off to vote or caucus on Election Day. The time off to vote or caucus should not exceed four (4) hours and it is not charged to available vacation time.

Employees should arrange their specific time off to vote or caucus in advance with their supervisor no later than one week prior to the Election Day.

- LEAVE OF ABSENCE
  - FAMILY AND MEDICAL LEAVE ACT (FMLA Leave)
  - DOMESTIC VIOLENCE LEAVE
  - MATERNITY, PATERNITY, OR ADOPTION LEAVE
  - SMALL NECESSITIES LEAVE ACT (SNLA)
  - UNPAID PERSONAL LEAVE

## **FAMILY AND MEDICAL LEAVE ACT (FMLA Leave)**

### **General Provisions**

Cambridge College ("CC") will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

### **Eligibility**

In order to qualify for leave under this policy, an employee must meet the following requirements:

1. An employee must have worked for CC for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. An employee must have worked at least 1,250 hours during the 12-month period immediately preceding the anticipated commencement date of the leave. Time spent on a previous leave does not count toward the 1,250 hours worked requirement.

An employee may seek leave under this policy for any of the following reasons:

1. The birth of a child and in order to care for that child.
2. The placement of a child for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child or parent with a serious health condition (described below).
4. The serious health condition (described below) of the employee.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of

the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, CC may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

Employees with questions about what illnesses are covered under this FMLA policy or under the CC's sick leave policy are encouraged to consult with the Office of Human Resources.

5. Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that CC and the employee agree, including agreement on timing and duration of the leave.

"Covered active duty" means:

- (a) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- (b) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

6. Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member. Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term “covered service member” means:

- (a) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- (b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness”:

- (a) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- (b) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

### **Amount of Leave**

An eligible employee can take up to 12 weeks of leave during any 12-month period. CC will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, CC will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, CC will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for CC and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a

serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for CC and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

### **Employee Status and Benefits During Leave**

While an employee is on leave, CC will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Under current CC policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Office of Human Resources by the first day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. CC will provide 15 days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, CC will require the employee to reimburse CC the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, CC will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or CC may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, CC may discontinue coverage during the leave. If CC maintains coverage, then it may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

### **Employee Status After Leave**

An employee who takes leave under this policy will be asked to provide a fitness for duty (FFD) notification from a health care provider. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms.

### **Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the sick leave policy.

Disability leave for the birth of the child and/or for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all eligible paid vacation, personal leave or sick leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all eligible paid vacation, personal leave or sick leave prior to being eligible for unpaid leave.

### **Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks or 26 workweeks to care for an injured or ill service member over a 12 month period.

CC may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, CC and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with CC before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

### **Medical Certifications**

CC will require a medical certification related to an employee's request for leave under this policy. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.



CC may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, or leave administrator. CC will not use the employee's direct supervisor for this contact. Before CC makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, CC will obtain the employee's permission for clarification of individually identifiable health information.

CC has the right to ask for a second opinion if it has reason to doubt the certification. CC will pay for the employee to get a certification from a second doctor, which the company will select. CC may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, CC will require the opinion of a third doctor. CC and the employee will mutually select the third doctor, and CC will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

### **Recertification**

CC will request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, CC may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. CC may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

### **Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide written notice of the need for the leave to the Office of Human Resources. When the need for the leave is foreseeable, the employee must provide CC with at least 30 days' written notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with CC usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice, the Office of Human Resources will complete and provide the employee with the DOL Notice of Eligibility and Rights.

## **DOMESTIC VIOLENCE LEAVE**

It is the intent of Cambridge College to foster a safe and supportive community for all staff, faculty, students and visitors. Staff and Faculty who experience the effects of domestic violence, stalking or sexual assault are encouraged to utilize job-protected leave from the workplace in order to seek and obtain assistance.

### **Leave Entitlement**

In accordance with Massachusetts law, Cambridge College provides up to 15 days of unpaid leave in any 12-month period to an employee who is a victim of abusive behavior, or the family member of a victim of abusive behavior, including domestic violence, stalking, or sexual assault. This leave can be used for the following:

- To see or obtain medical care, counseling, victim services, or legal assistance;
- To secure housing;
- To meet with law enforcement;
- To attend court proceedings, including for purposes of obtaining a protective order or for child custody proceedings;
- To address other issues directly related to the abusive behavior.

### **Use of Paid Leave**

- Leave taken pursuant to this policy is unpaid; however, employees may choose to use accrued sick leave while taking leave under this policy. If an employee does not have sufficient accrued sick leave to cover the entire duration of the leave under this policy, then the employee may choose to use vacation or personal days while taking domestic violence leave.

### **Individuals Covered Under the Law**

Domestic violence is defined under the state law as abuse by a current or former spouse, a person with whom the victim shares a child, a person cohabitating with or has cohabitated with the victim, a relative, a person with whom the employee or family member has or had a dating relationship. Covered family members include: the employee's spouse, parent, step-parent, child, step-child, sibling, grandparent, and grandchild. In the case of abuse of a family member, the employee is not entitled to leave if he or she is the alleged perpetrator.

### **Notification Procedure**

In most cases, employees seeking domestic violence leave must provide advanced notice of the leave and supporting documentation to the Office of Human Resources. However, in emergency situations, where there is a threat of imminent danger to the health or safety of the employee or the covered family member, advanced notice is not required but the employee must notify the Office of Human Resources within three (3) working days that the leave was taken and provide supporting documentation. Notification may be provided by the employee, a family member or a professional assisting the employee with addressing the abusive behavior.

Upon return from leave, the employee must be restored to the employee's original job or to an equivalent position. The law prohibits the College from taking any disciplinary action against the employee for an unscheduled absence, provided that the employee provides supporting documentation within 30 days of the absence.

### **Supporting Documentation**

Such documentation must demonstrate that the employee or a family member was the victim of abusive behavior and that the leave was related to that behavior. These requirements may be satisfied by a protective order or other documentation issued by a court, a police report or witness statement provided to the police, documents showing the perpetrator was convicted or admitted to facts sufficient to establish guilt of abusive behavior, medical documentation or a sworn statement from a counselor or other advocate. The College cannot require the employee to produce evidence of an arrest or conviction. All information related to the employee's leave is kept confidential, unless disclosure is expressly permitted under the statute.

In accordance with Massachusetts law, the College does not discriminate against employees for taking protected leave and unconditionally prohibits discrimination on this basis.

### **Resources**

Employees in need of further assistance should contact the Employee Assistance Program at 1-800-386-7055; The National Domestic Violence Hotline at 1-800-799-7233; and/or the Office of Human Resources.

California Employees

See attached notice

**Link: [https://www.dir.ca.gov/dlse/Victims\\_of\\_Domestic\\_Violence\\_Leave\\_Notice.pdf](https://www.dir.ca.gov/dlse/Victims_of_Domestic_Violence_Leave_Notice.pdf)**

## **MATERNITY, PATERNITY, or ADOPTION LEAVE**

### **Eligibility**

Regardless of gender, all full-time employees who have been employed by Cambridge College for at least three (3) consecutive months are eligible to apply for an unpaid leave of absence, of up to twelve (12) weeks, for the birth or adoption of a child, or placement of a child in the home of an employee through foster care.

Employees are allowed to use accrued vacation or sick time in order to continue their pay while out on leave.

If both parents are employed by the College, the two employees are permitted to take combined parental leaves totaling up to twelve (12) weeks.

### **Procedure**

An employee is required to notify the Office Human Resources and submit a written request for leave at least two (2) weeks prior to the commencement of such leave. The request for leave should include: the anticipated start date and end date, and the employee's expected return to work date. The Office of Human Resources will advise the employee if the leave has been approved or denied.

While on leave, employees are obligated to notify the Office of Human Resources, as soon as possible, if their anticipated return to work date has changed or if they do not intend to return to their position at Cambridge College. At the end of the leave, Cambridge College will reinstate the employee to the same position or a comparable one of the same level of responsibility, salary, and benefits.

Cambridge College will apply its leave policy concurrently with all applicable state and/or federal laws pertaining to maternity/paternity/adoption leaves of absence.

### **Massachusetts**

In accordance with the Massachusetts Parental Leave Act, full-time employees, regardless of gender, who have been employed by the College for at least three (3) consecutive months are eligible for an unpaid leave of absence of up to eight (8) weeks for the purpose of giving birth or for adopting a child under the age of eighteen or for adopting a child under the age of twenty-three if the child is mentally or physically disabled. If both parents are employed by Cambridge College, they shall be entitled to only eight (8) weeks of leave combined.

In accordance with the Massachusetts Pregnant Workers Fairness Act, Cambridge College will seek to reasonably accommodate all female employees who need to express breast milk while scheduled to work.

## **California**

In accordance with the California Family Rights Act (CRFA), an employee may take an unpaid leave up to twelve (12) weeks for the birth of a child for purposes of bonding, for placement of a child in the employee's family for adoption or foster care, for the serious health condition of the employee's child, parent, or spouse, and for the employee's own serious health condition.

## **Puerto Rico**

In accordance with the Working Mothers Act, a pregnant employee is entitled to a paid leave of up to eight (8) weeks for the birth of a child. Employees may choose to commence the leave as early as four (4) weeks prior to delivery and remain out on leave for the duration of the eight-week period.

Similarly, a female employee seeking to adopt a pre-school age child is entitled to eight (8) weeks of maternity leave. The employee is required to provide 30-day notice of her intention to adopt a child, request maternity leave, and indicate a proposed return to work date.

## **SMALL NECESSITIES LEAVE ACT (SNLA)**

This policy is applicable to employees in Massachusetts only. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by state law.

Under SNLA, eligible employees are entitled to take up to 24 hours during a 12-month period to attend a child's school activity or accompany a child or elderly relative to a doctor's appointment. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the availability of accrued leave and as specified in this policy.

## **Eligibility**

To qualify for leave under the SNLA an employee must meet all of the following conditions:

1. Employed for at least 12 months and have completed at least 1250 hours of service during the 12 months just preceding the leave request.

## **Types of Leave Covered**

The leave may be taken for any of the following purposes:

1. To participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school;
2. To accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; to accompany an immediate elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at nursing or

group homes.

### **Amount of Leave**

The 12-month period in which the 24 hours of leave can be taken is determined as a "rolling" 12-month period measured backward from the date the employee uses any of this leave. This leave may be taken intermittently or on a reduced leave schedule. An eligible employee need not take the entire 24 hours of leave at once, but may take a few hours at a time depending on their needs, as long as the total leave does not exceed 24 hours during any 12-month period. Cambridge College requires that employees take the leave in minimum increments of no less than one (1) hour.

### **Use of Paid Leave**

Cambridge College requires employees to apply any accrued vacation and sick time against the requested leave. To be entitled to this leave, an employee must provide notice to their direct supervisor and Human Resources as follows:

1. If the need for leave is foreseeable, the employee must request the leave, in writing, not later than 7 days in advance;
2. If the need is not foreseeable, the employee must notify their immediate supervisor and Human Resources, in writing, as soon as practicable under the particular circumstances of the individual situation.

### **Certification**

The College may require that a request for this leave be supported by a written certification. A certification, if timely produced, may serve to comply with the notice requirement. Certifications and requests for leave will be maintained in the employee's personnel record for 3 years. Records and documents relating to medical certifications or medical histories of employee's family members will be maintained as confidential medical records and kept in files separate from the usual personnel files.

### **Employee Status After Leave**

Upon return from leave, the employee will be reinstated to the same position or an equivalent position with equivalent salary, benefits, and other terms and conditions of employment.

## **UNPAID PERSONAL LEAVE**

A full-time or part-time employee who is regularly scheduled to work 20 or more hours per pay period, and has been employed by Cambridge College for at least one (1) year, may submit a request for an unpaid personal leave of absence of up to three (3) months. The leave request should be submitted in writing to the Office of Human Resources, as soon as possible, and preferably no later than thirty (30) calendar days prior to the proposed start of the leave.

Such a leave may only be granted when the requesting employee has no accrual balance of vacation and sick leave and does not qualify under the other leave policies. Such a request may be denied based on the needs and demands of the employee's department or the College at the time and taking into consideration the duration of the request.

The supervisor will review all requests for an unpaid personal leave of absence with the Office of Human Resources, and make a recommendation to the Vice President for final approval of whether to grant or deny the request. If the leave is granted, the employee is responsible for assuming payment of her/his benefit(s) premium share for the period of the leave. There will be no accrual of vacation and sick leave during this period.

The employee is expected to maintain periodic contact at least every 30 days with her/his supervisor and/or Human Resources during the leave, if reasonably possible, to indicate his/her status and intention to return to work.

If the leave is granted, the employee will return to his/her job or a job equivalent classification and salary or rate of pay will be restored at the completion of the leave unless the position has been eliminated by reduction in the work force or operational change under circumstances applying equally to other similar jobs in the department.

Return from leave should be at the same work-week schedule at which the individual was working when he or she left. A supervisor may agree, however, to have a full-time employee return on a part-time schedule if it is mutually convenient; if so, the new schedule must be at least 50 percent of a normal work week.

Any employee who fails to return to work, after an approved personal leave of absence has ended, will be considered to have voluntarily resigned and abandoned his/her position with Cambridge College.

- SEPARATION IN THE WORKPLACE
  - EMPLOYMENT SEPARATION
  - JOB ABANDONMENT
  - UNEMPLOYMENT BENEFITS
  - SEVERANCE PAY (DELETE)



## **EMPLOYMENT SEPARATION**

Voluntary separation occurs when an employee resigns or retires. Employees are encouraged to provide at least two weeks' notice (four weeks for management level) of intent to resign in a written letter of resignation including the intended last day of work. Cambridge College has the right to accept the employee's resignation, effective immediately, and end the employment relationship, in which case Cambridge College will pay out the remainder of the notice period as defined above (but not to exceed, regardless of any further notice provided by the employee).

An employee who fails to report to work for three consecutive workdays without contacting his or her supervisor may be considered to have abandoned his or her position, and voluntarily resigned from employment.

Involuntary separation occurs when an employee is terminated for cause, is the subject of a reduction in force, or when the employee's position comes to an end.

All exiting employees will formally meet with the Office of Human Resources on or prior to the last day of employment for an exit interview and a discussion of the status of their benefits. At that time, all College property (e.g. keys, access cards, laptops, etc.) must be returned and/or accounted for.

Typically, an employee's termination date will be the last day worked; however, for employees out on an approved leave of absence, the effective date of termination may vary under the circumstances.

Employees may not use accumulated paid leave, holidays or office to extend the date of employment beyond the last day that actual work is performed. Final paychecks are processed in accordance with federal, state, and local regulations, less any amounts owed to Cambridge College, and will include payment for time worked and any unused, accumulated vacation time.

Employees who have participated in the 403B and plan to retire and wish to apply for Retirement System benefits must notify their supervisors in writing of their intent to retire and should also contact the Office of Human Resources to request current Retirement information.

## **JOB ABANDONMENT**

If an employee is absent from work for three (3) consecutive work days and fails to provide advanced notice, that may be considered voluntary termination, unless prior to the beginning of the fourth day the employee has notified his/her supervisor of the reason for the absences, and if required, has obtained the supervisor's approval of such absences.

Unscheduled and excused absences may lead to disciplinary action up to and including termination.

## **UNEMPLOYMENT BENEFITS**

Once employment with Cambridge College has been terminated, an employee may be eligible to receive unemployment benefits in accordance with state laws. An employee must file a claim with the applicable state agency, and the state agency will make a determination regarding eligibility.

### **Massachusetts Employees**

MA Department of Labor and Workforce Development  
One Ashburton Place  
Boston, MA 02108  
617-626-7100

### **California Employees**

CA Employment Development Department  
P.O. Box 826880-UIPCD, MIC 40  
Sacramento, CA 94280-0001  
1-866-333-4606

### **Puerto Rico Employees**

Department of Labor and Human Resources  
505 Muniz Rivera Avenue  
G.P.O. Box 3088  
Hato Rey, Puerto Rico 00918  
787-754-2120

- STATUS AND PAY
  - EMPLOYMENT CLASSIFICATIONS
  - PAY PRACTICES
  - OVERTIME PROCEDURES

## EMPLOYMENT CLASSIFICATIONS

Employment with Cambridge College will generally fall into one of the following categories:

1. **Regular Full Time:** College's typical administrative standard work week is either 35 or 37.5 hours, standard office hours: 9:00 A.M. - 5:00 P.M., Monday-Friday; eligibility for standard benefits. Hours are subject to change based on department needs.
2. **Regular Part Time:** employees who work fewer than the core thirty-five (35) or thirty-seven and one-half (37.5) hours per week; employees must work a minimum of twenty (20) hours per week to be eligible for paid benefits; vacation, personal and sick time are accrued on a pro-rated basis.
3. **Temporary Full Time/Temporary Part Time:** Hired for up to six (6) months; covered by Workers' Compensation; subject to FICA taxes; not eligible for benefits, including health insurance, holidays and accrued leave; *no later than the fourth (4<sup>th</sup>) month, status will be reviewed by the Office of Human Resources with the immediate supervisor and the Department Head involved to assess ongoing need, budget implications, and/or make a staffing decision to convert to regular status.*
4. **Consultant:** Individual with specialized expertise who works as an independent contractor; is not an employee of the College and receives no benefits. **All consultants' contracts must be approved by General Counsel. Hiring of consultants is typically managed by the hiring department head in concert with the General Counsel and the Office of Human Resources.**
5. **Intern:** A student actively enrolled at a college or university, including Cambridge College, seeking practical work experience. An Intern is hired on a temporary basis. Typically there is a learning component to the assignment. If an Intern is unpaid, he/she must be receiving academic credit for the work.
6. **Work Study Student** – Student workers are enrolled Cambridge College students who are hired through the Financial Aid office and not through HR.

Employees of Cambridge College will be classified as either "exempt" or "non-exempt," in accordance with the Fair Labor Standards Act (FLSA). Non-exempt employees are paid at their regular hourly rate for up to forty (40) hours in a single work week. All hours worked above forty (40) in a single work week are compensated at a rate of one and one-half times the employee's regular rate and constitutes overtime pay. All non-exempt employees must complete a weekly time card and keep track of all hours worked per work week.

An employee classified as "exempt" is not entitled to overtime pay for hours worked over 40 hours in any given work week. Several factors determine whether or not an employee will be classified as exempt, including the duties of the job and the employee's salary. Exempt employees are required to complete semi-monthly time cards (even if no time was taken). Exempt employees are required to indicate absences such as for holidays, sick time, personal days or vacation on a semi-monthly basis.

Upon changing positions as a result of a promotion, transfer, or otherwise, an employee will be informed of any change in FLSA classification. Employees may simultaneously hold assignments in different job categories or classifications. In some cases, there are unique provisions to ensure compliance with the FLSA's overtime and record keeping requirements. Any questions regarding an employment category or FLSA classification, should be directed to the Office of Human Resources.

Regardless of an employee's classification, employment at Cambridge College is at-will, which means that either the employee or Cambridge College can terminate the relationship with or without cause or notice at any time. Please see Cambridge College's At-Will policy.

## **PAY PRACTICES**

Employees are paid on a weekly or semi-monthly basis. Cambridge College takes all mandatory deductions including federal, state and local taxes, FICA (Social Security and Medicare), and tax liability and wage deductions directed by the courts. Voluntary deductions will also be made for approved benefits or employee programs, for example, United Way or 403(b) plan contributions, upon written employee authorization. Employees are responsible for reviewing their pay stubs upon receipt to make sure that they are accurate. If an employee believes an incorrect payroll deduction has been made or that he/she has not been paid correctly, the employee should notify HR or the Payroll department. Reports of incorrect deductions will be reviewed promptly and, if valid, the employee will be reimbursed for any incorrect deduction(s) as soon as possible after the conclusion of the investigation. If a deduction was under-withheld by the College, the HR and Payroll Offices will work with the employee to rectify the situation on a schedule mutually agreed upon by all parties. Paychecks are deposited directly to the financial institution of the employee's choice or mailed to the employee's home address.

## **Garnishments**

If Cambridge College receives an order to garnish wages from a court, the Internal Revenue Service or other governmental agency, the employee will be notified of the receipt of the garnishment order and provided with information on the amount to be deducted each pay period, the deduction schedule and contact information. Garnishments will continue until the notice from the court is received that the obligation has been met and payments are to cease.

## **OVERTIME PROCEDURES**

On occasion, employees may be required to work overtime in order to meet the needs of the College's business operations. All work performed by a non-exempt employee beyond his/her regularly scheduled work day must be approved by a supervisor in advance. Non-exempt employees are entitled to receive overtime pay for all hours worked above forty (40) in a single work week. Exempt employees are not eligible for overtime compensation.

- SAFETY IN THE WORKPLACE
  - HEALTH AND SAFETY
  - NON-VIOLENT WORKPLACE
  - WORKER'S COMPENSATION

## **HEALTH AND SAFETY**

Cambridge College is dedicated to supporting the health and safety of its students, faculty, employees and visitors.

In the event of an emergency, students, faculty and/or employees should immediately contact Security, or the local police and the Office of Human Resources.

In the event of a non-emergency, all concerns regarding potentially unsafe or unhealthy work conditions should be reported to a supervisor or the Office of Human Resources.

## **NON-VIOLENT WORKPLACE**

Cambridge College is committed to preventing workplace violence and to maintaining a safe work environment. Cambridge College has adopted the following guidelines to deal with intimidation, harassment or other threats of or actual violence that may occur on-site or off-site during work-related activities.

All employees, students, faculty, vendors and business associates should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay" or other conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, student, faculty member, vendor or business associate will not be tolerated. Cambridge College resources may not be used to threaten, stalk or harass anyone at the workplace or outside of the workplace. Cambridge College treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, Office of Human Resources. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible.

Employees should promptly inform the Office of Human Resources of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to domestic violence. Cambridge College will not retaliate against employees making good-faith reports. Cambridge College is committed to supporting victims of domestic violence by providing referrals to the College's EAP program and community resources for reasons related to domestic violence.

Cambridge College will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Cambridge College will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In

order to maintain workplace safety and the integrity of its investigation, Cambridge College may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation. Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Cambridge College encourages employees to bring their disputes to the attention of their supervisors or the HR department before the situation escalates

### **WORKER'S COMPENSATION**

An employee who is injured while working may be eligible for benefits provided by Worker's Compensation Insurance. The employee and/or the employee's supervisor should contact the Office of Human Resources for more information and to initiate a claim. The Office of Human Resources should also be notified if the employee is absent for three (3) or more consecutive days as a result of any workplace injuries.



**STILL WORKING ON POLICIES AFTER THIS PAGE – DO NOT POST THE POLICIES UNDER**

**LINKS TO OTHER COLLEGE POLICIES**

- LINKS TO OTHER COLLEGE POLICIES
  - CODE OF ETHICAL CONDUCT
  - CONFLICT OF INTEREST
  - ELECTRONIC COMMUNICATIONS
  - DATA SECURITY
  - RESPONSIBLE USE OF INFORMATION TECHNOLOGY
  - SOCIAL MEDIA
  - WHISTLEBLOWER PROTECTION
  - REMOTE ACCESS

## **CODE OF ETHICAL CONDUCT**

Cambridge College faculty, staff and employees (collectively, the “Covered Parties”) are expected to undertake their responsibilities on the College's behalf with diligence and professionalism and to comply with the highest standards of honesty, integrity, and fairness. This includes, but is not limited to, being respectful of the rights of others and forthright in all dealings with members of the College community as well as third parties; protecting the privacy of confidential information; and compliance with all applicable laws, rules, and regulations. College representatives should not place their personal interests above the best interests of the College; even the appearance of impropriety must be avoided.

This code provides guidance for professional conduct. The success and reputation of the College in fulfilling its mission depends on the ethical behavior, honesty, integrity and good judgment of each member of the community. All Covered Parties and other individuals representing the College are expected to inform themselves about and comply with College policies and regulations pertaining to them.

[Add hyperlink here for full policy](#)

## **CONFLICT OF INTEREST**

Cambridge College is committed to operating in an ethical manner and in compliance with applicable laws and regulations. Even the appearance of a conflict can be damaging to the reputation of Cambridge College. All decisions by employees, faculty and staff covered by this policy must be made solely in the best interests of Cambridge College.

Cambridge College recognizes that situations may on occasion arise where an employee’s private interests conflict with or appear to conflict with his or her obligations to Cambridge College or the interests of Cambridge College. This policy is intended to educate employees about situations that generate the potential for Conflicts of Interest; to clarify expectations about disclosing interests and activities that might result in Conflicts of Interest; and to identify means to manage, reduce, or eliminate such Conflicts of Interest.

### **Definitions**

“Conflict of Interest” is any circumstance in which the personal, professional, financial, or other interests of an employee may potentially or actually diverge from, or may be reasonably perceived as potentially or actually diverging from, his or her obligations to Cambridge College and the interests of the College. It includes indirect conflicts, such as benefits provided to an Immediate Family Member (as defined below) of an employee.

“Confidential Information” includes, but is not limited to: medical, personnel, security, academic, background check, conflict of interest, identifiable biometric records and other non-public information about individuals; business records; contracts and business terms; business strategy; business and donor relationships; computer system passwords and security codes; proprietary and competitively sensitive information, including non-public information about anticipated material requirements, price actions, programs, and selection of contractors and subcontractors in advance of official announcements; unpublished grant proposals, non-public research data, manuscripts and correspondence; non-public financial, procurement, health-safety, audit, insurance and claims information; and non-public information relating to internal investigations, pre-litigation and litigation and administrative agency charges, audits and inquiries; and other information whose confidentiality is protected by law or Cambridge College policies.

“Immediate Family Member” means the spouse or domestic partner or person in a civil union or similar relationship, dependent children, and any other family members residing in the same household as an employee.

### **Guidelines**

Employees, faculty and staff should seek to avoid Conflicts of Interest, and (i) must promptly disclose any Conflict of Interest and should anticipate the possibility of a Conflict of Interest whenever possible so that the possible Conflict of Interest can be reviewed prior to occurrence, and (ii) where relevant, cooperate with any plan adopted by Cambridge College to manage, reduce, or eliminate the Conflict of Interest. Where an employee, faculty or staff member is not initially aware of the Conflict of Interest but becomes aware of it at a later time, he/she should disclose the Conflict of Interest promptly upon learning of it. Employees, faculty and staff are required to complete an annual Conflict of Interest disclosure form and submit such form to the Office of the General Counsel.

This policy applies to any circumstance that may constitute a Conflict of Interest, regardless of whether it is specifically described in this policy. For example, while personal interests of employees are defined to include those of the person and his or her immediate family members, there also may be situations where the interests of other persons, such as a close friend or other family member, create a Conflict of Interest.

The following is not a comprehensive list of the types of Conflicts of Interest that may arise but provides examples of some common types:

1. Business Arrangements. Participating, directly or indirectly, in the selection, approval, facilitation, or administration of any business arrangement involving Cambridge College and an immediate family member of an employee or an enterprise in which the employee or immediate family member holds, directly or indirectly, more than a de minimis (i.e. very small or minimal) ownership or other financial interest or has an employment, management, or fiduciary role (such as serving as an officer or director).
2. Competing with Cambridge College. Engaging, directly or indirectly, in activities that are in competition with Cambridge College or taking or diverting business opportunities away from Cambridge College. This includes (1) holding, directly or indirectly, an ownership or

other financial interest (other than a de minimis interest) or having an employment, management, or fiduciary role (such as serving as an officer or director) in an enterprise that is a competitor of Cambridge College, or seeking to advance the interests of such enterprise to the Cambridge College community; and (2) taking or diverting a business or financial opportunity that an employee knows or should know Cambridge College is pursuing or is considering pursuing or reasonably might be interested in pursuing if it were aware of the opportunity.

3. Gifts. (a) Accepting any gift or favor, even of nominal value, that is illegal under applicable law or prohibited under other applicable Cambridge College policies; or (b) accepting a gift or favor of more than nominal value (including entertainment) or a loan (other than an arm's length loan made in the ordinary course of business from a banking or other financial institution), even where not illegal under applicable law or prohibited under other applicable Cambridge College policies, from any person or entity seeking a benefit from Cambridge College (e.g., seeking to do business or continuing to do business with Cambridge College, seeking to have a student admitted to Cambridge College) if the offer or acceptance of the gift, favor, or loan could reasonably be viewed as intended to influence Cambridge College to act favorably toward the person or entity. Where it is impracticable for the employee (or his or her immediate family member) to decline a gift that would otherwise constitute a Conflict of Interest under this policy, and where it is neither illegal nor unethical for Cambridge College itself to accept the gift, the employee may accept the gift on behalf of Cambridge College with the permission of his or her supervisor and then transfer it to Cambridge College. In such case, the employee should contact the Vice President of Marketing, Communications and Public Relations to discuss the transfer of the gift to Cambridge College.
4. Improper Use of Cambridge College Resources. Unauthorized use of Cambridge College resources, including the services of College employees, for personal purposes. For example, while an employee may make limited use of Cambridge College computers and telephone devices for personal purposes, an employee may not use Cambridge College students or staff to conduct personal business.
5. Confidential Information. Obtaining, using, or disclosing Cambridge College confidential information for direct or indirect personal interest, profit, or advantage; obtaining or using Cambridge College confidential information for a purpose that may be detrimental to Cambridge College; or disclosing Cambridge College confidential information to a person or entity that is not authorized by Cambridge College to receive it.
6. Compliance with Cambridge College Policies. Failure to comply with applicable Cambridge College policies.

### **Disclosing and Managing Conflicts of Interest**

Employees have a duty to disclose, on an ongoing basis, any current, proposed, or pending situations that may constitute a Conflict of Interest and should disclose the material facts relating to any Conflict of Interest as soon as the existence of a possible Conflict of Interest is known.

An employee must disclose a Conflict of Interest to his or her supervisor. All such disclosures must be brought to the attention of the General Counsel and/or Vice President of Human Resources for review.

Once a Conflict of Interest is disclosed, the relevant Cambridge College administrator will determine the next steps, if any, with respect to the Conflict of Interest. A decision will depend upon the facts and circumstances of the specific matter.

Any employee or supervisor who has questions about this policy or its application may seek guidance from the Office of General Counsel or the Office of Human Resources.

### **Enforcement**

Violations of this policy are subject to disciplinary action, up to and including termination of employment. This policy will not be enforced to the extent it is inconsistent with applicable law.

## **ELECTRONIC COMMUNICATIONS**

Cambridge College has invested in its technology infrastructure (i.e. voicemail, email, computer systems and files) to enhance teaching and learning and to enable efficient business operations. All Cambridge College students, employees, faculty and staff have access to email as a communication tool and the MyCC portal for current news, events, personalized messages, and academic activities. Such communication tools allow for the quick exchange of information, and help eliminate the need for paper and printed materials. All students, employees, faculty and staff are expected to regularly review information sent to their assigned Cambridge College email address.

All of the information created and maintained within Cambridge College's technology infrastructure belongs to Cambridge College. Although students, employees, faculty and staff may be issued and/or create passwords for security reasons, the use of such passwords is not intended to assure students, employees, faculty or staff that communications generated by or stored within the College's technology infrastructure will be kept confidential. Cambridge College maintains the right to access the various systems and to retrieve information stored therein at any time, and all passwords must be provided to Cambridge College upon request. Further, Cambridge College reserves the right to monitor, review or access, at any time, information revealing internet usage by students, employees, faculty or staff, including websites accessed or any information that may have been downloaded. Consequently, Cambridge College's voice mail, email, and computer systems, including the internet and Wi-Fi, should be used primarily for business purposes.

### **Guidelines for Use**

The following guidelines should be adhered to when using Cambridge College's communication systems:

- Conducting business for profit using College email and/or other resources is prohibited. Incidental non-business personal use of email should be limited, however, there is no expectation of privacy.
- Using email to send information that is classified as private or can be shown to contain personally identifiable information is prohibited unless the email is first encrypted to protect the information prior to sending it.
- Under certain circumstances, it may be necessary for the Cambridge College IT staff or other appropriate College officials to access email files in the course of an investigation, or other legitimate business purpose. Such access must first be approved by a Vice President, and then final approval provided by the President or General Counsel. IT has the discretion to exclusively seek the President's approval prior to providing access to email accounts.
- Users are asked to manage the volume of email in their account and are required, from time-to-time, to purge deleted or trashed emails. The College reserves the right to purge deleted emails in a users' account if space needs become critical.
- Students, employees, faculty, and staff should use good judgement and strive for a high level of professionalism while communicating via email.
- Only the Office of Vice Presidents or the President may authorize the sending of system wide email messages to all students, employees, faculty and/or staff. The IT Department may send system-wide messages as they relate to maintenance issues or security concerns.

The following types of emails are explicitly prohibited:

- Emails that exchange proprietary information or other highly privileged, confidential or private information.
- Emails that are considered advertisements, solicitations, chain letters, political communications and other unofficial, unsolicited email.
- Emails that include inappropriate content or language including: sexual content, pornography, lewd images, discriminatory, offensive or foul language.
- Emails that are in violation of any laws or regulations or College policies.
- Emails that knowingly transmit a message containing a computer virus.
- Emails that intentionally misrepresent the identity of the sender of an email.
- Emails that use or attempt to use the accounts of others without their permission.

## **DATA SECURITY**

All custodians and guardians of administrative data are expected to manage, access, and utilize the data in a manner that maintains and protects the security and confidentiality of that information. The use and/or sharing of personal or confidential information must be in compliance with all applicable federal, state and local laws and regulations. Any notice of a breach of confidential information whether in paper or electronic form **MUST** be reported to the appropriate Vice President for the area involved and the General Counsel immediately. Under no circumstances shall credit card numbers be stored or sent from College servers or desktops.

## Data Custodians

Data custodians function as gatekeepers for the data that is collected and maintained by individuals in their departments. Custodians are responsible for establishing access procedures for the administrative data available in their area and for approving access requests for that data. The table below indicates the administrative areas that maintain the college's primary data stores and the respective data custodians.

<u>Administrative Areas</u>	<u>Data Custodian</u>
Alumni and Development Data	Vice President for Advancement
Financial Data	College Controller
Financial Aid Data	Director of Financial Aid
Human Resources Data	Vice President of Human Resources
Information Technology Data	Director of Information Technology
Student Services Data	Dean of Enrollment Management

## Data Guardians

A data guardian is defined as anyone who, as a function of their position at Cambridge College, possesses or has access to Cambridge College administrative data, either electronic or otherwise. Guardianship and its associated responsibilities apply to individuals who dispense or receive data.

Department heads are responsible for signing off on data access requests for employees under their supervision.

College employees, or others who are associated with the college, who request, use, possess, or have access to college administrative data must act in compliance with this policy. Guardians, custodians and data users are strictly prohibited from:

1. Changing data about themselves or others except as required to fulfill one's assigned College duties or as authorized by a supervisor. (This does not apply to self-service applications that are designed to permit you to change one's own data).
2. Using information to enable actions by which other individuals might profit. Disclosing information about individuals without prior authorization by a supervisor.
3. Engaging in what might be termed "administrative voyeurism" (reviewing information not required by job duties) unless authorized to conduct such analyses. Examples include tracking the pattern of salary raises, viewing a colleague's personal information, looking up someone else's grades or viewing other colleague's work product when not authorized to do so.
4. Circumventing the level of data access given to others by providing access that is broader than that available to them, unless authorized. For example, providing an exact file of employee salaries to someone who does not have security access to salary data is prohibited by this policy.
5. Allowing unauthorized access to Cambridge College's administrative systems or data by sharing an individual's username and password.



6. Engaging in any other action that violates the letter and spirit of this policy, either purposefully or accidentally. Improper maintenance, disposal, or release of college administrative data exposes the College to significant risk, including lawsuits, loss of employee and student trust, and loss of critical funding.

Anyone found to be in violation of this policy will be subject to discipline up to and including termination or expulsion.

## **RESPONSIBLE USE OF INFORMATION TECHNOLOGY**

Cambridge College provides access to information technology resources for students, employees, faculty and staff, and certain other users to support the College's mission and to conduct the business of the College. Every authorized user of information technology resources at Cambridge College is responsible for utilizing these resources in an efficient, ethical, and legal manner and in ways consistent with overall College policy.

### **Definitions**

Information technology includes but is not limited to desktop computers, workstations, network servers, mainframes computers, software, digital information and voice, video and data networks, including official College web pages on its portal, public website and social networking sites.

### **Guidelines**

Respect the rights of others by complying with all College policies prohibiting all forms of harassment, and by respecting the privacy of other individuals. For example, it is prohibited to send harassing messages via email or social media, or to transmit or reveal personal or private information about individuals. Use computer software and equipment, accounts and data only when you have appropriate authorization and use them for approved purposes. For example, you should not use Cambridge College information technology resources to run a business or to access another individual's computer account.

Respect all pertinent licenses, contractual agreements, and copyrights. Use only legal versions of copyrighted software in compliance with vendor license requirements. For example, you should not post another individual's copyrighted material on your web page or install software with a single user license on multiple computers.

Preserve the integrity of computing systems, electronic data, and communications networks. For example, you should not modify settings on a desktop computer to make it unusable to others or excessively utilize networked resources, like music videos, that may overload Cambridge College's network bandwidth.

Respect and adhere to all applicable local, state and federal laws. For example, it is prohibited to use Cambridge College's information technology resources to attack computers on another network by launching viruses, worms, or other forms of attack.

## **Privacy**

While the College values and respects the privacy of its students, employees, faculty, staff, and other users, the intrinsic nature of electronic records places limits on the extent to which the College can safeguard a user's privacy. Despite security software and protocols in place, communications over the Internet—and across the College's local campus network—may be vulnerable to interception and alteration. The College regularly reviews its security protocols and takes steps to update its security software as needed.

On occasion, circumstances may require an examination of a user's files to maintain system security, to administer or maintain system integrity, to access necessary College information or to respond to a legal request for information. In such cases, authorized personnel may examine a user's data without notice. Authorized personnel are those specifically entrusted and approved by the College (needs VP level or General Counsel approval) to conduct such examinations.

Some data are subject to strict access restrictions, such as library patron records, personnel and medical records, and data protected by the Family Educational Rights and Privacy Act (FERPA). The Library, the Office of the Registrar, and other departments that administer confidential data may enforce more stringent access policies.

## **Personal Use**

Personal use is defined as the non-academic, non-administrative use of Cambridge College's IT systems and should be kept to a minimum. Personal use of Cambridge College's IT resources is secondary to performing essential College functions using such resources. If personal use of College IT resources interferes with or causes disruptions to the essential functions of the College performed by IT, then authorized personnel may curtail such use.

## **Passwords and User IDs**

System accounts, passwords, and user IDs play an important role in protecting the files and privacy of all users. Because users are responsible for all uses made of their accounts, users must take exceptional care to prevent unauthorized use of their accounts. This includes changing passwords regularly and disabling "automatic" log-ins. In addition, users are prohibited from sharing or disclosing their log-in information with others except in the event of an emergency or a justifiable reason as approved by a supervisor. The College reserves the right to implement and enforce password maintenance procedures, including detecting and disabling "weak" passwords and implementing password "aging" mechanisms. Weak passwords are those that may be easily "cracked," guessed, or discovered, such as a user's birth date or name. Password aging refers to a process that requires users to change passwords at predetermined intervals.

## **Data Storage and Back-ups**

The College maintains a centralized repository of data stored in user accounts on the College network. The College reserves the right to restrict the amount of network storage available for users.

Data files are routinely backed up on a daily, weekly, monthly, and/or yearly basis. These Back-ups facilitate the restoration of College data that have been lost, altered or damaged. Users are advised not to store personal information on the College's network as this data will not be retrieved from the centralized repository. For data backed up by the IT department, retrieval or restoration is at the discretion of the Director and/or the College Leadership.

## **Security**

The College implements appropriate "industry-standard" practices concerning the security of the College's IT resources. These methods are designed to protect against unauthorized access, intrusion, or damage to the availability, access, or integrity of the College's IT systems. However, due primarily to the nature of security threats and the remote possibility of a breach of security, the College warrants neither a user's privacy nor the integrity of data stored on the College network.

## **Copyright, Trademark, and Domain Names**

Users must comply with all copyright, trademark, and other applicable laws. In general, permission is required for a user to reproduce materials, such as video, music, images, or text. To "reproduce" in this context includes downloading and saving a digital copy to a hard drive, floppy, or other storage media. Photocopying copyrighted materials without authorization is also prohibited unless for "fair use" meaning "any copying of copyrighted material done for a limited and 'transformative' purpose, such as to comment upon, criticize, or parody a copyrighted work." The College maintains trademark rights in certain symbols and phrases such as images of the College logo and the words "Cambridge College." Unauthorized use of these trademarks is not permitted. The College also owns Internet domain names including: cambridgecollege.edu, ccnite.org and other such domain names. Registration of domain names incorporating or referencing College trademarks is prohibited without the approval of the College Leadership.

## **Compliance and Enforcement**

All users of the College's IT resources must abide by this policy. Users who fail to comply with this policy will be denied access to the College's IT resources, and may face disciplinary action if warranted.

All alleged violations of this policy should be reported immediately as follows: Students should report suspected violations to the Dean of Students; Faculty members should report suspected violations to the Vice President/Provost of Academic Affairs; Employees and Staff members should report suspected violations to their department head who may report the problem to the Vice President of Human Resources.

**[Add Hyperlink here](#)**

## **SOCIAL MEDIA**

At Cambridge College, we recognize that social media sites such as Facebook, Twitter, YouTube, Instagram, LinkedIn, Snapchat, and Reddit, to name a few, have become important communication channels. Social Media is defined as any Social Networking sites, internet forums, blogs, micro-blogs and other user-created video, audio, text or multimedia that are published and shared in a social environment.

The following are general guidelines for use of social media:

- Confidential or proprietary Cambridge College information or similar information of third parties, who have shared such information on behalf of Cambridge College, should not be shared publicly on these social media channels.
- Employees, faculty and staff should refrain from reporting, speculating, discussing or giving any opinions on Cambridge College business related matters that could be considered sensitive, private, confidential or disparaging.

Violation of this policy may be grounds for discipline up to and including termination. Common sense is the best guide. If you have any questions about this policy and/or are unsure about any particular posting, please contact the Office of Human Resources for guidance.

## **WHISTLEBLOWER PROTECTION**

Cambridge College strongly encourages all employees, students, and faculty members to report any reasonable concerns they may have that a legal violation has occurred by some member of the Cambridge College community including customers or vendors. All such concerns should be brought to the attention of the Office of the President or Human Resources. An anonymous report may be submitted but should contain sufficient information so that the College may conduct a thorough investigation. All employees, students and faculty members for required to cooperate with the College's internal investigations by providing any relevant information and answering all questions truthfully. Failure to cooperate with or impeding an investigation, and/or knowingly providing false information, will result in disciplinary action up to and including termination of employment or expulsion. Similarly, anyone found to have engaged in illegal or improper activity will be subject to disciplinary action up to including termination of employment or expulsion.

Cambridge College will not retaliate against anyone who, in good faith, reports any potentially improper activity, whether to directly to Cambridge College or to a government agency. Any employee, student or faculty member who believes that he/she is being retaliated against for filing a good faith complaint should notify the College immediately. Anyone found to have engaged in retaliatory behavior will be subject to discipline, up to and including termination of employment or expulsion.

## **REMOTE ACCESS**

Employees, faculty and staff may remotely connect to the Cambridge College network when they are working offsite by connecting through a software program called LogMeIn. LogMeIn is a cloud-based remote access service. Anyone needing remote access should contact a supervisor for approval and access. Technical support is provided by the IT Department.