Instructions: *Print ONLY this page (File, Print, Current page), fill out the bottom section and send it to the Human Resources Department.*

Acknowledgement of Receipt of Web Access Instructions

I acknowledge that I have received directions for accessing this Handbook on the Human Resources web page. I understand that if I have any difficulty accessing the Handbook on the web, I am responsible for contacting the Human Resources Department for assistance or to request a paper copy of the Handbook. I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it by Colgate.

In particular, I acknowledge that I have read and understand Colgate's Nondiscrimination, Sexual Harassment, and Other Forms of Harassment Policy.

I understand that as an employee of Colgate University, I have a responsibility to follow all procedures to conduct work activities in a safe manner. I understand that I am responsible for immediately reporting any unsafe conditions to my supervisor and/or Environmental Health & Safety.

I understand that this Handbook supersedes all previous versions that have been issued by the University. Further, I understand that because the University may add, modify, delete or otherwise change provisions of the Handbook, I should contact the Human Resources Department to obtain current information regarding the status of any particular policy, procedure or practice.

_____

Employee's Signature Date

_____

Employee's Name (Please Print)

Colgate University

Personnel Policies and Benefits Handbook

For Administrators, Technicians, and Support Staff

Human Resources Department
Revised November 11, 2026

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THIS HANDBOOK

This handbook is intended as an explanation and description of Colgate's policies and employee benefits. It is not intended nor should it be construed as an employment contract. The descriptive materials contained in this handbook are only summaries, and any discrepancies between these summaries and the terms of the actual plans, or plan documents, must be governed by the actual terms of the more detailed plans and plan documents. Like any other compilation of general information, certain portions of the handbook may become outdated. You should check with the Human Resources Department to be sure you have current information before taking action based on any specific information in this handbook. It is your responsibility to confirm the status of policies or other information. This Handbook is available in a hard copy version from Human Resources or on the Web at **https://www.colgate.edu/about/campus-services-and-resources/employee-handbook.** The web version will be the most up-to-date.

Colgate reserves the right at any time to modify, revoke, suspend, terminate or change, either retroactively or prospectively, any and all terms of this handbook, plans, policies or procedures, in whole or in part, at any time. However, Colgate will make every effort to notify all affected employees when such changes or modifications are made. Except for Colgate benefit documents, the policies contained in this handbook are intended to supersede the policies and procedures that existed prior to the date of this handbook. All prior policies and procedures are, therefore, null and void except where Colgate has agreed otherwise.

Employees have the right at any time to terminate their employment with or without good cause, and Colgate reserves the same right to terminate employment in accordance with the provisions of this Handbook. No University official has authority to make any agreement to the contrary. Colgate University is committed to the goals of fairness and equity in all aspects of the educational enterprise and to a learning and living environment where all members of the community feel safe and respected. The university will not discriminate against any person because of race, color, creed, religion, age, sex, pregnancy, national origin (including ancestry), marital status, disability, protected Veteran Status, sexual orientation and gender identity and expression, genetic information, victims of domestic violence and stalking, familial status, and all other categories covered by law. This policy shall apply to all employment actions, including but not limited to recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation and selection for training at all levels of employment. Colgate University will not discharge or discriminate against employees or applicants who inquire about, discuss, or disclose their own compensation or the compensation of another employee or applicant.

The Director of Diversity and Equity oversees the implementation of Colgate's Affirmative Action and Equal Opportunity plan. The Title IX Coordinator oversees implementation of the University Non-Discrimination and Anti-Harassment Policies for both students and personnel and oversees the University response to complaints of sexual harassment, sexual assault, discrimination, discriminatory harassment and other violations of these policy. In addition, questions about Colgate's Affirmative Action and Equal Opportunity plan and the University's policy on discrimination and harassment, may be directed to the Vice President for Equity and Inclusion or to the Director, Office for Civil Rights, U.S. Department of Health and Human Services, Cohen Building,

330 Independence Avenue, SW, Washington, D.C. 20201. With the Title IX Coordinator, the Vice President for Equity and Inclusion coordinates the University's efforts to comply with and carry out its responsibilities under Title IX of the Educational Amendments of 1972 as amended. The Assistant VP for Human Resources is the officer responsible for coordinating efforts to comply with the Americans With Disabilities Act of 1990 (ADA).

SECTION I: INTRODUCTION TO COLGATE UNIVERSITY

Mission

Colgate's mission is to provide a demanding, expansive, educational experience to a select group of diverse, talented, intellectually sophisticated students who are capable of challenging themselves, their peers and their teachers in a setting that brings together living and learning. The purpose of the university is to develop wise, thoughtful, critical thinkers and perceptive leaders by encouraging young men and women to fulfill their potential through residence in a community that values all forms of intellectual rigor and respects the complexity of human understanding.

History of Colgate University

In 1817, 13 men - six clergy and seven laymen - met in the frontier settlement of Hamilton with "13 dollars, 13 prayers, and 13 articles." (To this day, members of the Colgate community consider the number 13 a good omen.) In that meeting, the men founded the Baptist Education Society of the State of New York, the cornerstone in the foundation of what would become Colgate University.

The state chartered the Baptist Education Society in 1819, choosing Hamilton as the location for its school; one year later, the school opened. In 1823, Baptists in New York City - soapmaker William Colgate among them - consolidated their seminary with the Hamilton school to form the Hamilton Literary and Theological Institution. The Colgate family connection was thus established.

The oldest building on the current campus, West Hall, was built four years later in 1827. By 1834, the institution included preparatory, collegiate, and theological departments. In 1839, the first students "not having the ministry in view" were admitted.

The year 1846 witnessed a name change (to Madison University) and, through a state charter, the right to grant degrees. Madison became Colgate in 1890, recognizing nearly 70 years of continuous involvement and service by the Colgate family.

Colgate Academy, the preparatory department, was discontinued in 1912. The theological division merged with the Rochester Theological Seminary in 1928 to become the Colgate Rochester Divinity School, and Colgate has been nonsectarian since that time. The university became coeducational in 1970.

Colgate today is a highly selective, independent, coeducational liberal arts college enrolling approximately 2,800 undergraduates in programs that lead to the bachelor of arts. A small graduate program offers the master of arts and the master of arts in teaching.

SECTION II: TERMS AND CONDITIONS OF EMPLOYMENT

Appointment, Types of Employment and Other Key Terms

Human Resources provides a letter as a formal notification of initial appointment to each new Administrative, Staff Coach, Technical, or Support Staff employee hired in a regular position. Appointment letters include the terms and conditions of employment.

Administrative employees, including employees working in administrative, managerial or professional positions as defined by law and the University, receive individual letters of appointment with reappointment letters issued annually by the Dean or Vice President responsible for a division. Administrative appointments may be terminated at any time for violations of policy, practice, procedure or regulations of the University or for other reasons deemed appropriate by the President of the University.

To determine eligibility for benefits the University distinguishes between the following types of employment:

Regular full-time: employees who work in established benefit eligible positions that are approved for 37.5 or more hours per week on a twelve-month schedule.

Regular part-time: employees who work in established benefit eligible positions that have been approved for less than full-time, but at least 1040 hours per year. Certain benefits are prorated for employees in these positions.

Part-time: employees who work in an on-going position of less than 1040 hours/year with only benefits required by law provided.

Casual or temporary: employees who work on an on-call basis only when needed by the University for a specific, limited period of time, generally to meet a short-term staffing need. Only those benefits mandated by law are provided.

Grant-funded: employees who work in grant-funded positions and certain temporary appointments of one year or more are entitled to the same benefits as regular full-time or part-time appointments, as appropriate.

Other Key Terms

Exempt positions are those positions which are exempt from the Fair Labor Standards Act (FLSA) provisions because the work is predominantly "professional, administrative or executive" in nature as defined by specific criteria in the regulations. Exempt employees are not eligible for overtime compensation under the FLSA.

Non-exempt positions are those that are covered by the FLSA and are eligible for overtime compensation. All Technical and Support Staff positions at Colgate are non-exempt and are subject to the federal and state wage and hour laws. All non-exempt employees have a designated base

hourly pay rate. Employees in these positions record their time worked on time sheets and are eligible for overtime pay. The University reserves the right to reassign employees based on the needs of the University.

Date of Hire is the date employment begins, including any adjustments made to give credit for previous service.

Employee Orientation

Orientation programs will be scheduled by the Human Resources Department to acquaint each new employee with University policies, benefits and services. New employees must report to the Human Resources Department on or before their first day of work for initial orientation and completion of necessary forms. Supervisors are responsible for introducing new employees to co-workers, for orienting them to the campus and for on the job training.

Hours of Work

The normal hours of work for offices are from 8:00 a.m. to 4:30 p.m. or 8:30 a.m. to 5:00 p.m., although some departments may differ. The normal work schedule for full-time employees is 7½ hours per day with a one hour, unpaid lunch period taken between 11:30 a.m. to 1:30 p.m. With supervisory approval, some flexibility in starting time of work and lunch breaks is permitted, provided that the business needs of the office and University are met. This flexibility normally allows for an employee to start work at either 8:00 a.m. or 8:30 a.m., work 7.5 hours, and finish at 4:30 p.m. or 5:00 p.m. depending on the time taken for lunch. The primary purpose of this flexibility is to provide employees with the opportunity to use Colgate facilities during the lunch hour. The Department Head normally establishes the hours of work in accordance with Colgate's guidelines.

Lunch Period/Breaks

Minimum time lengths for meals are mandated by state law. The lunch period is from 11:30 a.m. to 1:30 p.m. during which time regular full-time employees working over this period and at least 7½ hours per day are entitled to one hour, unpaid time off for lunch. However, a minimum uninterrupted meal break of 30 minutes is required for these full-time employees. Any other employee who works a shift of more than four hours which extends over the period of 11:00 a.m. to 2:00 p.m. is entitled to an uninterrupted meal break of 30 minutes within that period. Also, any other employee working more than six hours starting between 1:00 p.m. and 6:00 a.m. shall be allowed an uninterrupted meal break of 30 minutes at a time midway between the beginning and end of the employee's shift. Employees whose shifts begin before 11:00 a.m. and continue until later than 7:00 p.m. are entitled to an additional uninterrupted 20-minute meal break between 5:00 p.m. and 7:00 p.m. Duty-free meal periods are not compensable time.

In some instances, as approved by the Human Resources Department, where only one person is on duty or is the only one conversant in a specific occupation, the employee may be authorized to eat on the job without being relieved of his or her duties. The employee will be paid for this time.

A specific time for a rest break or coffee break is generally not scheduled for administrative and office employees.

Attendance, Punctuality and Dependability

To maintain a productive work environment, Colgate expects employees to be reliable and to be punctual in reporting for scheduled work and in remaining in the office throughout the scheduled work day. When you know about an expected absence, you should notify your supervisor at least five (5) business days prior to your absence. When you are unable to report to work due to an illness or injury, you must notify your supervisor as early as possible, each day of your absence. Excessive tardiness, absenteeism, or unauthorized absence may result in disciplinary action, up to and including termination (see "Hours of Work").

Identification Cards ('Gate Card)

A Colgate University identification card is issued to each new employee. New employee information is shared with Campus Safety. Staff should go to Campus Safety to receive a picture id. This card, called the 'Gate Card, represents official University identification and may be used to obtain tickets or admission to sporting events and facilities on campus. The 'Gate Card also has an optional debit feature. This feature will be activated upon an initial deposit on your Card Debit Account. The Card Debit Account is a declining balance account, and can be used for purchases at the Bookstore, Coop, University Mailroom, vending machines, library copiers and laundry machines on campus, and participating area merchants off campus. Deposits on your account can be made three ways: 1) with cash in person at the Accounting office or at one of the Card Systems Value Terminal machines located in O'Connor Campus Center and Case Library, 2) with check in person at the Accounting office or by mail and 3) with Credit Card in person at the Accounting office, by mail, or on line at http://www.colgate.edu/offices-and-services/accountingandcontrol/gatecard. 'Gate Card Terms and Conditions can also be found at this website.

A lost card may be replaced through the Campus Safety Office. ID cards are to be turned in to the Human Resources Department when employment is ended.

Immigration Reform and Control Act

In compliance with the Immigration Reform and Control Act of 1986, each new employee, under penalty of perjury, must complete and sign the Employee Eligibility Verification Form I-9 and provide original documentation establishing their identity and legal right to work in the United States no later than three (3) business days after the employee's hiring.

If your immigration status changes, and therefore impacts your employability, you must notify Human Resources.

Introductory Period

All new Support Staff and Technical employees in regular positions will have up to the first 90 days of employment as an Introductory Period. Campus Safety employees have a 180 day Introductory Period. During this time, the employee will have the opportunity to become familiar with the duties of the position and the employee's supervisor will evaluate the ability of the employee to perform capably. Employees may be dismissed without prior notice or obligation during this period.

Supervisors must complete an evaluation report to indicate whether or not an employee will continue in the position. A supervisor may extend the Introductory Period, if necessary, after consultation with Human Resources. Some benefits are not provided until successful completion of this period.

Employees transferring to a new job within the University will undergo a new Introductory Period, but continue to receive all benefits as appropriate.

Length of Service and Reemployment

An employee's length of service is defined as the period of continuous employment in a regular Colgate position beginning with the current period of work, plus any qualified previous service.

Such employment is the basis upon which eligibility for benefits is normally determined, although specific programs may impose additional restrictions and waiting periods. Authorized absences such as vacation, sick leave, personal leave, military leave, and so forth do not constitute a break in continuous employment. A break in employment occurs when the employee is removed from the active employment records of the University.

Reemployment. If an employee has five years of previous service in a regular position, was not terminated for cause, and returns to University employment within two years of the previous termination date, the employee will be reinstated with an adjusted date of hire reflecting the number of years of previous service.

Summer Hours

The University currently observes "summer hours" for 8 weeks during the months of June and July. The workday is reduced by one-half hour per day for full time support and technical staff, Monday through Friday. This practice is subject to annual review to ensure University needs are not adversely affected. Regular Support Staff and Technical employees are compensated with a summer adjustment: Support Staff and Technical employees who are in positions normally scheduled to work 75 or more hours per pay period will be credited with an additional five hours of pay for the two-week period. Employees in positions normally scheduled to work at least 40 to 74 hours per pay period will be credited with an additional 2.5 hours of pay. Employees should record summer hours using the summer adjustment earn code. Summer adjustment hours are not included in overtime calculations. Salaried staff (non-hourly), the Office of Campus Safety or employees covered under the Facilities collective bargaining agreement are not eligible for the summer adjustment.

Summer Work Policy for Support Staff

Each summer, academic departments will determine the workload and needs of each office for the summer months. Twelve-month employees may request vacation, part-time schedules, or unpaid leaves of absence during the summer. If the workload is low during this time, employees may be asked to assist in other areas where needed. In each case the decision must be the supervisor's and will depend upon the needs of the office and vacation schedules. Leaves should not be granted if they make it impossible for other employees to take vacations.

Those employees who work in positions of less than 12 months may request an alternate work situation for the summer. They may be assigned temporary work in offices that have greater needs when such opportunities exist. Those assigned to such work will continue to be paid at their regular

rate for the hours worked. An academic year employee must take vacation during the designated term of employment, i.e., vacation may not be taken after the end of the 9 or 10 month term for which the employee is scheduled to work. Benefits are continued during the summer months, but the employee must arrange to pay his/her share of the premiums in advance by contacting the Human Resources Department.

After the needs of each office have been determined, the Human Resources Department should be informed of plans for leaves, reduction in positions, or requests for temporary work. It is essential that the Human Resources Department be informed of any such changes in order to ensure accurate continuation of benefits.

SECTION III: POLICIES AND PROCEDURES

Automobile Registration/Parking

Parking is available for employees on the campus at no charge. All cars on campus must be registered with the Campus Safety Office, located at 88 Hamilton Street. Employees will be issued a staff parking decal to affix to the vehicle and will then receive a Colgate University Motor Vehicle Handbook http://www.colgate.edu/offices-and-services/campussafety.

Background Checks

I. Policy Statement

Colgate University seeks to provide a safe, secure and productive environment for faculty, staff, students and visitors. Therefore, Colgate has adopted a policy requiring pre-employment/pre-engagement background checks. Background checks shall be required prior to employing staff, staff coaches, and casual wage workers, or engaging volunteers or live-in partners. Background checks may be required prior to employing students based on the position in which the student is being hired into (see section III Scope). This policy applies regardless of whether or not a competitive recruitment process is used.

II. Statement about Background Checks and Discrimination

Information discovered through the background check process will be used solely for the purpose of evaluating a finalist's suitability for employment or engagement with Colgate. It will not be used to discriminate against a finalist on the basis of race, color, religion/creed, sex/gender, age, sexual orientation, gender identity/expression, national origin, genetic information, marital/familial status, disability, military, or veteran status, or any other protected category.

The term "finalist" includes a candidate for employment, a current employee, or an individual engaged with Colgate such as a volunteer or residential live-in partner.

III. Scope

All offers of employment or engagement for identified positions will be contingent on the finalist successfully passing a background check. Background checks will be conducted using a contracted third party.

Background checks may encompass:

1. Criminal History
2. Employment Verification
3. Education
4. Social Security Number Validation
5. National Sex Offender Registry

Depending on the nature of the work being performed, additional components could include:

1. Credit Report
2. Motor Vehicle Report (MVR)

Generally, background checks will be ordered according to the following chart:

	Criminal History	**Social Security Trace**	**Sex & Violent Offender Registry**	**Employment Verification**	**Education**	**Motor Vehicle Record**	**Credit**
Staff	X	X	X	X	X	When Applicable	When Applicable
Staff Coach	X	X	X	X	X	X	
Casual Wage/Temp	X	X	X		When Applicable	When Applicable	When Applicable
Student	When Applicable	When Applicable	When Applicable			When Applicable	
Volunteer	X	X	X			When Applicable	
Children's Camps			X				
Residential Live-In Partners	X	X	X				

A criminal history and sex and violent offender background check will be conducted on a student when they accept a position that is responsible for and/or puts the student in direct contact with children with limited or no direct supervision, as part of the responsibilities of the role. These positions include, but are not limited to, Hebrew School Instructor, Swim Lesson Instructor and Chenango Nursery School student employee. A motor vehicle report will be conducted on a student when they accept a position that includes responsibility for driving a vehicle.

IV. Confidentiality

Information secured for the purpose of extending, maintaining, or retracting an offer of employment or engagement will be confidentially maintained by the Human Resources Department and/or Environmental Health and Safety (for MVR's). For the purpose of making decisions, report contents or portions of the content may be shared with appropriate individuals who have a legitimate business need to know as determined by human resources.

V. Use of Criminal History in Background Screening

Criminal background checks used for employment or engagement purposes shall only be conducted for finalists who are otherwise qualified for the position for which they have applied or are being engaged. Unless otherwise provided by law, an employment or engagement finalist with a criminal record will not be automatically disqualified or unable to reside on Colgate property. Determination of suitability based on the background check will be made consistent with this policy and applicable laws and regulations.

VI. Procedures

a. Consent to Conduct Background Checks and Confidentiality

Finalists will be informed during the pre-employment/pre-engagement process that an offer is subject to completion of a background check with results acceptable to Colgate, as appropriate to each position. Prior to conducting the background check, consent is obtained through the third-party vendor. Refusal by the finalist to authorize the background check will make them ineligible for employment or engagement.

The information obtained through background checks is confidential and will be shared only with individuals with an essential business need to know.

b. Initiation of the Background Check

Background checks will be initiated by human resources. Authorized initiators may only initiate background checks upon the acceptance of an employment or engagement offer, unless otherwise approved by human resources as an exception. In exception cases, background check results will not be considered until such time that an employment or engagement offer is to be extended to the finalist.

c. Screening of Finalists

An offer of employment or engagement is contingent upon the completion of a satisfactory background check. Generally, employment or engagement in the position should not begin until Colgate has received, reviewed and approved the results of the background check. Exceptions may be made at the hiring department's request with the approval of the Human Resources Department.

The finalist for all regular, benefited staff positions at Colgate is subject to background checks of employment, educational, criminal, and sex and violent offender histories. Additional background checks may apply to finalists for certain positions. Some of the criteria for identifying a position as possibly requiring additional background checks include, but are not limited to:

- Direct oversight of a division/department that is responsible for handling or managing money or credit information
- Responsibility for operating an owned, leased or rented Colgate vehicle
- A requirement for a certificate, professional license, or accreditation

These additional background checks may include a:

- Credit history check and/or

- Motor Vehicle Report (MVR) and/or
- Professional license history check

VII. Evaluation of Background Check Results/Adverse Action

a. If results show no criminal convictions, motor vehicle violations, and/or discrepancy(ies) in information, compared to what was submitted by the finalist, the Human Resources Department will notify the hiring manager/search committee chair or other appropriate person that the finalist is approved to begin work at, or engage with, Colgate.
b. If results show a criminal conviction and/or discrepancy(ies) in information, the Human Resources Department will review the report details and make a determination as to the relevance of the information based on the regulations/laws set by Equal Employment Opportunity Commission (EEOC), Fair Credit Reporting Act (FCRA) and other governing bodies. Human Resources will consult with legal counsel regarding the impact of such results on the hiring/engagement decision. Motor vehicle reports will be reviewed by EHS, who will contact the Human Resources Department should the report not be acceptable based on Colgate's Driver Safety and Motor Vehicle Use Policy.
c. If a determination is made which might factor an adverse action, human resources will notify the finalist that the conditional offer of employment or engagement may be rescinded and provide the finalist with a pre-adverse action notice along with a copy of the background report, a notice of the individual's rights under the FCRA, and the contact information of the outside reporting agency. The finalist will be given a reasonable period of time to refute the information with the vendor and/or provide an explanation to human resources.
d. If a decision is made not to hire or engage with a finalist on the basis of the information contained within the background check, a final adverse action notice will be mailed notifying the finalist of the decision and providing them with an additional copy of the background report, notice of the individual's rights under FCRA, the contact information of the outside reporting agency and a statement that this agency is not responsible for the adverse action and cannot explain why it was made.
e. A criminal conviction, motor vehicle violation and/or discrepancy in information between what was submitted by the finalist and the background check report received from the reporting agency does not automatically disqualify an individual from employment or engagement consideration.

VIII. Background Check for Current Employee/Volunteer/Live-In Partner

Background checks (in whole or in part) may be required of current Colgate staff members or volunteers who are finalists for a position, if they have not undergone the additional background checks required by the new position (ie. credit, MVR).

Employees, volunteers and live-in partners have an ongoing responsibility during their employment or engagement to make Colgate aware of any felony convictions which are acknowledgements of responsibility. Any convictions should be reported to the Human Resources Department.

Motor Vehicle License Checks, if required or elected: All drivers must be authorized by the University prior to operating a motor vehicle. The Human Resources Department is responsible for pre-hire employee motor vehicle use authorization and Environmental Health and Safety (EHS) is responsible for all other employee motor vehicle use authorizations. Once authorized, the employee or volunteer will be added to the continuous monitoring system, which automatically reports any new violations, invalid licenses, and approaching license or DOT medical certification expiration dates.

IX. Former Employee/Volunteer with Break In Service

Former employees/volunteers of Colgate will be required to complete a background check (in whole or in part), when there has been a break in service and a background check (in whole or in part) has not been conducted within the 12-month period prior to the date of re-employment/re-engagement. A break in service means the employee/volunteer has terminated employment/engagement or is no longer working or volunteering for Colgate for a period of at least one day and is then re-employed by or re-engaged with Colgate.

X. Children's Camps

Even if the Colgate programs do not fall under the New York State Children's Camp regulations, Colgate requires all children's programs to follow all state regulations, which include the requirement to conduct a search of the New York State Division of Criminal Justice Services Sex Offender Registry for all staff and volunteers working with children's programs, including current employees and students. This check is required yearly, and may be in addition to any background checks completed by Human Resources.

XI. Exceptions to the Policy

Exceptions to this policy may be made at the discretion of the vice president for administration or their designee. This policy is intended as a guideline to assist in the consistent application of Colgate's policies and programs for finalists. This policy does not create a contract, express or implied, with any finalist. Colgate reserves the right to modify this policy in whole or in part, at any time, in its sole discretion.

XII. Storage and Destruction of Background Check Information

The Human Resources Department manages and retains pre-employment/pre-engagement screening information. Information collected is stored separately from the official finalist's file. Electronically received background checks will be stored in the third-party vendor's secure system. In the rare instance when a hard copy is retained, human resources will store it in a separate, locked and secure location with limited access.

Background check records will be destroyed according to Colgate's Document Retention & Destruction Policy: four (4) years from the date of the hiring or engagement decision.

Computing Policies http://colgate.edu/itsecurity/policy

Colgate University offers a wide array of computing, networking, and media service to students, faculty members, administrators, and staff members. By using these services, all users agree to abide by and be subject to the terms and conditions contained in Colgate's computing policies (available from ITS) and all other applicable university policies. Some departments on campus may have additional facilities, practices, and policies that apply to use of computing facilities in those departments. In these ways Colgate intends to enable high-quality services and maximize productivity while protecting the rights of all members of the community.

Appropriate Use of E-mail

Colgate University provides an email system for students, faculty, staff, alumni, contractors and others to facilitate communication related to academic, administrative, and community engagement matters. Email is an official means of communication for the University; its users are responsible for communications via this system.

Although the University does not recommend personal use, it recognizes and permits limited personal use of the colgate.edu email domain (and its subdomains). Excessive use of email for personal purposes or personal use that interferes with work responsibilities is prohibited. This personal use does not acquire a right of privacy for communications transmitted or stored using University electronic information resources. The ITS Acceptable Use Policy applies to all use of Colgate email.

Examples of use that violate the ITS Acceptable Use Policy include content that is malicious, obscene, threatening, intimidating, harassing, or bullying. Inappropriate content, including offensive content meant to intentionally harm someone, content that is intended to harass or bully others, or content that could create or contribute to a hostile or unsafe environment on the basis of race, sex, disability, religion or any other status protected by law or University policy is prohibited. The distribution of email for the purpose of commercial solicitation is also prohibited. In addition, any use must not otherwise violate any University policy. If you are unsure about whether a use is appropriate or is otherwise in compliance with University policy, you may discuss it with Human Resources.

Since the use of Colgate email by its nature links the user to the University, such use is a reflection of the University, even when it is personal in nature. Users are expected to uphold the community standards of Colgate University in all of their interactions. Use of Colgate email cannot be separated from membership in the Colgate community. In that spirit, the use of personal email accounts (such as Hotmail, iCloud, Yahoo, etc.) should not be used to conduct Colgate business.

All electronic and telephonic communications and information systems provided by Colgate University are property of the University. Employees who are terminated, separated or retired do not retain access to their Colgate business email. Colgate takes reasonable steps to protect users from unauthorized entry into their accounts or files, however, all communications and information transmitted by, received from, or stored in these systems, including email and voicemail, are also property of the University. As a result, they are subject to monitoring, access and/or content disclosure as outlined in the Stewardship and Custodianship of University Email policy (found on the University website).

A limited number of authorized Colgate University personnel must occasionally monitor and access information on the network and/or computer systems. This access is required for reasons that include, but are not limited to, retrieving business-related information; trouble-shooting hardware and software problems; preventing unauthorized access and system misuse; providing for the overall efficiency and integrity of the systems; protecting the rights and property of the University; ensuring compliance with software distribution and copyright and other University policies; and complying with legal and regulatory requests for information.

Confidential Material

Employees of Colgate University have access to academic, personnel, financial or other information that is considered confidential. Confidential Information shall mean any information or data (including without limitation, programs, methods, techniques, processes, patterns, compilations, and formulae) which is not generally known to persons who are not officers, agents, board members, or employees of the University or which otherwise has been designated confidential by the University. Examples of confidential information include, without limitation, the following: personal information relative to past, present or prospective students, donors, staff, or faculty members, including social security numbers or other identification numbers; information relative to methods and procedures for pricing; information regarding marketing strategies, operational planning and strategies; changes in management or operations of the University; University financial information; passwords and the object code and source code to the University's software; student information, including student and parent financial information, social security numbers or other identification numbers; medical information of students and/or employees of the College.

Employees are expected to maintain the confidentiality of such information and not disclose it to anyone who does not have an official, business need for it. No information should be copied, distributed or discussed with others or removed from your office without the approval of your immediate supervisor except in connection with University business. When in doubt, treat the matter in the strictest confidence and consult with your supervisor for clarification.

Upon termination of employment with the University for whatever reason, all material related to the College's business that is in your possession or under your control, without limitation, all documents, lists, electronic information storage media, manuals, letters, notes and reports shall be promptly returned to the College, without deleting, copying or summarizing.

Violations of this policy will be subject to disciplinary action, up to and including termination of your employment. Misuse of confidential information could also be considered a theft that could lead to criminal prosecution.

This confidentiality policy is intended to protect not only the University but each member of our community. As members of the Colgate community each of us has a responsibility to respect and protect the personal and private institutional information that is maintained by the University.

Conflicts of Interest

The University recognizes that many staff participate in non-university activities that are recreational or that increase personal or professional development. The University encourages those activities that do not constitute or appear to constitute a conflict of interest. All employees shall disclose to

their supervisor, department head or appropriate University officer any possible conflict of interest at the earliest practicable time.

Simply stated, a conflict of interest occurs whenever a staff member is in a situation where the prospect of direct or indirect personal gain could influence a staff member's judgment or action. Examples of conflict of interest include interests in a business supplying goods or services to the University or use of University facilities or supplies for non-university business. Some examples include (but are not limited to):

- outside employment, outside business, philanthropic, community, political or other interests or activities that require commitments of time or use of University supplies or facilities;
- outside interests of the staff member or of close family members with or related to suppliers of goods and services to the University; and
- personal gifts or gifts of entertainment of more than nominal value received from suppliers of goods and services, or from persons associated or seeking to associate with the University.

Disability Accommodation

Colgate University is committed to complying with the Americans with Disabilities Act, the New York Human Rights Law, and all applicable laws providing for nondiscrimination in employment against qualified individuals with disabilities. Colgate's policy is to ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment. Consistent with this policy, Colgate University will provide reasonable accommodations for job applicants and employees who have disabilities, as necessary and appropriate.

An individual with a disability may make an accommodation request to the Director of Benefits and Employee Wellness in the Human Resources Department. The Director will discuss the situation with the individual, including the limitations resulting from the disability and potential accommodations which may allow the individual to perform the essential functions of the job in a safe, efficient, and reasonable manner. The University will determine the reasonableness and appropriateness of a requested accommodation. The University is not always able to grant a requested accommodation. The University reserves the right to deny a particular accommodation if it would impose an undue hardship on the University, would not allow the individual to perform the essential functions of the job safely and effectively, or is otherwise beyond the scope of the University's duty to accommodate. In those cases, there may be alternative accommodations, and, if so, they will be considered.

Often, health conditions are not obvious, and conditions may affect different individuals differently. Therefore, the University may require medical documentation substantiating the disability as well as its effects and resulting limitations on the particular individual seeking accommodation. It is incumbent upon the individual who requires accommodation to initiate the accommodation process by informing his or her supervisor or the Assistant VP for Human Resources of the need for disability accommodation. Any employee or applicant who believes that he or she has been denied reasonable accommodation should contact the Office of Equity and Diversity.

Drug-Free Workplace

A separate, annual mailing distributes Colgate's complete policy on drug and alcohol prohibition to all employees. The policy applies to all Colgate employees, including full and part-time, temporary, student employees and interns, as well as volunteers. Agreeing to comply with the policy will be a condition of employment.

Colgate University is committed to creating and maintaining a drug-free workplace and does not permit or condone the unlawful possession, use, consumption, sale, or distribution of illegal drugs and/or alcohol by employees on its property or as part of any of its activities. The University expects that all members of the Colgate community who serve or consume alcoholic beverages will do so in a responsible, lawful, and non-abusive manner. The University also expects all members of the Colgate community to comply with the laws of New York State as well as local statutes and ordinances pertaining to alcohol.

Employees are prohibited from working, or operating any Colgate vehicle or equipment, while under the influence of alcohol or controlled substances. In addition, no passenger in a Colgate vehicle may consume alcoholic beverages or use controlled substances while in the vehicle. Employees using medication are also prohibited from operating Colgate vehicles/equipment at any time when their ability to do so might be impaired by the medication.

Further, the possession, use, consumption, sale, or distribution of alcohol during working hours is prohibited except on occasions when the consumption of alcoholic beverages in a social setting is authorized and sponsored by the University. Employees who violate this policy will be subject to appropriate disciplinary action, consistent with local, state, and federal law, which may include counseling, mandatory participation in a rehabilitation program, unpaid suspension, loss of the privilege of operating a Colgate vehicle, and/or termination of employment and referral for prosecution. In addition, there are additional requirements for employees who are directly engaged in the performance of work pursuant to the provisions of a federal grant or contract.

The purpose of this policy is to help create a workplace and campus environment that discourages the unauthorized or illegal use of drugs and/or alcohol by employees and to support the requirements of the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988.

Emergency Closing Policy

The University will make every effort to provide essential services to residential students and campers, even in cases of extreme adverse weather or other emergencies. Therefore, the University will almost always remain open. Under extraordinary conditions, however, the University may: (1) close entirely and cease operations (2) close while asking essential personnel to report (3) close during operating hours while asking essential personnel to remain and/or report or (4) delay opening while asking essential personnel to report or (5) early release due to extreme adverse weather or other campus emergency.

University Status

Closed. This status may apply under unusual, extreme conditions. If the University is closed, employees are not to report. However, certain employees necessary to protect the University and

maintain life safety systems may be asked to report by the appropriate Vice President/Dean (or their designee) on a case-by-case basis. These employees will be notified in response to each specific emergency. An official closing announcement will be communicated via the University communications channels described in this policy.

Closed with Essential Personnel Reporting. This status may apply where severe weather conditions or other emergencies interfere with normal operations. Classes will normally be canceled. Essential personnel identified at the end of this policy will be expected to report, unless told not to do so by a supervisor. Under certain circumstances, a limited number of non-essential personnel may also be asked to report based on the type of emergency and the specific needs of the campus. A supervisor must have the approval of the appropriate Vice President or Dean before asking non-essential personnel to report as essential. An official closing announcement will be communicated via the University communications channels described in this policy.

Closing during Normal Operating Hours. This status may apply where severe weather conditions or other emergencies interfere with normal operations after the workday has begun. An official closing announcement and time will be communicated to all employees via the University communications channels described in this policy. Classes will not be held after the closing time. All but essential personnel may leave the campus. Essential personnel (and non-essential designated as essential by their supervisors) will be expected to remain until relieved or notified by their supervisors to leave.

Delayed Opening. This status may apply when severe weather conditions interfere with employee travel but conditions are expected to improve. Classes will normally be canceled during the time of the delayed opening with essential personnel (and non-essential designated as essential by their supervisors) expected to report. If conditions do not improve, a decision may be made later to close the University (essential personnel reporting). An official delayed opening announcement will be communicated via the University communications channels described in this policy.

Early Release. This status may apply when severe weather conditions interfere with employee travel. Generally classes will not be canceled, and some offices may need to continue to operate. As a result, some staff may be asked to remain or, in the case of second or third shift employees, to report to work by the supervisor. Second and third shift employees should check with their supervisor to determine whether or not to report. An official early release announcement and time will be communicated to all employees via the University communications channels described in this policy. Essential personnel will be expected to remain until relieved or notified by their supervisors to leave. As indicated elsewhere in this policy, employees must make individual decisions about whether to travel between the University and home based on local conditions. Every effort will be made to accommodate essential personnel who feel that it is unsafe to travel.

Localized and Temporary Closing. Extreme conditions occasionally may make working conditions in a particular building or location intolerable. Supervisors or employees in the affected unit(s) should discuss the problem with Environmental Health and Safety and the Human Resources Department. If the problem cannot be resolved, the supervisor may request permission of the Division Head to temporarily close the area or location. Building closures may be authorized by the Senior Vice President for Finance and Administration and Chief Investment Officer, the Provost and Dean of the Faculty, the Vice President for Administration, the Associate Vice President for

Emergency Management, Campus Safety and Environmental Health and Safety or the Director of Environmental Health and Safety.

Decisions to Close the University

Decisions to close the University will be made by the Senior Vice President for Finance and Administration and the Provost and Dean of the Faculty in consultation with other University executives and the Weather Decision Group, which includes, but is not limited to, the Associate Vice President for Emergency Management, Campus Safety and Environmental Health and Safety or the Director of Environmental Health and Safety.

Communication and Information Sources Concerning University Status

Reliable university status information is available through the following sources:

1. Colgate's email system from Campus Alerts
2. ColgateAlert System
3. Colgate's home web page (www.colgate.edu) and social media (Updates on Twitter @colgateuniv and www.facebook.com/colgateuniversity) – these mediums will only be used in certain situations and should not be relied on as the primary source for information.

Although closing information is provided to the following regional news outlets, experience suggests that the information broadcast may not be reliable or allow for complete information. However, these may be the only operational information sources in the event of some power failures.

WKTV	Channel 2
WTVH & WSTM	Channels 3 and 5
WSYR	Channel 9
Time Warner Cable News	Channel 10

Safety

Irrespective of University status, employees – even essential personnel – must make individual decisions about whether to travel between home and the University or between the University and home based on local conditions. Employees who cannot travel should notify their supervisors as soon as possible, if communication is practical.

Compensation during an Emergency Closing

Employees who can work from home should do so when the University is closed or during a delayed opening. Hourly employees who cannot work from home will be paid for the time they normally would work while the University is officially closed and during a delayed opening. Hourly employees designated as essential personnel who report and those asked to report by their supervisors will be paid for the number of hours worked during the emergency closing and, in addition, will have the option of either: 1) receiving additional pay, at their regular rate, for the actual hours worked, or 2) receiving time off equivalent to the number of hours worked. Any time off taken

by an employee should be used as soon as practical after an emergency closing. Supervisors are responsible for tracking this time.

Employees who report to work when the University is officially closed or during a delayed opening who have not specifically been asked to report or who are able to perform work from home will not be eligible for the additional compensation or equivalent time off.

When there is a localized or temporary closing, hourly employees will be paid for the time they normally would work while an area, location, or building is closed.

Employees who do not report to work or who leave work early without an official closing or early release should charge the time missed to accrued vacation. Employees who do not report following a delayed opening or leave prior to an early release, will be required to use vacation time for the entire absence. An employee may be permitted to make up a limited amount of time missed, within the same work week, with the supervisor's approval.

States of Emergency

States of emergency may be declared by head officials of the Village of Hamilton, the Town of Hamilton, Madison County, and the State of New York. A state of emergency is operationalized by accompanying executive orders that declare a curfew, prohibit travel, control traffic, designate areas as emergency shelters, and close public places of assembly. States of emergency do not mean that roads are closed, unless so stated. Even if roads are closed, essential personnel and employees asked to report by their supervisors should report, but only if they are able to travel safely between home and the University.

Essential Personnel

Essential personnel are identified by job title and department below. These employees should keep a copy of this policy in their vehicles to identify themselves to authorities during emergencies. Colgate and Chartwells ID cards also will specify essential personnel status.

Non-essential employees asked to report by their supervisors should receive email or other hardcopy notification to identify themselves to authorities during emergencies whenever practical.

Departmental Plans

Departments are responsible for creating their own call lists and plans for communicating the needs for their departments with their employees.

The following employees have been identified as essential personnel:
Administration – President
Administration – Senior Vice President for Finance and Administration and Chief Investment Officer
Administration – The Jones and Wood Family Vice President and Dean of Admission and Financial Aid
Administration – Vice President for Communications and Events

Administration – Associate Vice President for Facilities & Capital Projects
Administration – Vice President for Administration
Administration – Vice President and Chief of Staff to the President
Campus Safety - Director of Campus Safety
Campus Safety - Director of Fire Safety
Campus Safety – Associate Directors and Lead Investigator
Campus Safety – Lieutenants and Sergeants
Campus Safety – Officers
Chartwells Dining Services – Director of Operations
Chartwells Dining Services – Management and Supervisors
Chartwells Dining Services – Frank Dining Hall and Coop Production Staff
Dean of the College – On-Call Dean
Dean of the College – Vice President and Dean of the College
Dean of the College – Associate Vice President for Emergency Management, Transportation, and University Safety
Dean of the College – Assistant Vice President for Residential Planning and Programs
Dean of the College – Director, Residential Life
Dean of the College – Associate Director for West Campus and Residential Operations
Dean of the College – Associate Director for West Campus, Residential Life
Dean of the College – Area Directors
Dean of the College – Dean of Students
Dean of the College – Dean for Administrative Advising and Student Conduct
Dean of the College – Director of Student Health Services
Dean of the College – Assistant Director of Student Health Services
Dean of the College – Nurse Practitioner
Dean of the College – Medical Practice Manager, Registered Nurse
Dean of the College – Assistant Vice President for Wellness and Director of Counseling and Psychological Services
Environmental Health & Safety – Director of Environmental Health and Safety
Environmental Health & Safety – Duty Officer on Call
University Communications – Social Media Relations or Social Media Strategist
Facilities – Custodians
Facilities – Grounds Staff
Facilities – Heating Plant Staff
Facilities – Shift HVAC/Preventive Maintenance
Facilities – Shop Forepersons (Carpenter, Painter, Electrician, HVAC/Preventive Maintenance, Heating Plant, Plumber, Custodians and Grounds)
Facilities – Custodial Supervisors
Facilities – Custodial Operations Manager
Facilities – Architectural Trades Manager
Facilities – Director of Facilities Operations
Facilities – Director, Custodial and Grounds Operations
Facilities – Mechanical Trades Supervisor
Facilities – Operations Manager
Facilities – Second Shift Supervisor

Information Technology – On-Call Network Administrator
Provost and Dean of the Faculty
Provost/Dean of the Faculty – On-Call - Animal Care Technician
Transportation – Director of Transportation
Transportation- Shuttle Drivers

Emergency Procedures

For all life-threatening emergencies on campus, employees should immediately call 911. For a non-life-threatening emergency, employees should call Campus Safety at extension 7333. Colgate University has an Emergency Response Plan which is available from Campus Safety.

Nepotism Policy/Hiring of Employee Relatives

Colgate University does not discriminate on the basis of marital status or family relationship. Applications for employment from spouses/partners or other relatives of Colgate employees will be considered on the basis of professional criteria and qualifications for specific positions.

An employee cannot supervise a relative or be in a position to make or influence decisions that directly affect a relative's initial appointment, promotion, reappointment, rate of pay, leave of absence or other actions related to the relative's employee status. In any area where a conflict of interest may develop, such decisions will be made at the next highest administrative level.

If an employee becomes involved in a significant relationship with another employee where there is supervisory responsibility, or if through reorganization or transfer an individual reports to someone with whom they have a significant relationship, both employees will inform Human Resources, who will work with the supervisor to resolve the conflict of interest.

For this policy, persons related by family or marriage include a spouse/partner, parent, child, sibling, uncle, aunt, cousin, niece, nephew, grandparent, grandchild, in-laws in these categories and persons in comparable relationships.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student records of any educational institution that receives federal Department of Education funds.

While there are a number of important uses of student data, Colgate University recognizes the need to balance the benefits of use with the need to protect students' privacy rights. Both faculty and staff members are required to protect student privacy.

The Family Educational Rights and Privacy Act (FERPA), often referred to as the "Buckley Amendment," affords students certain rights with respect to their educational records. They are:

1. The right to inspect and review the student's educational records within 45 days of the day the university receives their request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect.

2. The university official will make arrangements for access and notify the student of the time and the place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official should advise the student of the correct official to whom the request should be addressed.
3. The right to request the amendment of the student's educational records that the student believes are inaccurate or misleading.

   Students may ask the university to amend a record that they believe is inaccurate or misleading. They should write the university official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

4. If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
5. The right to consent to disclosure of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosures without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks.

A school officer has a legitimate interest if the official needs to review an education record in order to fulfill their professional responsibility.

"Directory information" may be disclosed without the student's consent. "Directory information" includes the student's name, class year, address, telephone listing, e-mail address, date and place of birth, major and minor field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, photographs, dates of attendance, degrees and awards received, and the most previous educational agency or institution attended by the student and any other similar information.

A student has the right to withhold the public release of any or all information directly pertaining to them by giving advance notice to the Office of the Dean of the College. Such advance notice must be received in the Office of the Dean of the College prior to the end of the drop/add period for each team.

Questions and Complaints Any questions pertaining to Colgate University's policy under the federal regulations protecting the privacy rights of students should be referred to the Office of the Dean of the College. Complaints regarding alleged violations by the University of rights protected

by the federal statute and regulations may be submitted to: Family Policy Compliance Office, U. S. Dept. of Education, 600 Independence Ave., SW, Washington, D.C. 20202-4605.

Mail Services http://www.colgate.edu/offices-and-services/mailservices

Postage for professional correspondence is usually paid by the University or charged to a department. Official University mail entering the U.S. Postal system must be marked to identify the appropriate department or account to be charged for the postage costs. Personal correspondence to be sent through the U.S. Postal system must be stamped before placing in outgoing mail.

In addition to the U.S. Mail, the Mail Service Department distributes official University mail and notices to departments, employees and students. Outgoing mail and inter-office communications are picked up and delivered to University offices, normally once a day. This service is designed to provide an efficient internal distribution system for University business correspondence. This system is not intended to serve as a means of distributing personal correspondence. Other campus sources are available for personal communications. For example, employees may use the Staff Advisory Council, or submit letters for publication in *Inside Colgate* or student newspapers to express personal opinions. Questions or concerns regarding whether or not campus mail meets the criteria as official University business may be directed to the office of the Dean of Faculty/Provost.

In addition, the following materials will not be delivered via campus mail:

- advertising, solicitations, or promotional material for commercial or private activities or for personal gain;
- bulk mailings of materials that do not identify the originator and are not addressed to the recipient by name and full address;
- any type of material, correspondence, or literature that would be illegal for distribution through the U.S. Postal Service (e.g. chain letters).

Mail items may be delayed or stopped if it is obvious that they are in violation of the policies listed above. However, sealed material will not be opened to review the contents, unless required by competent judicial or law enforcement authority. Complaints regarding receipt of personal or inappropriate mail delivered via the campus system should be directed to the office of the Dean of Faculty/Provost.

All campus mail pieces should either be in envelopes or be letter size. Pieces which are folded should be taped or stapled shut. Interoffice envelopes may not be used to send mail to student boxes and Colgate envelopes may not be used for personal correspondence. Reusable campus mail envelopes are available from departmental offices and from the mail room. The name of the person and the departmental address should be used when sending inter-office communications.

General Mail Distributions

For ecological and economical reasons, Colgate attempts to minimize the amount of paper that is generated and distributed on campus. People needing to communicate events or broadly disseminate information are encouraged to use *Colgate Calendar, Inside Colgate*, student newspapers, e-mail distributions and/or posters. When approved as necessary, the following are the types of mass mail distributions that can be used on campus:

A - TO ALL EMPLOYEES OR TO THE COLGATE COMMUNITY.

Requires approval by the Dean of Faculty/Provost's office. Copies are distributed to each member of the faculty, administration, support staff, technical staff and B&G even though no names or labels are required.

B - TO FACULTY ONLY.

Requires approval by the Dean of Faculty/Provost's office. Copies are distributed to all faculty members, including part-time, members of the Dean of Faculty's staff, and appropriate Deans.

C - TO ALL FACULTY AND ADMINISTRATORS.

Requires approval by the Dean of Faculty/Provost's office. Copies are distributed to all faculty and administrators.

D - TO ALL DIVISIONS AND DEPARTMENTS.

Requires approval by the Department or Division Head. One copy is distributed to departments for general information for all employees in the department and posting on a departmental bulletin board.

E - TO ALL STUDENTS.

Requires approval by the Dean of Faculty/Provost's office.

F - TO ONE OF THE FOUR CLASSES OF STUDENTS (varies).

Requires approval by the Dean of Faculty/Provost's office.

G - SPECIAL DISTRIBUTIONS.

Requires approval by the Department or Division Head and the use of specific labels.

Mailings to Students

Each registered Colgate student is assigned a mail box in the Colgate Station. Students' box numbers are given in the Student Directory, which is published in the fall term and distributed to faculty and departmental offices. Correspondence to a student may be sent without charge to his or her mail box in the Colgate Station by showing the student's name, box number and the words "campus mail" on the envelope. Colgate "campus mail" envelopes, which are used for inter-office communications, may not be used to send mail to Colgate Station mail boxes for students. All mail to Colgate Station boxes should be banded together and separated from other outgoing mail.

Non-Discrimination/Affirmative Action Policy

Colgate University complies with all federal and state civil rights laws banning discrimination in private institutions of higher education. Colgate will not discriminate against any person because of race, color, sex, pregnancy, religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, sexual orientation, gender identity and expression, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status, or any other protected category under applicable local, state, or federal law. Further, it is Colgate's policy to recruit, hire, retain, terminate, transfer, promote, compensate and distribute all benefits without regard to any such considerations.

The University is also committed to policies of affirmative action designed to increase the employment of minorities in administrative, professional and staff positions. Colgate aspires to broaden the diversity of its educational community. Colgate also aims through affirmative action to

help overcome the effects of both conscious and unconscious discrimination as well as any under-representation experienced by these groups.

Nondiscrimination and Anti-Harassment Policies

The text below contains the University's non-discrimination and anti-harassment (NDAH) policy for employees, and also the process for staff members. Complaints against students are handled via the Student Non-discrimination, Anti-Harassment, and Sexual Misconduct Policy. All NDAH policies are accessible online at: https://www.colgate.edu/about/offices-centers-institutes/provost-and-dean-faculty/equity-and-diversity.

University Personnel Non-Discrimination and Anti-Harassment Policy

Colgate values the social and intellectual vibrancy that occurs when students, faculty, and staff with different life experiences, viewpoints, and belief systems come together to share knowledge and foster understanding. We aim to create and maintain a Colgate community whose members can study, live, and work together in an environment characterized by equal opportunity, inclusiveness, safety, and mutual respect. To that end, this policy prohibits discrimination, harassment (including sexual harassment), sexual assault, sexual exploitation, domestic violence, dating violence, stalking, and related retaliation (collectively "Prohibited Conduct"). Colgate is committed to maintaining an educational environment and workplace free from Prohibited Conduct. Any and all such acts are serious violations of our community values. They impede our educational mission. (See Colgate's Mission Statement here, and the discussion of community values in Colgate's Statement on Academic Freedom and Freedom of Expression, here.)

Colgate fully adheres to all federal and state civil rights laws banning discrimination in the context of its programs and activities. These include but are not limited to Title IX and Title VI of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Rehabilitation Act, the New York State Human Rights Law, and New York State Education Law Article 129-B. Colgate is committed not only to compliance with these laws but with promoting a community that lives out the values these equal opportunity laws envision.

This policy addresses Prohibited Conduct by individual members of the campus community. However, the university also accepts complaints about discrimination or discriminatory impact caused by a policy, procedure or practice of the university, or a specific university department, office or operating unit. A complaint about a policy, procedure or practice should be made to the Office of Equity and Diversity, who will conduct an inquiry into the policy, procedure or practice, and, if a discriminatory impact is found, will issue recommendations for corrective and remedial action to the appropriate university personnel.

This policy also complies with New York State law that mandates that employers maintain a policy prohibiting workplace sexual harassment.

Policy Coverage

This policy sets forth behavioral expectations for all Colgate University personnel. This policy also applies to individuals who are not University employees, but are employees of contractors, subcontractors, vendors, consultants, other affiliated individuals, and other persons who provide services in the University's workplace, such as interns (paid or unpaid) and temporary employees. This policy also applies to volunteers.

This policy applies to conduct that occurs on Colgate's campus or property and to all Colgate programs and sponsored activities. This policy also applies when an employee is off-campus performing duties for Colgate. For example, this policy applies when an employee is performing work for Colgate at an off-site location (including remote work or distance instruction), traveling on Colgate business, or attending a professional conference.

Conduct that occurs off-campus and at a time when the employee is not performing duties for Colgate may violate certain aspects of this policy if the conduct creates a threatening or hostile environment on campus or within a Colgate program, or if the incident causes concern for the safety or security of Colgate's campus or if the conduct interferes with Colgate's ability to carry out its mission. The University will not apply this Policy to solely private activities that have no nexus to or impact on the Colgate community.

Colgate non-discrimination and anti-harassment policy documents apply as follows:

Parties and Nature of the Complaint:	Applicable Policy:	Applicable Process:
In any case where a *student* (or student organization) is the c*omplainant or the respondent,* and the allegation is sex discrimination, sexual harassment, sexual misconduct, dating violence, domestic violence, stalking or related acts of retaliation	Student Non-Discrimination, Anti-Harassment and Sexual Misconduct Policy	Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Resources and Response Procedures
In any case where a *student* (or student organization) is the *respondent* and the allegation is any other form of harassment or discrimination prohibited by law or related to acts of retaliation	Student Non-Discrimination, Anti-Harassment and Sexual Misconduct Policy	Student Discrimination and Harassment Resources and Response Procedures
In any case where the *respondent* is a *faculty or staff* member (regardless of the student, faculty, or staff status of the reporting party) where the University determines that Title IX requires the application of the procedures set forth in the Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Policy and Resources Response Procedures	University Personnel Non-Discrimination and Anti-Harassment Policy	Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Resources and Response Procedures

In all *other* cases (i.e., other than situations covered above) where a classroom *faculty* member is the *respondent*	University Personnel Non-Discrimination and Anti-Harassment Policy	University Personnel Non-Discrimination and Anti-Harassment Response Procedures (Faculty), including Faculty Handbook provisions
In all *other* cases (i.e., other than situations covered above) where a *staff* member or *non-classroom faculty* member is the *respondent*	University Personnel Non-Discrimination and Anti-Harassment Policy	University Personnel Non-Discrimination and Anti-Harassment Response Procedure (Staff)

In the event a particular situation may be covered by one or more policies, the Discrimination and Harassment Team (DHT) has the authority to determine the policy that will be applied. This team shall include: Title IX Coordinator, the Associate Provost for Equity and Diversity and the Vice President for Administration (Christopher Wells [cwells@colgate.edu] as of 7/1/2022). However, the Title IX Coordinator has the authority to determine the policy that will be applied in any case involving or potentially involving Title IX.

A complaint against employees of contractors, subcontractors, vendors, consultants, other affiliated individuals, and other persons who provide services in the University's workplace, such as interns (paid or unpaid), temporary employees and volunteers will be handled as deemed prudent by the DHT. If the university concludes that a nonemployee has subjected an individual to conduct in violation of this policy, prompt and effective action will be taken to stop the behavior and deter any future prohibited conduct.

Definitions of Prohibited Conduct

Discrimination. Colgate University complies with all federal and state civil rights laws banning discrimination in private institutions of higher education. Colgate will not discriminate against, and prohibits discrimination against, any person because of race, color, sex, gender, sexual orientation, gender identity or expression, pregnancy, religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status, or any other protected category under applicable local, state, or federal law (collectively, "Protected Characteristics").

The term "discrimination" refers to an act that disadvantages a person ***and*** that occurs because of the affected individual's Protected Characteristics. Examples of discrimination include but are not limited to denying an individual a raise or promotional opportunity because of their Protected Characteristic(s), or giving a student a lower grade than deserved, because of the student's Protected Characteristic.

Harassment (other than Sexual harassment). Harassment is unwelcome, offensive conduct that occurs on the basis of race, color, pregnancy, religion, creed, national origin (including ancestry),

citizenship status, physical or mental disability, age, marital status, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, or domestic violence victim status.

Sexual harassment. Sexual harassment means unwelcome, offensive conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex, gender, sexual orientation, or gender identity or expression.

A determination as to whether harassment occurred depends on the totality of the circumstances, including the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the incident, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual or group and the learning community.

A "hostile environment" is created when the offensive behavior interferes with an individual's ability to participate in the University's programs (i.e., to work and to learn) when judged against a reasonable person standard. However, Colgate encourages individuals experiencing or witnessing offensive behavior to make a report as early as possible so as to have the situation corrected before it reaches the level of a hostile environment. Individuals with a concern need not worry about whether the behavior is sufficiently serious to constitute a hostile environment. The University reserves the right to remedy harassment pursuant to this policy even if the behavior in question does not rise to the level of legally recognized or actionable harassment.

New York law provides that workplace harassment on the basis of a Protected Characteristic is unlawful to the extent that it subjects a person to inferior terms, conditions or privileges of employment and rises above the level of petty slights or trivial inconveniences. However, as a community committed to inclusivity and collegiality, the university will respond to situations that do not rise to a legal violation through supportive, protective, and/or educative measures, as well as minor sanctions, as appropriate.
The fact that a person was personally offended by a statement or incident does not alone constitute a violation of this policy. The determination as to whether this policy has been violated takes into account the totality of the circumstances as described above. In all instances, a key factor is whether the complained-of behavior is based on sex, gender, race, religion, national origin or any of the Protected Characteristics listed above. If not, the behavior is not a violation of this Policy. However, even if the conduct does not constitute Prohibited Conduct under this Policy, the university may respond by providing individual and community support and resources to those who have been impacted; if appropriate, education or mentoring to those whose behavior generated the concern; and/or facilitating dialogue between the parties to ensure a future productive working relationship.

Colgate also prohibits "quid pro quo" sexual harassment, which means "this for that" harassment. It is a violation of this policy for any person to condition any benefit on submission to sexual activity.

Harassment (sexual harassment or other forms of harassment) can occur in various forms. As noted above, the determination as to whether a particular incident or situation rises to the level of a

violation of this Policy depends on the totality of the circumstances, and the following are provided as potential examples only:

- Verbal, such as sexually graphic comments; racial or religious slurs; refusing to use a person's preferred pronouns or name; or jokes or comments that demean a person on the basis of sex, gender, sexual orientation, gender identity or gender expression or any other of the above-referenced Protected Characteristics.
- Physical, such as unwanted sexual or physical contact, including kissing and hugging; intimidation through physical threats; or pranks that demean or communicate hostility on the basis of a Protected Characteristic.
- Visual, such as pornographic images; or symbols with racially offensive meaning.
- Electronic, such as social media posts or communications via text or other messaging platforms that are offensive based on the above-referenced Protected Characteristics. Caution is urged when using social media as content posted and intended to be private may or may not be or remain private.
- Sex stereotyping – which refers to situations where a person is harassed or treated less favorably because their conduct or personality traits do not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

- Sexual Assault. "Sexual assault" includes any sexual act directed against another person without the consent of the other person, including instances where the victim is incapable of giving affirmative consent. Sexual assault consists of the following specific acts:

- Non-Consensual Sexual Intercourse. Sexual assault of this type includes the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, forcibly or without the affirmative consent of the other person or where the other person is incapable of consent due to mental or physical incapacity. This type of sexual assault also includes non-forcible sexual intercourse with a person who is under the statutory age of consent. In New York, the statutory age of consent is 17 years old.

Non-Consensual Sexual Contact. This form of sexual assault includes any intentional touching, however slight, for purposes of sexual gratification or with sexual intent, of the private body parts (including genitalia, anus, groin, breast, inner thigh, or buttocks) of another person without tthe affirmative consent of the other person, including instances where the other person is incapable of giving consent because of their youth or because of their temporary or permanent mental or physical incapacity. This may include non-penetrative acts, touching directly or with an object, and/or touching the private body parts of another over clothing. This may also include forcing or causing another without affirmative consent to touch one's own private body parts.

Sexual Exploitation. Taking non-consensual or abusive sexual advantage of another for one's own benefit or for the benefit of anyone other than the person being exploited, if the conduct does not otherwise constitute another offense under this policy. Examples of Sexual Exploitation include (a) sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed); (b) taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all

involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent or beyond the parameters of consent), including the making or posting of revenge pornography; (c) exposing one's genitals in non-consensual circumstances or non-consensual disrobing of another person so as to expose the other person's private body parts; (d) prostituting another person; (e) engaging in sexual activity with another person while knowingly infected with a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the STD or STI; (f) causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity; (g) misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections; (h) forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity; (i) knowingly soliciting a minor for sexual activity.

Dating Violence. Dating violence refers to violence (including but not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence can include behavior such as coercion, isolation or other forms of emotional, verbal or economic abuse if it reflects a threat of sexual or physical abuse as described above. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence. Domestic violence refers to violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction where the university is located, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the act of violence occurs. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship as described above.

Stalking. Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. For the purposes of this definition, (i) a "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property; (ii) "reasonable person" means a reasonable person under similar circumstances and with similar identities to the complainant; and (iii) "substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling. Stalking behavior may include but is not limited to repeated, intentional following, observing or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a

person's private information; repeated, unwanted, intrusive, and frightening communications by phone, mail, email, text, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual.

Prohibited Consensual Relationships. Colgate University employees (including both faculty and staff) need to be especially sensitive to the power/authority relation in their interactions with students. Consensual romantic, sexual or dating relationships between University employees and students contradict both professional ethics and this policy and are prohibited by Colgate. Consensual relationships that begin prior to the date on which the involved parties become student and employee are not prohibited by this policy, but the employee is required to report the existing relationship to their supervisor as of the date the parties are simultaneously enrolled and employed by the university. In such circumstances the university reserves the right to take such actions as may be necessary to address any resulting conflict of interest (for example, ensuring that the employee does not have responsibility for evaluating work submitted by the student for academic credit).

Retaliation. Retaliation is an adverse act perpetrated to "get back" at a person because the person reported misconduct, filed a complaint, or participated or refused to participate as a complainant, respondent or witness in an investigation or proceeding conducted in response to reported violation of this policy by the university or by an external agency. Retaliation also includes an adverse act against someone for the purpose of interfering with any right or privilege under this policy or applicable law. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats and/or intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the targeted individual or group) from engaging in protected activity. A person who acts in good faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good faith; a person may provide inaccurate information believing it is accurate, which is still good faith. If a person makes a statement knowing that it is false, the person has acted without good faith.

Hate Crimes. For the purpose of this policy, a "hate crime" is defined as violence to a person or damage to property (or a threat to commit either of these) or any other criminal act that is motivated entirely or partly by hostility toward or intolerance of another's Protected Characteristics.

Policy Enforcement

Internal Oversight.

The DHT oversees implementation of the applicable processes for responding to complaints of Prohibited Conduct. Inquiries may be made to any of the following members of this team:

Renee Madison
Vice President for Equity and Inclusion
13 Oak Drive
Hamilton, NY 13346
315-228-7014

Title IX Coordinator
The Office of Equity and Diversity
102 Lathrop Hall
Hamilton, NY 13346
315-228-7014

Associate Professor of Film and Media Studies; Associate Provost for Equity and Diversity
13 Oak Drive
Hamilton, NY 13346
315-228-6061

Christopher Wells
Vice President for Administration
13 Oak Drive
Hamilton, NY 13346
315-228-6833

External Agencies and Remedies.

Harassment based on a Protected Characteristic, including sexual harassment, is not only prohibited by the University; it is also prohibited by state, federal, and, where applicable, local law. Aside from the internal process described herein, individuals may also choose to pursue legal remedies with the following governmental entities at any time.

The New York State Division of Human Rights (DHR) enforces the Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., which applies to employers in New York State and protects employees, paid or unpaid interns and non-employees providing services in the workplace pursuant to a contract, regardless of immigration status. A complaint alleging a violation of the HRL may be filed either with DHR, subject to a one-year statute of limitations (three years in cases of sexual harassment), or in New York State Supreme Court, subject to a three-year statute of limitations. The DHR will investigate the complaint to determine if unlawful harassment occurred. If unlawful harassment is found after a hearing, the DHR or the court may award relief, which may include requiring your employer to take action to stop the harassment, and redress the damage caused by paying monetary damages, attorney's fees and civil fines. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400 www.dhr.ny.gov. The DHR can be contacted at (888) 392-3644. More information about filing a complaint is available at dhr.ny.gov/complaint. The website provides a complaint form and contact information for DHR's regional offices across New York State.

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An employee must file a charge with the EEOC within 300 days from the conduct

giving rise to the complaint. The EEOC also investigates complaints but does not hold hearings or award relief. The EEOC may take other action including pursuing cases in federal court on behalf of complaining parties or issuing a Right to Sue Letter that allows an individual to pursue his/her claims in federal court. Federal courts may award remedies if discrimination is found to have occurred. The EEOC can be contacted at 1-800-669-4000 (1-800-669-6820 (TTY)), via email at info@eeoc.gov, or by visiting their website at www.eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Disability Accommodations

Colgate University is committed to full compliance with the Americans with Disabilities Act (ADA) and its amendments, Section 504 of the Rehabilitation Act of 1973, and the New York State Human Rights Law, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws pertaining to individuals with disabilities.

This policy covers claims of disability-related harassment and discrimination. Disability accommodation requests are handled separately from this policy and may not be grieved or challenged pursuant to this policy. Director of Benefits and Employee Wellness, Amy Ryan [aryan@colgate.edu] is designated as the University's ADA Coordinator and is responsible for coordinating efforts to comply with these disability laws, including evaluation of accommodation requests. Individuals with a discrimination and/or harassment complaint based on disability status should raise concerns through any member of the Discrimination and Harassment Team (DHT). When reporting a concern to the DHT an individual need not worry about whether it is better to raise a concern first with another individual (e.g. within the organizational chain, through the DHT, or through another designated individual); the university is committed to a collaborative, flexible response to ensure that situations are addressed at the most appropriate level and in the most appropriate way.

Coordination with Other Policies and Procedures

A particular situation may potentially implicate one or more university policies or processes. The university reserves the right to determine the most applicable policy or process and to utilize that policy or process. Without limiting the foregoing, if determined appropriate by DHT, the processes described in this policy may be used to respond to, investigate and adjudicate conduct allegedly violating other policies if the alleged conduct is related to or arises out of the same facts, circumstances or incidents as alleged Prohibited Conduct to be addressed pursuant to this policy.

Delegation of Authority

Any person assigned a role pursuant to the University Personnel Non-Discrimination and Anti-Harassment Policy or accompanying procedures may delegate their authority, or the DHT may require reassignment of such authority, to another appropriate person to avoid bias or conflicts of interest, or in other circumstances, as deemed necessary. The university may also utilize appropriately trained internal or external personnel for any role under this policy as it may deem necessary or appropriate. In addition, to the extent permitted by applicable law, appropriately

trained personnel other than the DHT may oversee cases for reasons including, but not limited to, the need to facilitate efficient and timely administration of such cases.

Discretionary Authority; Change in Applicable Law

The DHT shall have discretionary authority to construe and interpret this policy and accompanying procedures, and to determine the meaning of any disputed or uncertain provisions. In any matter that does or may implicate Title IX, the Title IX Coordinator has such authority. The university may make modifications to this policy or any process upon determining that changes to law or regulation, or interpretations thereof, require policy or procedural alterations not reflected in this policy, or for any other legitimate business reason.

University Personnel Non-Discrimination and Anti-Harassment Response Procedure

This procedural document applies where a Colgate University non-faculty employee[1] may have engaged in discrimination or harassment based on a Protected Characteristic or any other form of conduct prohibited by the University Personnel Non-Discrimination and Anti-Harassment Policy.[2]

Initiating a Response to Prohibited Conduct

A report or complaint is to be made to the Discrimination and Harassment Team (DHT). This team shall include: Vice President for Equity and Inclusion, Associate Provost for Equity and Diversity , and Vice President for Administration Christopher Wells [cwells@colgate.edu]).

Reports may be made verbally or in writing. A form for submission of a written report is attached to this Policy and is available at: (https://colgate.co1.qualtrics.com/jfe/form/SV_25ImNxkXrrZQtXU).

The use of this form is encouraged but is not required. Reports of workplace harassment or discrimination may be made on behalf of another person but should state clearly that the complaint is being made on another person's behalf. Prompt reporting allows the university to address the conduct and, if necessary, take corrective action.

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[1] *Situations involving employee respondents who are not classroom faculty are handled pursuant to the* ***University Personnel Non-Discrimination and Anti-Harassment Response Procedure (Staff)*** *unless otherwise subject to the process described in footnote two (2) below.*

[2] *The Student Sex- or Gender-Based Discrimination and Harassment Resources and Response Procedures apply where a student is the complainant and the alleged conduct concerns sex discrimination, sexual harassment, domestic violence, dating violence or stalking. Additionally, the university will apply the Student Sex-or Gender-Based Discrimination and Harassment and Sexual Misconduct Resources and Response Procedures (regardless of the faculty, staff or student status of the parties) in any cases where the university determines that Title IX requires the application of the procedures set forth in those documents.*

Any individual with supervisory or managerial authority is required to report all formal and informal complaints that they receive or any harassment, discrimination or other act of Prohibited Conduct that they observe or become aware of immediately to the DHT. A supervisor or manager

is not a confidential resource, and the DHT likewise is not a confidential resource. Even when an employee asks that a matter be kept confidential or where the employee does not wish to file a formal complaint, the supervisor or manager must report the situation to DHT. When a supervisor or manager makes a report to the DHT, a formal investigation may or may not be necessary, but the DHT must be involved in determining the appropriate response.

The University is committed to a collaborative, flexible response to ensure that the situation is addressed at the most appropriate level and in the most appropriate way. The University's focus is on the resolution of workplace issues fairly and promptly, and the precise manner in which that occurs may vary with the circumstances.

The DHT has the ultimate authority to direct the handling of a particular complaint or concern.

The University's Investigation and Response

Initial Review

The DHT will conduct an initial review of the complaint or report. The DHT will determine if the situation appears to fall within the scope of the University Personnel Non-Discrimination and Anti-Harassment Policy and Response Procedure. The DHT may direct the complaint to a more applicable policy or procedure.

Informal Resolution

The university encourages early disclosure of situations that may constitute harassment, discrimination or other Prohibited Conduct. An individual need not worry about whether the situation currently rises to a level of seriousness sufficient to constitute a violation of university policy, as the university encourages early reporting so as to avoid situations reaching a more serious level. In order to encourage early reporting, and understanding that many individuals with concerns about their work environment are interested in a resolution with the other person(s) involved that is non-punitive, the university considers whether situations are appropriate for informal resolution.

Generally speaking, informal resolution is a voluntary process with the goal of achieving an arrangement acceptable to the parties to resolve the situation. If a complainant or respondent is unwilling to engage in an informal resolution process, an informal resolution generally will not be pursued. However, in some circumstances, the DHT may implement an informal resolution despite the preference of the complainant or respondent fora different outcome. This may be the case where the allegations are such that the appropriate outcome would be non-disciplinary (e.g., an educational mandate, a warning, a separation of the individuals involved, etc.).

An informal resolution generally does not, but may, include a determination as to whether conduct violated the University Personnel Non-Discrimination and Anti-Harassment Policy.

Investigation

Any case the DHT determines is appropriate for investigation will be investigated. Not all situations require a formal investigation, and the scope of any factual inquiry will be tailored to the facts and circumstances. In cases where an investigation is appropriate, the investigation will be thorough and as prompt as possible. The University will keep the investigation confidential to the extent possible. However, strict or absolute confidentiality generally is not possible in the course of a thorough investigation.

Broadly speaking, an investigation involves: (i) an opportunity for the complainant to present relevant information, including documents and other evidence relevant to the investigation; (ii) an opportunity for the respondent to respond to the allegations and to present relevant information, including documents and other evidence relevant to the investigation; (iii) ensuring that any witnesses to the incident(s) or individuals with relevant information about the situation are interviewed, and (iv) that any relevant documentation or evidence is collected in the course of the investigation. The university reserves the right to adapt and modify its investigatory procedure(s), in its discretion, based on the nature of the report and the alleged conduct at issue. A less complex set of allegations generally requires a less expansive investigation, and a more complex set of allegations generally requires a more expansive investigation. Usually, the member of the DHT who initially received the complaint will investigate. However, the DHT may assign other internal or external persons to conduct the investigation. Generally, advisors are not permitted. [3]

In order to ensure that no discriminatory, harassing or retaliatory conduct occurs during the investigation, the university may implement interim measures (e.g. instructing the individuals involved to refrain from communicating with one another, addressing any immediate workplace environment issues) as appropriate. The university may determine that it is appropriate to remove a respondent from the workplace while an investigation is ongoing.

At the conclusion of the investigation, the DHT will determine whether a violation of this Policy occurred and, if such a violation did occur, the appropriate disciplinary and/or other remedial action to be taken. The complainant and respondent will be given notice, in a timely fashion, of the outcome of the investigation and will be provided with a summary of the information gathered in the investigation and the rationale for the outcome. Information about the university's specific responsive action(s) directly concerning the complainant (such as a change in the respondent's work schedule or work assignments to avoid contact with the complainant) is disclosed to the complainant. In order to respect the privacy of personnel records, specific discipline actions imposed on the respondent normally are not disclosed to the complainant.[4]

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[3] *If the allegations concern sexual assault, domestic violence, dating violence or stalking, the complainant and respondent each may have an advisor, and the advisor may be anyone the party selects, including an attorney. If the respondent is a member of a bargaining unit, the respondent may select as an advisor a union representative regardless of the nature of the allegations; the selection of a union representative does not entitle the respondent to an additional advisor.*

[4] In cases alleging sexual assault, dating violence, domestic violence or stalking, the complainant is provided with information concerning discipline imposed.

Role of Supervisors and Managers

In addition to being subject to discipline if they engage in Prohibited Conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected harassment, discrimination or other Prohibited Conduct, or otherwise knowingly allowing such situations to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation or knowingly allowing their subordinates to engage in retaliation.

Report Form for Employees: Reporting Discrimination and/or Harassment

Colgate aims to create and maintain a community whose members can work together in an environment characterized by equal opportunity, inclusiveness, safety, and mutual respect. Furthermore, New York State Labor Law requires all employers to adopt a non-discrimination and anti-harassment policy, a complaint form to report alleged incidents of discrimination and/or harassment, and a process for responding to and resolving such complaints.

If you believe that you have been subjected to, or you believe you have witnessed another person experience, discrimination and/or harassment in the workplace you are encouraged to complete this form and submit it to the Discrimination and Harassment Team (DHT). You will not be retaliated against for filing a complaint. This team shall include:

Title IX Coordinator and Equity and Diversity Officer
Associate Provost for Equity and Diversity
Christopher Wells, the Cabinet member responsible for overseeing Human Resources (VP for Administration)

If you are more comfortable reporting verbally and/or in-person, please contact the Office of Equity and Diversity (x6161) to make an appointment to speak with any member of the DHT regarding your concern.

_____

Complainant Information: Items marked with an asterisk (*) are required.

- Name of complainant (first and last) *
- Job title of complainant *
- Work phone number of complainant *
- E-mail address of complainant *
- Please indicate your preferred communication method *

Supervisory Information: Please provide information about the supervisor of the complainant.
Providing this information does not mean we will automatically contact your supervisor.

- Name of complainant's immediate supervisor (first and last) *
- Job title of complainant's immediate supervisor *
- Work phone number of complainant's immediate supervisor*
- Are there additional complainants who should be associated with this report?*

Complaint Information: Please provide information regarding the person and incident(s) about which you are submitting a complaint.

- Name of the person about whom you are submitting this complaint (first and last) *
- Job title of the person about whom you are submitting this complaint
- Work phone number of the person about whom you are submitting this complaint*
- Relationship to you of the person about whom you are submitting this complaint: *
- Are there additional people about whom you would like to make this complaint?
- Please describe what happened and how it is affecting you and your work. *
- Date(s) discrimination and/or harassment occurred
- Is the discrimination and/or harassment continuing? *
- Please attach any relevant documents or evidence.
- Please provide the name and contact information of any witnesses or individuals who may have information related to your complaint.

Information provided in response to the following question may help the investigation.

Have you previously complained or provided information (verbal or written) about related incidents?

Legal Counsel

Harassment or discrimination is not only prohibited by the University, it is also prohibited by state, federal, and, where applicable, local law. Aside from the internal process described in Colgate's non-discrimination and anti-harassment policy and process, individuals may also choose to pursue legal remedies at any time. If you have retained legal counsel and wish for us to speak directly with them please provide their name (and contact information) below.

Name of legal counsel (first and last):

E-mail address of legal counsel:

Phone number of legal counsel:

You may submit this form to any member of the DHT.

New York State Workplace Sexual Harassment Supplemental Policy

In compliance with New York State law, Colgate University provides for the following notifications concerning workplace sexual harassment. The following does not replace—and is instead in addition to—the university's Non-Discrimination and Anti-Harassment process. Sexual harassment is defined in the Non-Discrimination and Anti-Harassment Policy, and the procedures for reporting, investigating and adjudicating complaints of sexual harassment are contained in the Non-Discrimination and Anti-Harassment Process.

The university's policies addressing sexual harassment apply to all employees. They also apply to individuals who are not employees of the university but are employees of contractors, subcontractors, vendors, consultants, and other persons who provide services in the university's workplace, such as interns and temporary employees.

Sexual harassment is a form of employee misconduct. A university employee who is experiencing sexual harassment or suspects that another employee is being harassed may contact his/her/their supervisor or department head or a Responsible Administrator. A university supervisor or manager who receives a complaint or information about workplace sexual harassment is required to take appropriate action. Appropriate action may include immediately intervening if harassment is witnessed by the supervisor or manager, and in all instances includes reporting the situation to the Title IX Coordinator. In addition to being subject to discipline if they themselves engage in sex discrimination, sexually harassing conduct, or retaliation, persons with supervisory authority over other university employees will be subject to discipline for knowingly allowing sexual harassment to continue. A reporting form is provided as an attachment to this policy that employees may use, if they wish, to submit a report of workplace sexual harassment.

The university reserves the right to take action to correct -- including to discipline -- behaviors that violate the university's professional conduct expectations even if the conduct does not violate the law. Therefore, not all situations that violate university policy will constitute a violation of the law or allow for a legal remedy. The following agencies enforce laws prohibiting sexual harassment. An individual who has experienced harassment in the workplace may file a complaint with the university only, may file a complaint with an enforcement agency in addition to filing with the university, or may file only with an enforcement agency.

The **New York State Division of Human Rights (DHR) enforces the Human Rights Law (HRL),** codified as N.Y. Executive Law, art. 15, § 290 et seq., which prohibits sexual harassment in employment in New York State, and protects employees, and other individuals working in an employer's workplace. A complaint alleging a violation of the Human Rights Law may be filed either with DHR, subject to the statute of limitations, or in New York State Supreme Court, subject to a three year statute of limitations.

The DHR will investigate the complaint to determine if unlawful harassment occurred and if the circumstances amount to a violation of the law. If unlawful discrimination is found after a hearing, the DHR or the court may award relief, which varies, but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including reversing an unlawful employment action, paying monetary damages, attorneys' fees and civil fines. Complaining internally to the University does not extend your time to file with DHR or in court. You do not need an attorney to file a complaint with DHR and there is no cost to file with DHR.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400 www.dhr.ny.gov. The DHR can be contacted at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form and contact information for DHR's regional offices across New York State.

The **United States Equal Employment Opportunity Commission (EEOC)** enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. §

2000e et seq.). An employee must file a complaint with the EEOC within 300 days from the conduct giving rise to the complaint. The EEOC also investigates complaints, but does not hold hearings or award relief. The EEOC may take other action including pursuing cases in federal court on behalf of complaining parties, or issuing a Right to Sue Letter that allows an individual to pursue his/her claims in federal court. Federal courts may award remedies if discrimination is found to have occurred.

The EEOC can be contacted by calling 1-800-669-4000 (1-800-669-6820 (TTY)), or visiting their website at www.eeoc.gov or via email at info@eeoc.gov If an individual files an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the individual's right to proceed in federal court.

There may be additional applicable laws, including local laws, or agencies that address the topics covered by this policy. If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. An employee who believes that a crime has been committed, or who believes he/she/they is/are in physical danger, is/are urged to file a report with the local police department immediately.

Individuals are reminded that no one who in good-faith makes a complaint of sexual harassment or participates in an investigation into sexual harassment—whether an internal university process or an external enforcement agency process—may be retaliated against. Retaliation is against university policy and it is against the law. Complaint form for reporting sexual harassment.

No Smoking/Vaping

It is a goal of the University to reduce the health risks of faculty, staff, and students. A significant means of accomplishing this goal is to reduce the exposure to smoke and its adverse effects. Therefore, it is the policy and goal of the University to achieve a working and learning environment as close to smoke-free as possible and to comply with New York's Clean Indoor Air Act.

To achieve this goal, all indoor areas of the University are designated as no-smoking areas, in accordance with New York State Law. Therefore, no person shall smoke or carry a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco, including vaping, e-cigarettes, and similar devices, in any indoor area. Furthermore, no person shall smoke or carry cloves, marijuana, or any illegal substances in indoor areas. Indoor areas of the University include all Colgate-owned residential facilities. Smoking/Vaping is also prohibited in Colgate-owned vehicles. Although all persons are strongly encouraged not to smoke at all on campus, smoking is permitted in areas outside of buildings. Individuals who choose to smoke must do so 25 feet from any building entrances and windows.

This policy seeks the mutual cooperation, consideration, and thoughtfulness of smokers and nonsmokers. All faculty, staff and students share in the responsibility for adhering to and enforcing this policy and have the responsibility for bringing it to the attention of visitors. *Supervisors are expected to implement this policy in their areas.* A complaint or concern regarding this Policy should be promptly referred to the immediate supervisor or appropriate Dean or Vice President for resolution.

Colgate prohibits any retaliatory action to be taken against you for reporting a perceived violation of this policy.

Violations of this policy will be dealt with in a manner similar to violations of other University policies, with an attempt to resolve the problem as simply as possible, but allowing for the possibility of disciplinary action if necessary.

Pregnant Worker's Fairness Act

Colgate University will provide reasonable accommodations to qualified employees for known limitations related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions, provided that such accommodations would not create an undue hardship. "Pregnancy, childbirth or related medical conditions" includes but is not limited to current pregnancy, past pregnancy, infertility, fertility treatment, labor, childbirth, termination of pregnancy, lactation, and pre-existing conditions that intensify with pregnancy or childbirth.

The following accommodations will generally be presumed to be reasonable and will be granted as needed as soon as possible and without supporting documentation:

- Carrying or keeping water nearby and drinking
- Additional restroom breaks
- The ability to alternate between sitting and standing
- Breaks to eat and drink

If you need an accommodation, notify your supervisor or Human Resources. If the need for a particular accommodation is not obvious, you may be asked to provide additional information, such as how it will address limitations caused by pregnancy, childbirth, or related medical conditions. If additional discussion is necessary, Human Resources will engage with you in the interactive process to accurately understand your limitations and find reasonable accommodations. Documentation to support a request for accommodation may be required, but only when reasonable under the circumstances.

If leave is provided as a reasonable accommodation, it may run concurrently with other leaves provided by federal, state, or local law.

Breast Milk Expression Policy

Colgate University understands that employees returning to work following the birth of a child may require breaks in a private area for the purpose of expressing breast milk. The University will provide a suitable location (not a restroom) where an employee may express breast milk in privacy and will allow reasonable breaks for the purposes of expressing breast milk. Generally, these paid breaks shall be up to thirty minutes in duration when you need to express breast milk. A particular employee may require a different break schedule, and if so, should notify their supervisor or Human Resources, who will work with the employee to try to accommodate their needs.

An employee is entitled to breast milk expression break time for up to three years following the birth of their child. Any employee interested in breast milk expression breaks should notify their supervisor or Human Resources, preferably prior to the employee's return to work. Additionally, it is the policy of the University to prohibit retaliation or discrimination against employees who exercise their rights under this policy.

The employee shall be responsible for:

- Requesting and arranging with their supervisor appropriate and reasonable break times or flexible scheduling for expressing milk preferably prior to the employee's return to work following the birth of the child.

The supervisor shall be responsible for:

- Providing reasonable paid break times during the employee's work hours for employees wishing to express breast milk.
- Providing a private, lockable space with a chair, small table or other flat surface and an electrical outlet. A bathroom stall or storage area shall not serve as a location for expression of breast milk. If employees prefer, and as applicable, they may also express milk in their own private offices. If there is a refrigerator in the workplace, the employee will be provided access to store their expressed milk. If assistance is needed in identifying a location, they should contact Human Resources.

Guidelines:

- Break length - up to thirty minutes.
- Number of breaks per day - the number of paid breaks an employee will need is unique to each employee. Employees will be accommodated whenever they reasonably need to take a break to express milk.
    - Employees may also choose to use other break times (e.g. lunch) for this purpose.

Outside Employment

Technical and Support Staff

Colgate University does not prohibit an employee from seeking outside employment. If such employment interferes with the employee's work performance, including the employee's availability for overtime work, the supervisor will attempt to resolve the matter with the employee. If necessary, the supervisor may consult with Human Resources for help in resolving the problem.

Administrative Staff

While members of the administrative staff are expected to devote their working time and efforts primarily to University activities, the University recognizes that a limited amount of outside work for private compensation may be advantageous to all concerned. Administrators may request approval to engage in outside consulting that will affirmatively contribute to their professional advancement or correlate usefully with their University work as long as that employment does not interfere in any substantial way with their duties or assignments.

If the staff member receives substantial remuneration for outside work performed during the University's normal work week, vacation time should be charged. If the staff member is not substantially remunerated and if the outside work will enhance Colgate's reputation and/or help in the professional development of the employee, the employee will not be required to charge vacation time.

Requests to engage in outside employment should be submitted to the Human Resources Department with written approval from the department head and appropriate Vice President or Dean. The request should indicate the nature of the outside work to be performed, an estimate of the expected time commitment and, if available, a copy of the consulting contract.

(Please see Conflicts of Interest Policy, located in this Handbook).

Personnel Records

The University maintains individually identifiable personnel files for persons who have been or who are employed. With the exception of faculty and students, all official employee personnel files are maintained in the Human Resources Department. Personnel files contain but are not limited to, the following types of information:

- employment letters or contracts
- change in employment status forms
- payroll information
- employee benefit information
- application or resume
- recommendations
- discipline letters and evaluations
- other personnel actions

Each employee may review the contents of their personnel file in the Human Resources Department by appointment during normal office hours except for confidential information. Confidential information includes, but is not limited to internal references; information relating to civil, criminal or grievance procedures; and materials used by the University to plan future operations.

Information regarding an employee's benefits or other information may be discussed with the employee's spouse/domestic partner with the employee's written consent.

Supervisors and administrators may have access to the personnel files of persons employed or being considered for employment in their areas of responsibility on a need-to-know basis. A record of access will be maintained.

Written or verbal requests for information about a current, retired or terminated non-student employee of Colgate University are to be referred to the Human Resources Department. Written consent of the individual must be received before releasing any information contained in a current or former employee's personnel file to an external source, *except* for the following cases:

1. Disclosure of dates of employment, title of position, and verification of a stated salary; or,
2. Duly authorized and served requests from law enforcement agencies, including investigations, summonses, subpoenas and judicial orders.

Salary information is not releasable unless the employee has given written permission or the request is for verification of a salary already provided. Normally, information about the quality of work or reason for separation will not be released without the employee's written consent.

An employee should report any changes of address, name, telephone number or educational status to the Human Resources Department.

Pets on Campus

With the exception of seeing eye and hearing dogs and animals specifically approved for the educational purposes of the University, pets are not allowed in campus buildings.

Recruitment and Selection

The Human Resources Department is responsible for publishing vacant positions for all non-faculty regular positions to be filled through a competitive process involving internal and/or external candidates. Internal promotions of highly qualified individuals whose careers at Colgate have prepared them for specific vacancies will be permitted without a search when the head of the administrative department or division identifies a current employee whose specific skills qualify them for the promotion. Such promotions will require the review by Human Resources and the Divisional Vice President or Dean.

All vacancies will be posted on the careers site: careers.colgate.edu. The posting contains information on the job responsibilities, qualifications, skill band and method of application. Employees who have successfully completed the Introductory Period may apply for a transfer to a new position. Whenever possible, employees will be given first consideration for a position and supervisors are normally encouraged to interview employees who apply and meet the minimum qualifications and possess the necessary skills to perform the job.

When accepted for a position in another department, the employee must give the current home department a minimum of two weeks' notice of departure unless a notice other than two weeks is agreed to by the employee, the hiring department and the transferring department. The hiring department assumes responsibility for the employee's accrued vacation and sick time.

The specific procedures for recruiting Administrative, Support Staff and Technical employees are available from the Human Resources Department. Supervisors are responsible for complying with these procedures and Colgate's Affirmative Action Plan.

All regular positions and temporary appointments of more than six months' duration, will be advertised after approval by the Personnel Review Group, except when an existing employee's position has been eliminated due to position reductions, reorganization or other extenuating circumstances.

The University will then make every effort to transfer the employee to a vacant position, if one exists at the time of reduction, providing that:

1. the employee qualifies for the position;

2. the position is not in a higher range and therefore would result in a promotion; and
3. the Dean or Vice President responsible for the administrative division with the vacancy approves of the transfer.

This exception does not apply when employment is terminated due to performance criteria.

The Human Resources Department must be consulted before recruiting temporary employees and supervisors must consult with the Human Resources Department prior to extending an offer of employment for temporary or continuing positions.

All employees, including temporary, casual, or regular employees, must complete required payroll forms that establish the employee's identity and ability to work in this country on or before the first day of work. In addition, an Employee Change of Status form must be completed for each hire. These forms are available from the Human Resources Department.

Safety on the Job

Colgate University is committed to reducing the risks to the health and safety of its students, employees and visitors. It is essential that the entire campus community accept responsibility for developing and practicing safety awareness. Every employee is responsible for complying with Colgate and governmental safety and health standards in the work area, using protective equipment and promptly reporting hazardous conditions and job-related injuries.

To meet the health and safety standards, Colgate has a Safety Advisory Committee (see Safety Advisory Committee on page 52) to assist in the review of University policies, procedures and physical plant issues related to the safety of University employees, students and the public. The Committee attempts to reduce the potential for accidents or injuries. The committee is principally charged with promoting safety on the campus and fostering an environment in which the risk of accidental injury to individuals is minimal.

Employees should immediately report any concerns about unsafe health, safety or environmental conditions to their supervisor, a member of the Safety Advisory Committee or to Colgate's Director of Environmental Health and Safety.

Bloodborne Pathogens

The Occupational Safety and Health Administration (OSHA) has issued standards governing occupational exposure to bloodborne pathogens. Staff members who could reasonably be expected to come into contact with potentially infectious materials during the performance of their duties are included in the University's exposure control program. Regular training about bloodborne pathogens is conducted by the Director of Environmental Health and Safety.

Communicable Diseases

Colgate has developed systematic approaches for controlling contamination risks associated with the serious strains of communicable diseases, including but not limited to Acquired Immune Deficiency Syndrome (AIDS). As an institution, we are concerned with both the health and safety of the individual and the group, with balancing those interests, and with developing University-wide educational programs.

Colgate University is committed to providing fair and nondiscriminatory treatment of all employees and is responsible for protecting employees' rights while ensuring a safe working environment. Any faculty or staff member identified as having AIDS or being HIV positive, or any other communicable disease, will not be barred from working, teaching, attending classes or participating in activities unless appropriate administrative officers, in consultation with the individual's personal physician or state health officials, determine that the person is unable to perform the essential functions of the position, with or without reasonable accommodation or presents a clear and present danger to the public health. All such decisions will be made on a case-by-case basis and will remain open to re-examination in light of new information as it becomes available. Confidentiality will be maintained with each case; no information about individuals will be released to the community. If an employee's ability to perform assigned duties is restricted or diminished to a point where disability benefits are applicable, their physician should inform the supervisor and Director of Benefits and Wellness.

It is the responsibility of an infected individual to avoid contact or activity which will facilitate communication of the disease to other members of the community. Failure to act responsibly may result in disciplinary action or removal from the college community.

Federal and New York State laws prohibit an employer from discharging, refusing to hire or otherwise discriminating against an individual because of a disability, including AIDS. Employees who become aware that a co-worker has AIDS or is HIV positive cannot refuse to work with that individual. Counseling will be made available to employees as appropriate, and educational and informational programs will be provided as well.

Right to Know/Hazard Communication

It is Colgate policy that every employee is entitled to a safe and healthy place to work. Employees have a right to know what hazardous chemicals they work with or could be exposed to, and what they can do to avoid injury or illness when working with these chemicals. Information and training is provided in order to reduce the possibility of accidental exposure and to comply with the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard.

The Hazard Communication Compliance Plan for Colgate University is in written form and is kept at the locations noted below:

1. 105 McGregory Hall, office of Associate Provost
2. 123 Ho Science Center, office of the Environmental Health and Safety Officer, Hazard Communication Coordinator (HCC);
3. Maintenance Building, Facilities Office.

Employees and OSHA officials can read the program at any time during working hours. A complete list of all hazardous chemicals used by Colgate University will be kept with the written Hazard Communication Program. For employee information, each department will maintain and post a list of chemicals it uses.

The Hazard Communication Coordinator is responsible for keeping the Hazardous Chemical List up to date. The Purchasing Department or anyone who orders chemicals shall notify the HCC that a new chemical has been purchased. All purchase orders shall include a requirement that a Material

Safety Data Sheet (MSDS) be sent with the first delivery to the attention of the HCC on or before receipt of such material.

A complete set of Material Safety Data Sheets for the chemicals used by Colgate will be kept with the written Hazard Communication Program in 123 Ho Science Center.

A copy of a MSDS can be obtained by employees by submitting the MSDS Request Form. This form is completed by the employee, and returned to the department supervisor who will provide a copy of the MSDS and explain it to the employee if requested. The supervisor shall forward the completed form to the Hazard Communication Coordinator for filing.

Supervisors are responsible for making sure that employees are informed about the Hazard Communication Program, and that MSDS are available to any employee on any work shift, that protective equipment is available and used, and that engineering controls, such as ventilation, are in place and operating properly.

The determination of which employees will be selected to receive Hazard Communication training will be based upon their job description exposure. Those employees who have actual as well as potential exposure to hazardous chemicals will receive training.

The New York State Right-to-Know Act of 1980 grants to all employees in the state the legal right to information about toxic substances in their workplace. Informed employees can observe symptoms of toxicity in themselves and understand the relationship between the symptoms and exposure and can therefore evaluate the need for any corrective action. Employees throughout the state have several rights which they may exercise under the Right-to-Know law:

- Employees may request and must receive written information about toxic substances with which they work. The employer is required to provide data on generic and trade names of substances, levels at which the substance is hazardous, symptoms of acute and chronic exposure, reactivity and flammability potential, emergency treatment, conditions necessary for safe use, and procedures for cleanup of leaks and spills. The compiled information must be written in plain English and is due 72 hours (excluding weekends and public holidays) after the request is made.
- An employee may refuse to work with a toxic substance if he or she has requested information about it and has not received the written reply within 72 hours of its receipt by the employer.
- An employee may exercise any right pursuant to, or directly related to, the "Right-to-Know" Act without fear of any discrimination whatsoever.
- An employee must not be required to waive any rights under the “Right-to-Know” Act as a condition of employment.
- An employee may file a complaint with the Department of Labor if he or she has been discriminated against in violation of the “Right-to-Know” Act.

The New York State Department of Health has been given the responsibility for implementing and enforcing the law in cooperation with the Department of Labor. Official information packets on the “Right-to-Know” Act may be obtained upon request from the New York State Department of Health,

Bureau of Toxic Substances Management, Empire State Plaza Tower Building, Room 372, Albany, New York 12237.

Solicitation on the Campus

The University prohibits solicitation or the distribution of literature for any purpose on University-owned property by non-employees of the University, without specific written permission from the Vice President for Finance and Administration. The University also prohibits the solicitation of employees by fellow employees for any purpose during working time (when the employee being solicited and the employee doing the soliciting are both on working time). Further, the University prohibits the distribution of any literature by employees in work areas on University property. Self-employed Colgate students may obtain specific written permission from the Office of Student Activities to sell goods or services in order to pay for college expenses.

Temporary Help

The use of temporary "floaters" is generally only authorized under the following circumstances:

- to fill in for an employee who is on an approved leave of absence or is on an extended absence covered by disability or workers' compensation.
- to fill in for an employee who is on an extended vacation of two weeks or more and there is no other help available.
- there is a vacant position in the department.
- there is a critical need that cannot be met in any other way and the appropriate Vice President or Dean has authorized the temporary hire.

Departments are encouraged to schedule time off for their staff in a way that reduces the need for temporary help. All requests for temporary help must be coordinated through the Human Resources Department.

Travel

Colgate University has designated Christopherson Business Travel (CBT), as its preferred travel agent. University travelers and guests, including candidates for vacant positions, are requested to use this agency.

Employees may also use the services offered through Internet sites. Charges must be billed to the University supplied Chase MasterCard travel card or personal credit cards and a comparable quote from Christopherson should be obtained. Colgate will not be responsible for travel related problems, including monetary losses, that occur from the use of Internet ticketing.

The University will reimburse a member of the staff for all reasonable travel expenses incurred while on a trip for university business approved by the appropriate administrative official. The following provisions shall apply:

- Reimbursable expenses include transportation, meals, and lodging. Normally, the following expenses are not considered reimbursable: laundry, cleaning and pressing, personal telephone calls, personal entertainment. Specific questions should be directed to the Associate Vice President/Controller.

- Reimbursement for public transportation will be based on actual receipts.
- Hotel, travel, and other receipts must be attached to the Travel Expense Report to support reimbursable expenses and filed with the Office of Accounting and Control.
- Travel Advances: When necessary, an advance of funds may be obtained from the Office of Accounting and Control for authorized travel purposes. A Travel Expense Report must be properly completed, signed, and be submitted to the Office of Accounting and Control within 30 days of the conclusion of the trip. Settlement for additional funds due to, or from, the University, are to be made at this time. Only one advance may be outstanding at a time.

The use of your personal car for business travel will be reimbursed at the federally approved mileage rate as determined by the Accounting Office. Mileage reimbursement may never exceed the cost of alternative transportation. It is important for employees to be aware that the vehicle owner's insurance policy will always provide the primary liability coverage. The University will not provide reimbursement for the deductibles associated with the primary insurance under these circumstances. All incidents should be reported to the Treasurer's Office for review by the University's insurance carrier to determine whether there is secondary liability coverage under the University's automobile liability policy. The University's commercial automobile policy cannot provide collision or comprehensive coverage when an employee's vehicle is used for business travel. The vehicle owner's policy will provide the only coverage for these types of claims.

For more information, please visit https://www.colgate.edu/about/campus-services-and-resources/travel-policy. Further information or clarification of the travel policy may be obtained directly from the Office of Accounting and Control.

Use of University Equipment and Property

Employees have a responsibility to use University equipment, assets and property in a careful, professional manner for work-related purposes. The University has the right of access to all of its assets, equipment, offices, buildings, machines, etc. Employees do not have a privacy interest in University material, equipment or assets.

Each employee is responsible for taking reasonable safety precautions in regard to University property. Employees will be held responsible for damage to such equipment arising out of negligence or intentional misconduct.

Whistleblower Policy

Purpose of the Whistleblower Policy

Colgate University ("the University") is committed to appropriately protecting its physical, financial and human resources, to complying with all applicable laws and regulations, and to maintaining high ethical standards. The University requires trustees, officers, employees and associated volunteers (collectively the "individuals") to comply with all applicable laws and regulations as well as all policies adopted by the University. All employees are expected to be honest and ethical in their dealings with other employees and with University business partners. Even the appearance of misconduct or impropriety can be damaging to the University, and therefore the University also expects that all employees will report any observed actual or suspected violations of law or policy or

Colgate's high ethical standards, and that all employees will cooperate with any investigation required by such reports.

This Whistleblower Policy is designed to further that objective.

Pursuant to its responsibility to oversee University governance, the Board of Trustees has authorized the establishment of procedures for the protection of individuals who come forward in good faith to bring information on possible illegal or fraudulent practices or violations of University policy to the attention of appropriate officials.

Protection from Retaliation
While the University is authorized to revise the current protection procedures outlined below as deemed necessary, any such procedures must ensure that individuals who do come forward in good faith will be protected by the University from intimidation, harassment, discrimination or other retaliation of any form, including retaliation in employment practices. Any protection procedures established by the University will identify the trustees, officers, employees or outside parties to whom information on possible illegal or fraudulent practices or violations of University policy can be reported.

Current Protection Procedures
The following is a description of current protection procedures developed and implemented by the University as authorized above:

1. Direct Report

   For concerns regarding illegal or fraudulent practices or violations of University policy individuals may file a complaint with the vice president for administration (Christopher Wells) or the senior vice president for finance & administration and chief investment officer (J.S. Hope).

2. Whistleblower Hotline

   In an effort to provide individuals with additional options for reporting irregularities with added protection for confidentiality, the University has implemented a "Whistleblower Compliance Hotline" operated by an independent third party. Instructions on how to use Colgate's Whistleblower Hotline.

The University will protect any individual who submits a report in good faith through one of the aforementioned procedures from intimidation, harassment, discrimination or other retaliation of any form, including retaliation in employment practices. Without limiting the preceding sentence, the University will not discharge, demote, suspend, threaten, or retaliate in any manner against such an individual based upon the actions of such individual with respect to his or her good faith reporting, or participation in the investigation of any reported complaints.

Procedures for Protecting Confidentiality
An individual who comes forward in good faith to report possible illegal or fraudulent practices or violations of University policy through the procedures adopted by the University may request that the report be handled on a confidential basis. While confidentiality cannot be guaranteed,

reasonable steps to protect confidentiality, when requested, will be taken to the extent consistent with the need to conduct an adequate investigation and review.

Individuals may also submit reports on an anonymous basis. It should be noted, however, that although Colgate endeavors to investigate all reports, including anonymous reports, the nature of anonymous reports makes investigation more difficult and, at times, impossible. As a result, individuals are encouraged to provide their names and contact information.

Reporting to the Board of Trustees
The vice president for administration, Christopher Wells, is designated as the administrator of this Whistleblower Policy. As the administrator, he shall report to the Audit Committee of the Board of Trustees any instance of alleged intimidation, harassment, discrimination or other retaliation in violation of this Policy, and shall report at least annually to the Audit Committee on matters pertaining to the Policy, including whether any material change has been made to the procedures outlined above.

SECTION IV: EMPLOYEE RELATIONS AND COMMUNICATIONS

Communications

Maintaining effective communications with employees is a high priority of the University and the Human Resources Department. This handbook is one means of helping to inform employees of University policies and procedures. Department Heads are encouraged to conduct regular staff meetings to further facilitate communications. Human Resources periodically meets with employee groups on a wide variety of subjects to keep employees informed of changes in policies and benefits.

The Human Resources Department also sponsors informational seminars for employees. The Human Resources Department publishes an employee newsletter, *Inside Colgate*, which contains information of interest to the campus community.

E-mail distribution lists for staff and faculty have been established so that information may be quickly disseminated. The Vice President for Administration and the Associate Provost are authorized to send announcements to staff and faculty.

Committees

The Staff Affirmative Action Oversight Committee

The Staff Affirmative Action Oversight Committee is appointed by the Provost, in consultation with the President, and consists of at least six administrators representing different segments of the University. The Director for Diversity and Equity shall be an ex officio member and secretary (nonvoting) of the Committee. The Associate Provost for Equity and Diversity shall be an ex officio

member of the committee. Members will serve three-year terms. Recommendations of the committee are made to the Provost. At least one joint meeting with the Faculty Affirmative Action Oversight Committee should be scheduled annually.

The Staff Affirmative Action Oversight Committee shares responsibility with the Faculty Affirmative Action Oversight Committee for supporting and overseeing the production of University's annual Affirmative Action Plan The committee monitors progress towards affirmative action goals related to the hiring and retention of non-academic administrators, professionals, and staff. Members of the committee support the work of the Director for Diversity and Equity. Committee members may serve as affirmative action advocates on search committees, and review and make recommendations about staff recruitment and retention, diversity training, and other efforts to create and maintain an inclusive campus environment for staff.

Safety Advisory Committee

The Safety Advisory Committee meets on a regular basis to discuss issues related to safety concerns on the campus. The committee serves in an advisory capacity and makes recommendations to appropriate department heads. The committee is principally charged with promoting safety on the Colgate campus and fostering an environment in which the risk of accidental injury to individuals is minimal. The committee is chaired by the Director of Environmental Health and Safety and has representatives from the faculty, Athletics, Residential Life, Campus Safety, Human Resources, Finance and Insurance, Student Health Services , Environmental Health and Safety, and Facilities.

Employee Relations

The University is committed to creating a positive, supportive, and respectful work environment. We believe that open communication, mutual respect, and fair treatment are the foundations of strong employee relations.

In all matters involving a disagreement or misunderstanding between employees and/or a supervisor, it is in the best interest of all concerned to resolve the problem as quickly and amicably as possible through private and frank discussion, in an effort to clarify and reconcile differences. Supervisors have a responsibility to resolve differences between their employees and to listen and respond in a positive manner to any concerns an employee may have with regard to working conditions and decisions over which the supervisor has control. The employee should first seek resolution of the problem through discussions with their immediate supervisor. If the employee is not satisfied with the results of the informal discussion, the employee should contact Human Resources to discuss their concerns. Human Resources can generally keep these conversations confidential.

Performance Review/Evaluation

Support Staff

Performance Review is an annual process that formally documents performance and identifies ways to help employees continue to contribute to achieving Colgate's mission and to provide staff with personal and professional growth opportunities.

This performance review program is designed to help staff members take ownership for their own performance and career growth. Each spring semester, staff members will complete a self-review which will be given to the supervisor. Supervisors will also complete a review of the staff member's performance. At the review meeting, the supervisor and the staff member will compare and discuss the two reviews and staff members should be encouraged to actively participate in the review discussion. This not only gives supervisors insight into the staff member's perspective, but gives the staff member an active, rather than passive, role in the process of his/her own career progression.

The self review and the supervisor's review will be forwarded to the appropriate Vice President or Division Head who will, in turn, sign and forward the completed forms to Human Resources.

Coaching and managing staff are on-going activities, whereas the formal performance review occurs once a year. If supervisors and staff have been communicating clearly and effectively throughout the year, there should be no surprises at the performance review meeting.

The following items should be discussed in the formal review:

- how the employee performed his/her major job responsibilities,
- any major changes to the skill and competency levels since the prior year, and
- the actions the staff member can take to maintain or further develop his/her skills, knowledge and competencies, and, if necessary, improve performance.

In addition to the annual performance review, it is a good idea to meet on an informal basis mid-year to see how things are going. This is particularly important if there has been a history of performance problems or if opportunities to communicate regularly during the normal course of activities are limited.

Technical Staff

The key element of a performance evaluation process is to establish good communications between the supervisor and the Technician. "Performance Evaluation" refers to the process of observing and evaluating an employee's performance in relation to pre-determined standards for job responsibilities. Usually, supervisors continuously review and appraise the work that is being done by the staff employee. Documenting the review and establishing a specific process for the review ensures that the employee understands what is expected and understands how well the supervisor believes the employee is meeting those expectations. It also provides an opportunity for the supervisor to indicate ways the employee could improve and an opportunity for the employee to discuss any suggestions or problems with the supervisor. The most important element in any performance review process, however, is the development of an understanding, congenial, and supportive working environment that is conducive to open discussions.

The appraisal process is performed on a continuous, annual cycle. Communications are continuous, not a "once-a-year" exercise. The goal is to keep the lines of communication open so that there are no surprises at the end of the year, and to change inappropriate behavior before it escalates or becomes entrenched.

Throughout the year, the supervisor coaches the employee on how his or her performance has been in comparison to the standards. It is not necessary to wait until the mid-year review or the formal completion time to talk with an employee about job performance. In fact, it is expected that the supervisor would frequently discuss with an employee his/her performance, indicating both strengths and weaknesses. The mid-year review, however, ensures that the supervisor and employee set aside a specific time to discuss the staff member's performance over the first half of the cycle and revise objectives and plans as necessary. At the end of the year, a specific discussion occurs between supervisor and employee regarding the performance over the last year.

Each employee needs to have a clear understanding of what the job involves, what is the expected level of performance (or standard), and how he or she would be evaluated. To accomplish this, the supervisor and employee should meet to discuss these issues and review the job description for the position. Objectives for the coming year could be established at this time. This meeting is generally held during the anniversary month of employment.

For Technical Staff, a performance evaluation form is completed to document their discussion. Both the employee and the supervisor have the opportunity to comment. If good communications have been established throughout the year, this review should not be a surprise to the employee. The employee should be made aware of the progress being made throughout the year, and this end-of-year review is the culmination of a continuing communications process. At this time, or shortly thereafter, the objectives for the next year or appropriate corrective action should be discussed. A copy of the completed form should be provided to the employee and to the Human Resources Department. The employee should be allowed to submit any statement in response to the formal review to the Human Resources Department for inclusion in his or her personnel file.

Recognition of Employees

Service Awards

Each year the University formally recognizes the services of Technical, Support Staff and Facilities employees who have completed five and ten years of service at a reception. All staff who have completed 15, 20, 25, 30, 35, 40, or 45 years of service are recognized at a special service awards banquet normally held annually in the spring.

Retirement Recognition

Department and Division Heads arrange for appropriate recognition of Administrative, Support Staff and Technical employees in their departments who retire from the University.

Training and Development

Seminars/Training

Throughout the year employees will be invited to attend training workshops and seminars brought to the campus to enhance the development of skills and provide professional growth opportunities. The Human Resources Department coordinates some of these types of seminars as well as wellness programs, employee assistance programs, and benefit information sessions.

Information Technology Services offers a variety of Computer Short Courses – one, two or three-hour classes, taught in a classroom environment to anywhere from 6-12 people, providing instruction for faculty and staff on how to use available technologies. Computer Short Courses are typically offered during the summer months and the fall, winter and spring breaks during the academic year.

Most events are scheduled during normal work hours and employees may attend, with supervisory permission, on their work time.

Staff Development Fund

As part of the support for professional development, Colgate has established a fund to provide Technical and Support Staff with assistance to attend off-campus conferences, workshops, seminars or courses that enhance individual skills. A request form and more information can be obtained from the Human Resources Department. Staff members should report their normal hours of work when attending such sponsored events.

SECTION V: COMPENSATION

Salary Ranges

Administrative, staff coaches, support staff and technician positions, which are not covered by a bargaining agreement, have an established salary range. Salary ranges are set based on the scope of accountabilities and technical competencies for the position compared to market survey data. Salary data is compared to similar positions at peer or local institutions or in some cases from field specific survey data. Ranges are set by using the market average as the mid-point.

Annual Increases

Administrative, staff coaches, support staff and technician positions, which are not covered by a bargaining agreement are considered for annual salary increases which normally take effect on July 1. Each year guidelines are developed for distributing available salary monies to employees. Increases are based on such factors as pay equity issues, job market conditions and job performance. The Dean or Vice President responsible for the division processes a letter each June for continuing employees that states the salary for the coming year.

Employees who begin their first year of Colgate employment or transfer to a new position between March 1 and June 30 are not eligible for a salary increase on July 1 of that year. Thereafter they will be considered for annual salary increases according to the University's regular salary cycle. Each year, Colgate will determine if an annual performance pay increase will be provided to eligible employees and will set the budgeted amount, normally expressed as a percentage of payroll. The decision will be based on a review of business and economic conditions. Each division will be given a budget guideline to follow for the performance pay increases. Actual performance pay increases to individuals may be higher or lower than the budget percent, based on their performance and position in range. However, the aggregate of all increases may not exceed the budgeted amount.

The Performance Pay increase is based on the review of a staff member's overall performance. While continuous feedback and dialogue between an employee and supervisor should take place on an ongoing basis, an annual performance review is used to for feedback and goals.

Longevity

In recognition and appreciation for service to the University, members of the Support Staff (hourly) unless otherwise noted by a collective bargaining agreement, will receive a lump sum payment at each 5 year anniversary as follows:

Years of Service	Lump Sum Amount
5	$ 500
10	$1,000
15	$1,500
20	$2,000
25	$2,500
30	$3,000
35	$3,500
40	$4,000

Extra Compensation

Acting/Temporary Pay/Extra Compensation

A temporary adjustment to pay occurs when an employee is appointed to assume the duties and responsibilities of another job, at a higher level, on a temporary basis (generally periods greater than a vacation period). The pay rate will be determined by Human Resources in consultation with the supervisor and the VP or Dean. Once the employee is relieved of the "acting" job, the pay will be adjusted to the previous level. In the event that a temporary assignment becomes permanent, policies and procedures for transfers and promotions will apply (see Transfers and Promotions on page 57).

Occasionally full-time Administrators may be asked to serve in a capacity outside their normal work environment. Examples of such assignments include, but are not limited to teaching a class, presenting workshops, consulting, serving on various committees and/or performing duties for other Colgate departments. These assignments are to be considered a normal part of exempt employment for which the employee is already compensated. Therefore, Administrators will not receive additional compensation for performing such duties even when such duties are conducted during the employee's "own time" or outside of normal business hours.

Transfers and Promotions

Employees who are promoted to a higher level position will be eligible to receive a wage increase based on the salary range of the new position. A salary increase would be made to at least the minimum of the new range. An additional salary adjustment may be made in consideration of length of service and internal salary equity within the level and based on the employee's demonstrated competency level.

Lateral transfers to positions of the same level will not be eligible for a salary adjustment. Transfer to a lower level position would normally result in a decrease in salary.

If a non-exempt employee is promoted to a professional/administrative position, the accumulated balance of unused sick time will be determined and calculated at the rate of pay at the time of transfer. This amount will be recorded and be paid to the employee when, and only if, the employee retires from Colgate. No interest or inflation factor will be included. The maximum balance allowed is equivalent to the maximum number of hours allowed to accrue for the position, but is in no case more than 680 hours. Accumulated unused sick leave shall have no monetary value; it will only be paid to the employee upon retirement from the University.

Shift Premium

Regular non-bargaining unit hourly employees who are assigned to positions that are regularly scheduled to work the second (beginning at 4:00 p.m. or later) or third shift (beginning at 11:00 p.m. or later) will receive a shift premium of $1.75 per hour in addition to the regular wage.

Time Sheets

Non-exempt employees are required to record all actual hours of work for each biweekly pay period using the online time entry system. Electronic time sheets must be approved by the supervisor (who should ensure the accuracy of the information) in accordance with the payroll submission deadlines. Employees who attend approved on-campus workshops, meetings, or seminars, should indicate their normal hours of work. If time attending the workshop exceeds the normal work day, record the additional hours as hours worked. For off-campus, workshops, meetings, or seminars, that do not require overnight accommodations, time spent traveling for the day is considered hours worked; even if such travel is outside of the employee's normal work hours. Time spent traveling, to attend an approved workshop, away from home overnight during regularly scheduled work hours, on any day of the week, is considered hours worked. Attendance at approved workshops, meeting and seminars are considered hours worked. **Time sheets should accurately document hours worked. Falsification of time sheets by any employee may be cause for immediate termination.**

Overtime/Compensatory Time Off

To meet special or unusual business needs, you may be expected to work beyond your regularly scheduled work hours, during your lunch hour, or on Saturday and/or Sunday. An exempt employee is expected to work all hours necessary to complete his or her assignments. A non-exempt employee is entitled to overtime pay as set forth below.

Non-exempt employees will receive 1 1/2 times the regular rate of pay for hours worked over 40 hours per week (hours worked between 37.5 hours to 40 hours will be paid at the regular rate). All

employees must receive approval from their supervisors prior to working any hours beyond a regular work week. Employees who work overtime without receiving prior authorization may be subject to disciplinary action, up to and including termination.

New York State and federal labor laws govern compensation/compensatory time under certain circumstances. Compensatory time off for non-exempt employees may be used to offset overtime worked ***only*** under the following conditions:

1. An employee may take "comp time" in the same amount of excess hours worked in the same week**,** or

2. An employee may take "comp time" at 1.5 times the hours worked in excess of 40, if taken in the same pay period.

The request to use compensatory time off is subject to the supervisor's approval. If compensatory time off is not taken in the same pay period, Colgate must pay for the overtime worked at the rate of 1.5 times the regular pay for all hours in excess of 40 per week.

It is Colgate's policy to allow compensatory time off for work on a holiday for Support Staff and Technical employees if taken within 60 days (instead of within the pay period). For work on Labor Day, compensatory time off may be taken by January 1 of the following year. If compensatory time is not taken due to workload demands, then the employee will receive pay for the overtime hours at the rate of 1.5 times the regular rate of pay. In all cases, the actual work should be reported on the time sheet during the week it is performed.

Payroll Deductions and Paychecks

Regular employees are paid on either a biweekly (non-exempt) or semi-monthly (exempt) basis. All employees are encouraged to arrange for the direct deposit of their paychecks into their bank account. Biweekly checks are distributed through campus mail on alternate Fridays following the close of the pay period. Semi-Monthly checks are distributed through campus mail on or about the 13th and 25th of each month.

Employees have a responsibility to verify the information contained on the pay stub.

Salary Advances

It is the policy of the University to make payment to those in its employ at the conclusion of the appropriate pay period. Hourly employees are paid bi-weekly; Administrators and Faculty are paid semi-monthly. Salary advances are made at the discretion of the University. Requests should be submitted using an "Advance Request" form, which may be obtained by contacting Payroll or Human Resources.

NEW HIRES. Supervisors are responsible for submitting all necessary paperwork to ensure that a new employee receives a paycheck during the first regular pay period following employment. Except in certain unavoidable situations, salary advances will not be approved when paperwork is not submitted in a timely fashion.

UNANTICIPATED EMERGENCIES. In the event of an unanticipated circumstance of urgent financial need, regular full or regular part-time employees may apply for a salary advance of up to 50% of their gross base payroll for one pay period. Staff requests must be approved by the supervisor and by the Dean or Vice President responsible for the division. Faculty requests must be approved by the Vice Provost for Administration and Planning. If approved, an advance will be issued through Accounts Payable and must be repaid within four months via payroll deduction. Only one salary advance will be made in any calendar year. The University reserves the right to deny an advance or refer the employee to financial counseling, in the case of repetitive requests.

SECTION VI: PAID TIME OFF AND LEAVES OF ABSENCE

Vacation

Administrators/Staff Coaches (exempt, salaried)

Regular full-time employees on administrative appointments are entitled to receive 20 days vacation per year. Employees in regular part-time positions are entitled to a pro-rated amount of vacation time. Employees begin accruing vacation upon hire so that at the end of the first year of employment they would have accrued a total of 20 days. Vacation time for administrators is used in half–day or full day increments. The supervisor should approve all requests for use of vacation. Unused vacation time can only be carried forward for one year, up to a maximum of 20 days. Upon termination of employment, employees are paid for any unused balance of vacation time if the Administrator submits a memo/email, with the supervisor's approval, to the Human Resources Department which indicates the remaining vacation balance. Normally, 20 vacation days is the maximum approved for payment. This policy also applies to 12-month faculty librarians and coaches.

Benefit time accrual begins as of the employee's date of hire. Vacation time does not accrue during an unpaid leave of absence, disability, unpaid Family Medical Leave and/or Paid Family Leave, however, it can be used in 1 hour increments to supplement Paid Family Leave.

Technical and Support Staff (non-exempt, hourly)

The University provides regular technical and support staff employees with paid vacation time. The amount of vacation accrual is based on an employee's date of hire and base hours:

Employees hired before July 1, 2004

Regular full-time employees who work a regular 37.5 hour week for 12 months per year currently receive the equivalent of 26 days of vacation each year. Vacation is accrued every pay period, except during periods of disability, unpaid Family Medical Leave and Paid Family Leave. Regular part-time employees earn a prorated amount of time.

Employees hired on or after July 1, 2004

Regular full-time employees who work 37.5 hours/week for 12 months/year earn vacation in accordance with the following schedule:

0 - 4 Years	5 – 9 Years	10 – 19 Years	20+ Years

15 days	17 days	20 days	26 days

Vacation is accrued every pay period. Benefit time accrual begins as of the employee's date of hire. Vacation time does not accrue during an unpaid leave of absence, disability, unpaid Family Medical Leave or Paid Family Leave. Regular part-time employees earn a prorated amount of time. Vacation accrues up to 6 months for work-related illness or injury, as approved by the carrier.

The Base Hours are determined by the average number of hours established for the position which the employee occupies, and will not fluctuate if an employee happens to work overtime or any different schedule. Vacation time is accrued but may not be taken during the Introductory Period. Vacation time may be taken at any time following the Introductory Period as long as a sufficient balance is available. There will be no extension approved for employees to accrue hours beyond the maximum limit. Employees cannot be paid for absences in excess of their accumulated balance. The minimum amount of vacation that can be requested is one-half hour. All vacation time should be scheduled in advance with the approval of the supervisor and in accordance with the needs of the department.

Normally, employees will be expected to use all available vacation time for daily or short-term absences instead of time without pay. Time without pay is subject to the approval of the supervisor and Human Resources. In the event of transfer to another department of the University, unused vacation time will be transferred. Employees who terminate employment are compensated for unused accrued vacation time, unless they are in their introductory period.

Hourly Casual, Temporary (no benefits)

Casual employees are eligible for earning Paid Time Off (PTO). PTO accrual is based on 2.89 hours for a 75-hour biweekly pay period. This accrual will be prorated based on the number of hours worked and will accrue to a maximum of 75 hours. PTO will become available after 90 calendar days from the date accrual begins. Time can be used to cover University holidays or as vacation, with the approval of the supervisor(s).

PTO has no monetary value and will not be paid out at the time of termination, nor can it be used to cover a break in service. However, employees who return within a 12-month period will have their previous accrual reinstated.

Sick Time

Administrators/Staff Coaches (exempt, salaried)

Sick time is not provided to employees on administrative appointments. If Administrators are unable to perform their duties due to brief personal illness, they will receive their normal compensation, except in accordance with our Short-Term and Long-Term Disability plans, Family Medical Leave and/or Paid Family Leave policies. Employees must communicate absences related to sick time with supervisors, following established departmental guidelines. The University, in its sole discretion, may require a physician's statement regarding any absence for alleged illness.

Administrators will also be paid for brief periods when a member of the immediate family is ill and requires their care at home for a short period of time or for doctor's appointments which cannot be scheduled outside the normal work day (normally not to exceed 10 days per year). Absences that extend for more than 5 consecutive working days will normally require the employee to apply for Family Medical Leave and/or Paid Family Leave. Members of the immediate family include a spouse/domestic partner, parent, child, sibling, grandparents, and other persons in comparable relationships to the employee.

Technical and Support Staff (non-exempt, hourly)

Sick time is to be used for employees who are absent due to personal illness (including medical or dental appointments). Employees must communicate absences related to sick time with supervisors, following established departmental guidelines. The University, in its sole discretion, may require a physician's statement regarding any absence for alleged illness. Employees and/or supervisors must notify the Human Resources Department for any absence that extends more than 5 working days.

In addition, sick time may also be used for caring for members of the immediate family who are ill and require care at home for brief periods of time or for doctors' appointments which cannot be scheduled outside of working hours. Members of the immediate family include a spouse/domestic partner, parent, child, sibling, grandparents, and other persons in comparable relationships to the employee.

Sick time may be used in half-hour increments, but will not be paid if in excess of the employee's accumulated balance of time available. The available balance is reported to employees on their payroll statements with each paycheck. Employees accrue this time every pay period in accordance with the following schedule:

Employees hired before July 1, 2004

Regular full-time employees are eligible to accrue eight sick days per year. Regular part-time employees receive a prorated amount of time. Employees whose cumulative total of accrued days of sick time exceeds 75 days shall have the option of receiving payment for accumulation above 75 days, once yearly, up to a maximum of 10 days, in the first payday in January. Employees who do not exercise this payout option may accumulate unused sick leave up to 85 days.

Employees hired on or after July 1, 2004

Regular full-time employees are eligible to accrue 12 sick days per year. Regular part-time employees receive a prorated amount of time. Employees whose cumulative total of accrued days of sick time exceeds 120 days shall have the option of receiving payment for accumulation above 120 days, once yearly, up to a maximum of 12 days, in the first payday in January. Employees who do not exercise this payout option may accumulate unused sick leave up to 132 days.

Upon termination, accumulated but unused sick time shall have no monetary value. However, Colgate will pay employees for all unused accumulated sick time upon a qualified University retirement, at the pay rate in existence at the time of their retirement.

Sick leave will continue to accrue for up to six months if the employee is disabled due to a work-related injury and is receiving worker's compensation benefits. If the employee is disabled by a non-

work related incident and is receiving payment through New York State disability benefit coverage, the sick leave does not continue to accrue. Sick leave does not accrue during an unpaid leave of absence, Family Medical Leave and/or Paid Family Leave.

Hourly employees may use sick leave in conjunction with New York State disability or worker's compensation to achieve a normal paycheck. Employees normally are required to apply for disability if the illness extends beyond seven days. The seven-day period includes the weekend.

In the event of an active employee's death, the employee's designated beneficiary will be entitled to a full cash-out on all of the employee's accumulated sick leave.

Part-time, casual and temporary staff (hourly, non-benefited position)

Hourly, non-benefited employees are provided with sick leave. The University provides an accrual that is more generous than the N.Y. Sick Leave law requirement. Sick leave accrual is based on 2.55 hours for a 75-hour biweekly pay period. The accrual is prorated based on the number of hours worked and will accrue to a maximum of 112 hours. Employees with multiple jobs should record sick leave under the highest paying position scheduled for the week sick leave is being taken. This exceeds the requirement of payment based on the hourly weighted average. Balances are available in Web Time Entry.

Sick leave has no monetary value and will not be paid out at the time of termination, nor can it be used to cover a break in service. However, employees who return within a 12-month period will have their previous accrual reinstated.

Sick leave can only be used for qualifying reasons, and employees must communicate all absences with their supervisor and follow the departmental practices in place for requesting time off and providing notification.

Catastrophic Leave

Colgate University maintains a catastrophic leave pool to assist non-exempt employees who are faced with a catastrophic illness of their own, or that of a family member, and have exhausted their own leave balances. The loss or displacement of a primary residence resulting from a fire or natural disaster is also a qualifying event to request use of the leave pool. Human Resources manages the leave pool and will request donations from employees on an annual basis. Staff may donate either vacation or sick time to the pool in increments of not less than one day and not more than one week, provided that they maintain a minimum balance of 60 days of sick leave after the donation.

Further details about this program are available from the Human Resources Department. Requests for the use of catastrophic leave should be sent to the Human Resources Department.

Holidays

Regular full-time and regular part-time employees who are on the active payroll, are entitled to paid holidays according to the University holiday schedule. Regular part-time employees are paid for holidays on a prorated basis. Holidays falling on a Saturday will be observed on the preceding Friday.

Holidays falling on a Sunday will be observed on the following Monday. The holiday schedule is as follows:

Day before New Year's*
New Year's Day
Good Friday (second half of normal workday)
Memorial Day
Juneteenth
Independence Day
Labor Day
Thanksgiving Day
Day after Thanksgiving
Full day before Christmas
Christmas Day
Winter Holiday Break (days between Christmas Day and Day before New Year's)

*1/2 day winter holiday break included.

Half-day holidays are considered to be equivalent to 3.5 hours on a normal 7.5 hour day and 4 hours for 8 hour days.

Non-exempt employees who work on a holiday will be paid for the number of hours worked on the holiday and, in addition, will either 1). receive pay for the holiday or 2). be granted another day off at another time. The method of payment will be at the discretion of the supervisor.

Part-time and temporary employees are not eligible for holiday pay, however, they can use Paid Time Off (PTO) as described under Vacation in this Handbook.

Floating Holidays

All regular full-time employees on administrative appointments and all regular full-time technical and support staff employees are entitled to take up to three days each year in floating holiday time. Employees in regular part-time positions are entitled to a prorated portion of these hours annually. These days are designed to allow employees to celebrate religious or cultural holidays not recognized by the University calendar, but may also be used for other personal needs. Employees will receive three days of floating holiday time as of July 1 of each year. New hires will receive a prorated amount of time to be used between the hire date and June 30. Use of these hours needs to be approved by the employee's supervisor, and supervisors are encouraged to enable employees to use these hours whenever possible. Unused floating holidays hours cannot be carried forward from one academic year to the next, and the hours have no monetary value and will not be paid out at the time of termination, nor can it be used to cover a break in service.

Family and Medical Leave

Colgate University has developed the following Policy in compliance with the Family and Medical Leave Act of 1993, as amended ("FMLA"). The FMLA requires employers with 50 or more employees

to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week leave entitlement, as well as the military family leave entitlements described in this Policy. The University shall ensure that FMLA benefits will be provided to all eligible employees as set forth in this Policy. Where applicable, employees governed by a collective bargaining agreement that provides family and/or medical leave benefits other than those set forth in this Policy shall be entitled to the greater leave benefits.

For information regarding FMLA leave, including any leave-related forms, please contact the Human Resources Department.

Definition and Terms

For purposes of this Policy, the following definitions shall apply:

"*Continuing treatment by a healthcare provider*" means -

1. any one or more of the following: the employee or family member is treated two (2) or more times, within thirty (30) days of the first day of incapacity, for the injury or illness, either by, under the supervision of, or due to a referral by, a healthcare provider;
2. the employee or family member is treated for the injury or illness by a health care provider on at least one (1) occasion that results in a regimen of continuing treatment under the supervision of a healthcare provider; or
3. the employee or family member is under the continuing supervision of, but not necessarily being actively treated by, a health care provider due to a serious long-term or chronic condition or disability which cannot be cured (e.g. Alzheimer's disease, severe strokes, terminal cancer).

"*Covered Active duty*" means-

1. 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
2. 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.

"*Covered Servicemember or Servicemember*" means-

1. a member of the Armed Forces, 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
2. 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, the National Guard or Reserves, at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

"Next of kin" means the "nearest blood relative" of a covered Servicemember.

"Parent" means the biological parent of an employee or an individual who stood *in loco parentis* to an employee when the employee was a son or daughter. This includes an individual who assumed "day-to-day" responsibility for a child.

"*Qualifying Exigency*" applies to any of the following activities due to or following a spouse's, a child's, or a parent's call to active duty or active duty status by the Reserves or National Guard (does not apply to state service):

1. short-notice deployment (up to 7 days of leave);
2. attending military events and related activities;
3. arranging for alternative childcare and attending certain school activities;
4. addressing certain financial and legal arrangements;
5. attending certain counseling sessions for oneself, the covered military member or a child of the military member;
6. certain rest and recuperation activities (up to 5 days of leave);
7. attending post-deployment activities that occur up to 90 days after the termination of the covered Servicemember's (covered) active duty status, or to address issues that arise from the death of a covered Servicemember while on (covered) active duty; and/or
8. other activities arising out of the covered Servicemember'.

"*Serious health condition*" is -

1. an illness, injury, impairment or physical or mental condition that involves: any period of incapacity or treatment in connection with or consequent to inpatient care (*e.g.,* an overnight stay) in a hospital, hospice or residential medical care facility;
2. any period of incapacity requiring absence from work, school, or other regular daily activities of more than three (3) calendar days which also involves "continuing treatment by a healthcare provider" (as defined above); or
3. any period of incapacity due to pregnancy or prenatal care; or
4. any period of incapacity or treatment for such incapacity due to a chronic serious health condition, which continues over an extended period of time and requires period visits for treatment (at least 2 visits per year) by a health care provider or
5. a long-term or permanent condition for which treatment may not be effective (*e.g.,* Alzheimer's, severe stroke, terminal stage of a disease); or
6. any absence to receive multiple treatments for restorative surgery after an accident or other injury or for a condition that, if without medical intervention, would likely result in a period of incapacity of more than three (3) consecutive, full calendar days (*e.g.,* cancer, kidney disease, severe arthritis, etc.).

"*Serious injury or illness"* means –

1. (as it applies to a member of the Armed Forces, National Guard or Reserves), an injury or illness that was either incurred in line of duty on active duty in the Armed Forces or was aggravated by service in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating;
2. (as it applies to a Veteran, as that term is defined herein) means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty or was aggravated by service in line of duty while on active duty in the Armed Forces and that manifested itself before or after the member became a Veteran.

"Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis,* who, with the exception of a seriously ill or injured Servicemember, is (1) under 18 years of age, or (2) 18 years or older and incapable of self care because of a mental or physical disability. For the care of a seriously ill or injured Servicemember, there is no age requirement.

"*Spouse*" means a husband or wife as defined or recognized under state law for purposes of marriage, including common law marriage in states where it is recognized.

"Veteran" means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable as defined in section 101 of title 38 of the United States Code.

Eligibility for Leave

To be eligible for FMLA benefits, an employee: (1) must have at least twelve (12) months of service with the University; and (2) have worked at least 1,250 hours during the 12-month period immediately preceding the start of the leave.

Reasons for FMLA Leave

FMLA leave is available for the following reasons:

- the birth, adoption, or placement of a child for adoption or foster care;
- to care for an immediate family member (spouse, child, or parent) with a "serious health condition" (as defined above);
- for your own "serious health condition", which renders the employee unable to perform the essential functions of his/her position; or
- for a Qualifying Exigency due to your spouse, child, or parent being on active duty or called to active duty status in support of a contingency operation as a member of the National Guard or Reserves; or
- to care for a seriously ill or injured Servicemember.

Amount of FMLA Leave

With the exception of leave taken to care for a seriously ill or injured Servicemember, an eligible employee may take up to a maximum of 12 weeks of unpaid leave during a 12-month period for a reason listed above. For leave to care for a seriously ill or injured Servicemember, you may take up to a maximum of 26 weeks in a single 12-month period. The maximum amount of Servicemember leave available is reduced by the amount of FMLA leave used for any reason during the prior 12-month period.

Not including leave for the care of a seriously ill or injured Servicemember, the available amount of FMLA leave in any 12-month period is measured on a rolling basis backwards from the date the leave in question begins. For care of a seriously ill or injured Servicemember, the leave year is the 12-month period beginning on the date that you request leave for such purpose.

Each time an employee takes FMLA leave, the remaining leave entitlement will be the balance of the 12 weeks or, if leave involves leave for the care of a seriously ill Servicemember, 26 weeks that had not been used during the immediate preceding 12 months. If the employee and his/her spouse are

employed by the University and are both otherwise eligible for FMLA leave, the two employees are entitled to a combined total of up to 12 or, if applicable, 26 weeks of FMLA leave for the birth, adoption, placement for adoption or foster care of a child, or care of an ill or injured Servicemember.

FMLA leave must be taken consecutively, except that taking intermittent leave or working on a reduced schedule is permitted when medically necessary due to the employee's own serious health condition or that of the employee's spouse, child or parent or to care for a Servicemember. An employee shall make every reasonable effort to schedule planned medical treatments so as not to unduly disrupt the operations of the University. Moreover, the University may temporarily assign or transfer an employee who has been approved to take leave on an intermittent or reduced-schedule basis (*i.e.* for foreseeable planned medical treatments) to another position that better accommodates the leave with equivalent pay and benefits.

Notice and Certification Requirements

When the need for leave is known in advance, an application for leave should be submitted, in writing, to the Human Resources Department at least 30 days prior to the start of FMLA leave. When the need for FMLA leave arises unexpectedly, notice should be given as soon as practicable (or within two (2) business days) of learning of the need for leave.

If the employee requests leave due to his/her own or a family member's serious health condition, the employee may be required to provide, within fifteen (15) days of the request, medical certification from a healthcare provider on a University-provided form. The University, at its own expense, may require a second medical opinion by a physician of its choice to confirm or challenge the certification from the employee's health care provider. Where conflicting medical opinions exist, the University, at its expense, may require a third medical opinion from a health care provider jointly selected by the employee and the University. The third medical opinion shall be final and binding.

During the FMLA leave period, the University may require medical recertification from the health care provider of the employee or the employee's spouse, parent or child. The University may request medical recertification at reasonable intervals, but not more often than once every thirty (30) days and only in connection with an absence. In some limited exceptions, the University may request medical recertification, regardless of the length of time since the last request: (i) an employee requests an extension of the leave; (ii) when circumstances for the original certification have changes; or (iii) when the University has a good faith reason to challenge the validity of the original certification.

<u>In all cases, an employee's failure to comply with the University's certification requirements will result in the delay, denial or revocation of FMLA leave.</u>

Integration with Other Leave

Unless prohibited by state law or in conflict with any applicable collective bargaining agreement, FMLA leave runs concurrently with any one or more of the following types of leave: occasional absence, short-term disability, Workers' Compensation, salary continuation, sick, and vacation days. An eligible employee taking leave will be required to substitute accrued paid time off for all or part of the unpaid FMLA leave, except for short-term disability and Workers' Compensation leaves of absence. Once paid leave has been exhausted, the remaining weeks of leave granted under this Policy shall be unpaid.

Employees who are on a leave of absence covered by payments such as short-term disability or Workers' Compensation benefits will not be required to substitute accrued paid time while receiving these benefit payments. However, the University and the employee may agree to have accrued paid leave supplement the disability or Workers' Compensation benefits, to the extent permitted by state law.

Even absent a request for FMLA leave, the University may designate an absence as FMLA leave and count it toward your statutory entitlement of 12 or, if applicable, 26 weeks if the University determines that the leave qualifies or may qualify as FMLA leave.

Additional information about the use of paid leave during an FMLA leave of absence may be obtained by contacting the Human Resources Department.

Benefits

While on FMLA leave, an employee's health and other benefit coverage will continue under the same terms as if you were working, and you continue to be responsible for the same portion of your health premiums and for payment(s) for other Employer benefit coverage as you paid before taking the leave. During unpaid FMLA leave, you must arrange for personal payment in accordance with the provisions of the applicable plans. If a required premium is not received within 30 days of the due date, the coverage may be dropped for the remainder of the leave. If you do not retain health benefits during an FMLA leave, coverage may be reinstated upon return from the leave on the same terms that were in effect prior to the leave, subject to any adjustments made for similarly situated employees, without any qualifying period, physical examination or exclusion for pre-existing conditions. However, any claims will not be reimbursed if incurred during any period during which you did not pay your required contribution and coverage was dropped for non-payment.

Except as required by COBRA, the University's obligation to maintain health benefits ceases upon any of the following:

- you inform the University of your intent not to return from leave;
- you elect not to continue health coverage during the leave;
- your required premium payment is delinquent by more than 30 days, or
- you fail to return after an FMLA leave is exhausted.

There will be no loss of seniority rights or any benefits accrued prior to the date on which leave is commenced. During an FMLA leave of absence, personal leave, sick time, holidays, and vacation time will not accrue unless otherwise determined by the University on a uniform and nondiscriminatory basis.

Return to Work

With limited exceptions for certain "key employees," as defined by law, employees who timely return from FMLA leave, upon or prior to exhaustion of such leave, will be returned to their original or equivalent position, with equivalent pay, benefits and other employment terms. A key employee may be denied reinstatement rights if such reinstatement would cause substantial and grievous economic injury to the University.

You may be required to provide a fitness-for-duty medical certification prior to returning to work if leave was taken for your own serious health condition. Such certification may also be required by the University whenever there is a question about fitness-for-duty. The University may require a second medical opinion by a physician of its choice and at its own expense. Given conflicting opinions, the University may require and pay for a third medical opinion from a jointly selected physician.

A voluntary election not to return to work will result in termination of health coverage and an obligation to repay any health premiums paid by the University on your behalf during any period of unpaid leave. Repayment may not be required if the failure to return is due to a continuation, recurrence or onset of a serious health condition or other circumstances beyond the employee's control. As with any leave, a failure to return upon expiration of an FMLA leave may be treated as a voluntary resignation.

Fraud

An employee who fraudulently obtains FMLA leave is subject to disciplinary action, up to and including termination.

FMLA Posting

The University shall post a notice summarizing the main provisions of the FMLA, including enforcement of the statute, in accordance with federal law.

Paid Family Leave

Paid Family Leave (PFL) is a mandatory benefit in New York State, providing eligible employees with job protection and paid time off for certain qualifying events for certain family members.

I. Eligibility: Eligible Employees

A. An employee of Colgate University ("the University"), working in New York State whose regular employment schedule is 20 or more hours per week will become eligible to receive PFL benefits after 26 consecutive weeks of employment.
B. An employee of the University working in New York State whose regular employment schedule is less than 20 hours per week will become eligible to receive PFL benefits after 175 days of employment.
C. An employee who will not meet the eligibility requirement will be afforded the opportunity to waive PFL benefits by completing a PFL waiver form (e.g. certain temporary or part-time employees, including student employees). The waiver, available on the Human Resources website, must be submitted to Human Resources. Waivers that are deemed eligible will be processed accordingly. If an employee elects to waive coverage and his/her regular schedule changes such that he/she works for 26 consecutive weeks or 175 days in a consecutive 52-week period, the waiver will be automatically revoked. When the waiver is revoked, the University may begin deducting contributions from the employee, including any retroactive amounts from the date of hire.
D. The use of scheduled benefit time (e.g. vacation) that has been approved by the University; or other periods where the employee is away from work on a paid leave are counted as days/weeks of

employment for purposes of determining eligibility to receive PFL benefits during employment, so long as the required PFL premium is paid by the employee during such periods of time.
E. Time spent on short-term disability (i.e. DBL) shall not be counted as days/weeks of employment for purposes of determining eligibility to receive PFL benefits during employment.
F. An employee who is eligible for both DBL benefits and PFL benefits during the same period of 52 consecutive calendar weeks shall not receive more than 26 total weeks of combined DBL benefits and PFL benefits during that period of time.
G. Individuals working in a "teaching capacity" which would include a majority of the University's faculty, are not eligible for leave under this specific policy.

II. Premium

A. The University is responsible to collect the premium contributions for the statutory PFL coverage from each covered employee. Payroll deductions begin on the employee's first day of employment. The University is not required to fund any portion of the statutory PFL benefit.
B. The employee's maximum contribution is 0.432% (for 2026) of weekly wage capped at New York State's average weekly wage (NYSAWW). The PFL contribution rate is set by New York State and is determined on an annual basis effective every January 1.

III. Statutory PFL Benefits

A. An eligible employee may be entitled to benefits for leave taken from work for the following qualifying events:

(1) To participate in providing care, including physical or psychological care, for a family member of the employee made necessary by a serious health condition of the family member;

(2) For the employee to bond with the employee's child:

- during the first 12 months after the child's birth;
- during the first 12 months after the placement of the child for adoption or foster care; or
- before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed;

(3) Due to any qualifying exigency pursuant to FMLA, arising out of deployment abroad on active military service or an impending call or order to active military deployment abroad in the Armed Forces of the United States for the spouse, domestic partner, child or parent of the employee.

PFL will run concurrently with leave under the Family and Medical Leave Act (FMLA) where the leave qualifies under both laws. In these cases, the employee will be required to comply with notice and application procedures under both policies. If an employee whose absence qualifies for both PFL and FMLA but declines to apply for PFL benefits (despite being notified they are also taking leave for a PFL-qualifying reason), such time will nevertheless count against the employee's PFL allotment.
B. The PFL weekly benefit amount and duration are as follows:

Benefit Stage Effective Date	Maximum Length of Paid Leave	Maximum Benefit Amount	
		Payable % of Employee's Average Weekly Wage	Statewide Benefit Cap
1/1/2026	12 weeks	67%	$1,228.53

The 52 consecutive week period is computed retroactively to the first day for which benefits are currently being claimed. A single claim may not cover more than 52 consecutive weeks.

C. Intermittent Leave. PFL can be taken intermittently (in separate blocks of time) in full-day increments. If an employee is taking intermittent FMLA leave in partial-day increments for a PFL-qualifying reason, and the employee is paid for working part of a day, the University will track the hours taken as FMLA and will deduct one day of PFL benefits from the employee's annual available PFL benefit.

IV. Employee Notice Requirements When Requesting PFL Benefits

A. Foreseeable leave

(1) The employee must provide 30-days advance notice to the University prior to the first day of leave taken for a foreseeable qualifying event. If 30-days advance notice is not practicable, then notice must be given as soon as practicable.

(2) The advance notice must include the anticipated timing and duration of the leave for;

(a) continuous leave; or

(b) intermittent leave. The employee should provide notice as soon as practicable before each day of intermittent leave. The employee shall advise the University and the PFL carrier of the schedule of intermittent leave. The PFL carrier may withhold payment pending submission of a request for payment together with the dates of intermittent leave.

(3) The employee shall advise the University of any change in the timing and/or duration of the leave.

(4) If the employee fails to give 30-days advance notice of foreseeable leave the University may request that the PFL carrier delay the payment of benefits to the employee (known as a partial denial) for a period of up to 30 days from when the notice was given.

B. Unforeseeable Leave

(1) When the need for continuous leave is unforeseeable, the employee must provide notice to the University as soon as practicable.

(2) When the need for intermittent leave is unforeseeable, the University may require the employee to provide notice as soon as practicable before each day of intermittent leave. The employee shall advise the University and the PFL carrier of the schedule of intermittent leave. The PFL carrier may withhold payment pending submission of a request for payment together with the dates of intermittent leave.

V. Applying for PFL Benefits

A. The employee requests PFL benefits by completing a *Request for Paid Family Leave and Certification form* (PFL-1 claim form), which is available from the PFL carrier or from Human Resources.

B. The employee provides the University with the request for PFL claim form to complete the employer information section. The employee completes the appropriate certifications or proof of claim documentation and submits the request to the PFL carrier. No benefits are required to be paid by the PFL carrier until the completed request for PFL together with the necessary certifications or proof of claim documentation have been submitted to the PFL carrier.

C. The employee must submit the completed request for PFL together with the necessary certifications or proof of claim documentation to the PFL carrier no later than 30 days from the first day of leave. For a previously unspecified day of intermittent leave, the request for payment must be

made within 30 days of the leave. However, employees are encouraged to file claims as quickly as possible to ensure prompt payment of benefits for qualifying leaves.

D. The PFL carrier will make the final determination of whether the employee is eligible for PFL, whether the reason for the leave qualifies under the law, and whether the employee has provided sufficient documentation to support the need for the leave. This determination is not made by the University. Employees will not receive PFL benefit payments until the claim is fully submitted to and approved by the PFL carrier. The PFL carrier will pay or deny the claim within 18 days of the submission.

E. Advance Request for PFL for Foreseeable Qualifying Events.

(1) An employee may submit a request for PFL in advance of the happening of a foreseeable qualifying event. Any such request shall indicate that it is being submitted in advance of the qualifying event.

(2) The PFL carrier will provide the employee with information regarding the claim and the manner in which missing information shall be submitted.

(3) Once PFL carrier receives a completed request for PFL, the PFL carrier shall make the final determination of whether the employee is eligible for PFL, whether the reason for the leave qualifies under the law, and whether the employee has provided sufficient documentation to support the need for the leave.

F. An employee who is absent from work and whose PFL claim is not fully submitted to or approved by the PFL carrier may be authorized for leave, if eligible, under the University's other leave policies. However, if the employee does not qualify under those policies, or has no available, accrued paid time off, the absence may be treated as unexcused and subject to the University's attendance policies.

VI. Employee Use of Accruals and Employer Request for Reimbursement

A. When an employee provides the University with advance notice of PFL, the University provides an option for employees to supplement PFL payments from the carrier with all or part of unused accruals or other paid time off to receive full salary during the period of family leave.
Administrative and staff coaches (exempt/salaried) may use vacation time, in one hour increments. Support staff and Technicians (non-exempt/hourly) may use vacation time to supplement PFL. In the case of caring for a family member, the use of sick time will be permitted for support staff and technicians. In no case can the combination of benefits result in the receipt of more than 100% of an employee's normal wages. Benefit time payments will be paid through the University's payroll department and PFL benefits will be paid by the PFL carrier.

B. For unforeseen PFL and PFL that is determined retroactively, the University provides an option to employees to elect to use all or part of unused accruals or other paid time off to receive full salary during the period of family leave. In such situations, the time off will still count against the employee's maximum PFL allotment and the employee will be paid in full directly from the University rather than receiving monetary PFL benefits from the PFL carrier. The employee will still file a claim for PFL benefits, but the University will request reimbursement for the PFL benefits due by filing its claim for reimbursement with the PFL carrier in accordance with Workers' Compensation Law §205(2)(c).

VII. Restoration to Employment

Employees who return to work at the conclusion of an approved PFL leave will be restored to the same or to a comparable position (with comparable employment benefits, pay and other terms and conditions of employment) upon their return from leave.

VIII. Maintenance of Benefits

If an employee' s PFL claim is approved by the PFL carrier, the University will maintain the employee' s health, Rx, dental and life benefits as if the employee continued to be actively employed. Specifically, the University will continue to pay its portion of the employee's premium while the employee is on PFL.

The employee will be responsible for continuing to contribute his/her portion of the health premium along with other normal deductions and is expected to make arrangements with Human Resources so that this payment is made in a timely fashion. If the payment is more than thirty (30) days late, the employee's health care coverage may be dropped for the duration of the leave. The University will provide fifteen (15) days notification prior to the employee's loss of coverage.

IX. Appeal Rights

An employee whose claim for PFL benefits has been denied has the right under state law to appeal the determination through an arbitration proceeding. Appeal information is available from the PFL carrier.

X. Fraud

An employee who fraudulently obtains PFL leave, or who uses PFL leave in an improper manner, is subject to disciplinary action, up to and including termination.

XI. Protection from Retaliation

The University will not discriminate and/or retaliate against any employee for inquiring about, applying for or using PFL benefits. Employees who believe they have experienced discrimination and/or retaliation should immediately notify their supervisor or Human Resources.

Definitions for PFL

Average Weekly Wage means, for the purpose of computing the PFL benefit, the average of the total wages of the last eight weeks, excluding the week in which PFL began.

Child means a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands in loco parentis.

Family Member means a child (regardless of age), parent, grandparent, grandchild, spouse, or domestic partner.

Foreseeable Qualifying Events include an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of a family member, the planned medical treatment for a serious injury or illness of a covered service member, or other known military exigency.

Grandchild means a child of the employee's child.

Grandparent means the parent of the employee's parent.

Parent means a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

Providing Care may include necessary physical care, emotional support, visitation, assistance in treatment, transportation, arranging for a change in care, assistance with essential daily living matters, and personal attendant services.
Serious Health Condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential health care facility, or continuing treatment or continuing supervision by a health care provider. Note that ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, routine dental or orthodontia problems, etc. do not constitute a serious health condition.
Statewide Average Weekly Wage means the average weekly wage of employees in this State for the previous calendar year as reported by the NYS Commissioner of Labor.
Wages means the money rate at which employment with a covered employer is recompensed by the employer as more fully set forth in 12 NYCRR 357.1 and in the case of a self-employed person, the person's self-employment income as defined in 26 U.S.C. § 1402(b).

Short-Term Disability

Part-time, Casual or Temporary:
The university provides short-term disability insurance, through a private carrier, for part-time, casual and temporary employees, as required. After four consecutive weeks of work, short-term disability provides income protection, after a seven-day waiting period, the lesser of 60% of weekly covered earnings to a maximum of $170 per week, with a minimum of $50 per week Short-term disability covers any medically necessary, non-occupational disability, as approved by the carrier, for up to 26 weeks per claim. Employees will not receive more than 26 weeks of benefits during any 52 consecutive weeks. Coverage ends 30 days after termination of employment. Employees should contact Human Resources for information or claims.

Technicians and Support Staff (non-exempt, hourly):
The university provides short-term disability insurance, through a private carrier, for technicians and support staff after four consecutive weeks of work. Short-term disability covers any medically necessary, non-occupational disability, as approved by the carrier, for up to 26 weeks per claim. Employees will not receive more than 26 weeks of benefits during any 52 consecutive weeks.
The insurance provides income protection, after a seven-day waiting period, the lesser of 60% of weekly covered earnings to a maximum of $500 per week, with a minimum of $50 per week.

Administrators (exempt, salaried):
Regular full and part-time administrators who have been employed at least 30 days and less than one year and are on a medically necessary, non-occupational disability, as approved by the carrier, will receive their regular salary for the first seven days (5 working days) of disability and 60% of salary for the remainder of the initial six months of disability.

Regular full and part-time administrators who have been employed for at least one year and are on a medically necessary, non-occupational disability, as approved by the carrier, will receive their regular salary for the first six months of disability. No salary is provided beyond 6 months. The maximum benefit in a 12-month period beginning on the first day of disability will be 6 months of coverage.

Coverage ends 30 days after termination of employment. Employees should contact Human Resources for information or claims.

Long-Term Disability

Employees in regular full-time and regular part-time positions of at least 1040 hours per year are provided with long-term disability after one year of employment, unless the employee meets the qualifications for immediate enrollment upon hire.

The insurance provides for a benefit equal to 60% of regular monthly salary, to a maximum of $12,500/month and minimum of $100/month, less the sum of benefits from other sources, to employees who are unable to work due to illness or injury, as approved by the carrier. Benefits continue to be payable each month during the term of continuous total disability.

There is a six-month waiting period before an employee can apply for long-term disability benefits (see the short-term disability section). Complete details and benefit payment schedules can be found on the HR website.

In the event of a long-term disability, the plan also provides for a monthly annuity premium benefit to be credited to the employee's Colgate retirement plan. This insures that the retirement program will be available when the disabled employee's disability coverage ends.

The University will continue health and dental coverage, based on the current premium structure in place, as long as the employee is collecting benefits as approved by the LTD carrier. Basic life insurance will be covered by the University during the first 9 months of approved benefits. Continuation of life insurance, after 9 months, is dependent on approval of a life insurance waiver by the life insurance carrier.

Bereavement Leave

Employees are eligible for up to three (3) days of paid bereavement leave following the loss of an immediate family member or in the event of a pregnancy loss.

Immediate family includes a parent, spouse or domestic partner (and their immediate family), child, sibling, aunt, uncle, grandparent, grandchild, and persons in comparable relationships. This also includes equivalent foster, step, or in-law family relationships.

At the discretion of the employee's supervisor, up to five (5) additional days of paid bereavement leave may be granted, based on the employee's circumstances. Situations where extended leave may be appropriate include, but are not limited to:

- Observance of religious or cultural practices
- Significant domestic or international travel required for services
- Additional responsibilities, such as service planning or acting as an estate executor

Supervisors are responsible for approving bereavement leave and determining its duration. Supervisors must consult with Human Resources when considering granting extended bereavement leaves.

Bereavement leave is available for each qualifying loss. It is not an accrued benefit and cannot be paid out if unused.

Employees making use of this benefit multiple times within a calendar year may be asked to provide additional documentation to confirm their relationship with the deceased.

Non-exempt/hourly employees should begin to use the Bereavement Pay code on their timesheets, continuing to enter a comment regarding the family member the leave is for.

Please note that union-represented employees remain subject to the bereavement leave or funeral leave provisions outlined in their respective collective bargaining agreements.

Jury Duty

Regular full-time and regular part-time employees are eligible for leave with pay for jury duty. Regular pay will be provided by Colgate, but employees must reimburse Colgate for any jury duty pay (less payments for mileage) received from the State during the time the employee is also receiving pay from Colgate.

Part-time, casual, and temporary employees will be paid the equivalent of a regular day of pay up to $40 per day for the first three days of jury duty, if serving on a regularly scheduled day.

Employees who have been called for jury duty are expected to report to work if they are excused early by the court.

Leave of Absence

All requests for time off from regular working hours should be approved by the supervisor. Regular full-time or regular part-time employees who have completed one year of service with the University may, upon written request and for suitable cause, be eligible for a personal leave of absence of up to one year without pay. Requests should be submitted to the Human Resources Department with the approval of the supervisor. During this time all University-paid benefits are suspended unless benefits are continued at the employee's expense. Arrangements must be made in advance for employee payment of life insurance and medical insurance during the leave of absence. The seniority that has accumulated to date will remain intact.

If the employee works elsewhere during a leave of absence without prior permission from Human Resources or fails to return promptly at the expiration of the leave of absence, the employee shall be deemed to have left the employ of the University voluntarily. An employee on a leave of absence is not guaranteed reinstatement to the employee's regular position, but will be considered for any available positions for which they qualify.

Maternity Leave/Parental Leave

Child Bearing Leave

Absences caused by temporary disabilities associated with pregnancy or childbirth are subject to the provisions of the short-term disability plan and sick time policy.

Parental Leaves

Less Than One Year of Service

Any Administrative, Staff Coach, Technical or Support Staff employee that qualifies for benefits who is the parent of a newly-born or newly-adopted child and who has less than one year of service may request an unpaid maternity/parental leave of up to four months in addition to the period of the disability. Parental leaves run concurrently with Paid Family Leave. Employees must complete 3 months of employment or in the case of hourly employees, successfully complete their introductory period to be eligible.

More Than One Year of Service

An employee who has completed one year of employment who is a parent of a newly-born or newly-adopted child may request an unpaid maternity/parental leave of up to six months in addition to the period of the disability. Parental leaves run concurrently with Paid Family Leave**.**

University-paid benefits will continue during an approved parental leave. A request for leave should be submitted, with supervisor's approval, to the Director of Benefits and Employee Wellness. Individuals who take maternity or parental leave will be granted the same reinstatement rights as individuals who are absent due to disability leaves of absence.

Maternity and Parental leaves run concurrently with Family and Medical Leave
Employees may use available accrued vacation to run concurrently with a maternity/parental leave. Accrued sick time cannot be used during the leave period, unless there is a serious illness.

Military Leave

Any regular full-time or regular part-time employee may request military leave under the regular leave of absence policy except that the leave need not be limited to one year. Additionally, as a member of the military reserve, the employee is eligible for leaves to participate in active duty necessary to maintain military membership and/or rank. This leave is granted for a maximum of two weeks and is in addition to vacation. The University will pay the difference between the regular base salary and military pay for the two-week period. If an employee is required to attend a period of active duty longer than the two-week period, a leave of absence, without salary, will be granted as described in the section entitled “Leave of Absence,” beginning with the third week of duty.

The reemployment rights for veterans and members of the uniformed services is covered through the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). The law guarantees the reemployment rights and benefits for an individual who leaves to serve in the uniformed services as long as the cumulative period of absence from the individual's employment does not exceed five years.

Colgate does not discriminate against employees because they are subject to military leave.

Time Off for Fire Fighters and Emergency Medical Technicians

Regular full and part-time employees who are Volunteer Fire Fighters will be paid for their normal hours of work for absences spent providing fire and emergency services, if called during normal work hours, and upon presentation of written confirmation from the chief of the fire department.

Regular full and part-time employees who are Volunteer Emergency Medical Technicians will be paid for their normal work time for absences spent on a confirmed emergency medical call, if called during normal working hours and upon presentation of written confirmation from the chief of the ambulance service.

There are times when employees may not be able to leave to participate in these volunteer activities. Employees must discuss, in advance, their volunteer role with their supervisor and follow departmental guidelines as established by the supervisor. Employees are required to notify their supervisor prior to leaving or as soon as possible, in the case of a delayed arrival.

Time off to Vote

Colgate encourages employees to fulfill their civic responsibilities by voting. New York State election law states that, if you are a registered voter and do not have four (4) consecutive hours to vote, either from the opening of the polls to the beginning of your working shift, or between the end of your working shift and the closing of the polls, you may take off up to two (2) hours, without loss of pay, to allow you time to cast your ballot.

Employees may take time off at the beginning or end of their working shift, as your employer your supervisor may designate, unless otherwise mutually agreed. You must notify your employer not less than two days, but not more than 10 days, before the day of the election that you will take time off to vote.

Time Off For Employee Wellness Activities

Colgate believes in maintaining a healthy work force, both physically and mentally, and recognizes the importance of maintaining and promoting the health and well-being of its employees. Under the employee CU Well program, offerings for flu shots, biometric screenings and educational sessions may fall within an employee's regularly scheduled work hours. Employees are encouraged to participate in these programs, with the permission of their supervisor and are not required to use vacation or sick time. Participation during the lunch hour, breaks or after normal work hours is not considered paid time.

Temporary Help

The use of part-time, casual and temporary employees "floaters" is generally only authorized under the following circumstances:

- to fill in for an employee who is on an approved leave of absence or is on an extended absence covered by disability, workers' compensation, Family Medical Leave or Paid Family Leave.
- to fill in for an employee who is on an extended vacation of two weeks or more and there is no other help available.

- there is a vacant position in the department, with a need that cannot be met by existing staff.
- there is a critical need that cannot be met in any other way and the appropriate Vice President or Dean has authorized the temporary hire.

Departments are encouraged to schedule time off for their staff in a way that reduces the need for temporary help. All requests for temporary help must be coordinated through the Human Resources Department, in accordance with the guidelines. The University has a general fund, administered by Human Resources, to assist with long-term, unplanned temporary help needs (e.g. approved leaves, vacancies). Supervisors should contact Human Resources in advance to discuss their needs, prior to making any arrangements.

SECTION VII: BENEFITS

Summary of Benefits

For a summary of the insurance benefits go to: http://www.colgate.edu/working-at-colgate/benefits.

Child Care

The University contributes to the Chenango Nursery School, Inc. a not-for-profit parent cooperative with a nursery school and day care center located in Hamilton. A limited number of tuition scholarships are available based on financial need. For further information, contact the Human Resources Department at 315-228-7565.

COBRA

Pursuant to federal law, the Consolidated Omnibus Reconciliation Act (COBRA), employees, spouses and dependents of employees are eligible for temporary extension of health and dental coverage at approximately the same group rates in certain instances when coverage under the plan would otherwise end. The cost would be paid by the employee, spouse, or dependent.

Employees of Colgate University who are covered by Colgate's health insurance plan, have the right to choose this continuation of coverage if group health coverage would stop because of a reduction in hours of employment or the termination of employment (for reasons other than gross misconduct).

A ***spouse*** of an employee covered by Colgate's health insurance plan has the right to choose this continuation of coverage, if group health insurance under the plan is lost for any of the following four reasons:

1. the death of the employee;
2. a termination of the spouse's employment (for reasons other than gross misconduct) or reduction in the spouse's hours of employment;
3. divorce or legal separation from the spouse; or
4. the spouse becomes eligible for Medicare.

A ***dependent child*** of an employee covered by Colgate's health insurance plan has the right to a continuation of coverage if group health coverage under the health insurance plan is lost for any of the following five reasons:

1. the death of a parent who is an employee;
2. the termination of a parent's employment (for reasons other than gross misconduct) or reduction in a parent's hours of employment with Colgate University;
3. parents' divorce or legal separation;
4. a parent becomes eligible for Medicare; or
5. the dependent ceases to be a "dependent child" under the University's health insurance plan.

Under this law, the employee or family member is responsible for notifying the Human Resources Department of a divorce, legal separation or of a child losing dependent status under the health insurance plan. When the Human Resources Department is notified that one of these events has happened, the Human Resources Department will provide notification of the right to choose

continuation of coverage. The Human Resources Department must be informed within 60 days from the date coverage would be lost. If coverage is not continued, the group health insurance coverage will end as scheduled. If continuation coverage is chosen, Colgate University is required to give coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members.

Coverage can be continued for 18 to 36 months, depending on the reason for termination of insurance. However, continuation of coverage may end for any of the following five reasons:

1. Colgate University no longer provides group health coverage to any of its employees;
2. The premium for continuation of coverage is not paid;
3. The covered person becomes an employee covered under another group health plan. (However, loss of COBRA coverage will not result if the new plan contains a pre-existing condition limitation);
4. The covered person becomes eligible for Medicare;
5. The spouse who was divorced from a covered employee subsequently remarries and is covered under the new spouse's group health plan.

Domestic Partner Benefits

Colgate University extends the same benefits to persons who meet the University's definition of domestic partner that the University presently extends to spouses of employees to the extent permitted by law and by the underwriting guidelines imposed by the insurance companies. The inclusion of domestic partner coverage in Colgate's benefit program is consistent with the University's dedication to ensuring non-discriminatory practices and, represents a commitment by Colgate to remain competitive in the recruiting of new faculty and staff. Finally, it is a recognition of a current social reality, and a belief in the equality, value and legitimacy of all members of our community.

A Domestic Partner is an unrelated adult of the same or opposite sex of the employee with whom the employee is living in an intimate, long-term relationship with an exclusive commitment similar to marriage, in which the partners are jointly responsible for one another's welfare and share financial obligations. In order to qualify for benefits, the domestic partnership must have been in existence for at least six (6) consecutive months with the expectation that the relationship will continue indefinitely.

For more information, including an application, please contact the Human Resources Department.

Educational Assistance Programs

Loans

After successful completion of the introductory period, Administrative, Technical and Support Staff employees are eligible to apply for an educational loan from the University for a dependent's college education. To be eligible, a child must be a dependent of the Colgate-affiliated parent. The dependence requirement follows the guidelines used by the Internal Revenue Service.

Under this program, employees may borrow up to $1,000 without interest for up to two years. The loan is payable by payroll deduction in regular installments commencing 30 days from the date of

loan. The loan is immediately repayable upon termination of employment. As the maximum amount of money to be loaned by the University at any one time is limited, loans will be made on a first-come/first-served basis. If both husband and wife are employed by the University, either, but not both, may apply for an educational loan. Employees are not eligible for this benefit if the employee and/or a Colgate-employed spouse qualifies for the Colgate Higher Education Grant.

Higher Education Grant Program for Children of Employees

Colgate University currently grants an amount up to one-half of Colgate's tuition for any eligible employee's eligible child who matriculates and attends an accredited college or university in pursuit of an initial undergraduate degree. Enrollment is required on at least a half-time basis. Qualifying institutions must either be accredited (e.g. by the Accrediting Commission of career Schools and Colleges (ACCSC) or the Council on Occupations Education (COE) or licensed by their home state (in New York, this would be the Bureau of Proprietary School Supervision (BPSS).

In the case of two eligible parents, the total grant the two employees can receive together for an eligible child will not exceed one-half of Colgate's tuition.

- To be eligible, a child must be a natural or adopted child, or a dependent stepchild, or a child for whom the employee has been granted legal guardianship by a court at least two years prior to using the benefit, of an eligible Colgate employee, as certified by the employee on a form approved by Colgate (and subject to the right of Colgate to request any information and/or documentation regarding the child as Colgate may, in its sole discretion, determine to be appropriate to review the child's eligibility or the tax status of any grant provided with respect to the child).
- This grant is available for a total of eight semesters or the equivalent if the child attends a school with a different academic schedule.
- For certain disabled children, possible exceptions to the half-time student requirement and the eight-semester limit requirement are possible if the applicable requirements described in the "Special Requirements for Eligible Disabled Children" section of this policy that appears below are satisfied.
- This grant program is a voluntary policy which is not legally binding and may be cancelled or changed without notice. Other requirements applicable to the program are listed below:

Application Process

An Application for Colgate Higher Education Grant for each academic year (typically Fall, Spring and Summer, not to exceed the approved amount of the annual grant) for which the grant is sought must be submitted by June 1st immediately preceding that academic year. Applications are available by contacting the Human Resources Department at 228-7565 or emailing benefits@colgate.edu. An e-mail reminder with a link to the application form will be sent to all employees on or about May 1 of each year.

Eligibility

A child is eligible for the Colgate Higher Education Grant if (in addition to the requirements described above):

1. On the date of enrollment at least one of the child's parents is:

a) a full-time employee of Colgate, defined as one who is in a position that is approved for no less than 1,462.5 hours per year ("Full-Time Employee"), and who had continuous services as a Full-Time Employee eligible for full Colgate benefits throughout the seven year period ending on the date of enrollment, or who is scheduled to meet the required seven years of continuous services during the semester, or

b) deceased, and who at the time of death had continuous service as a Full-Time Employee eligible for full Colgate benefits throughout the seven year period pending on the date of death, or

c) retired at an approved age in accordance with Colgate policy, and who at the time of retirement had continuous service as a Full-Time Employee eligible for full Colgate benefits throughout the seven year period ending on the date of retirement, or

d) age 60 or older and has at least seven years of continuous service as a Full-Time Employee eligible for full Colgate benefits.

2. The 1,462.5 hours per year requirement in 1(a)-(d) above shall be based on the twelve month period that ends

(a) after the date on which the employee enters an eligible class, and
(b) on each subsequent anniversary of such date.

3. Eligible employees who are on approved leaves of absence of not more than one year and periods of illness or disability during which payments were received under a Colgate disability plan shall be included in periods of continuous service and shall not be deemed to terminate the status of full-time employee.

4. The child must be under 25 years of age on December 31st of the academic year for which the grant is sought.

5. An eligible employee described in 1(a) above must, during the period that the grant is received, continue to be a Full-Time Employee eligible for full Colgate benefits.

6. An eligible employee will only be entitled to receive the grant under this program if they have first been classified as being eligible for the grant by Colgate's Human Resources Department.

Manner of Payment

1. Colgate shall provide payment for each eligible child who is matriculated for initial undergraduate work at an accredited college or university or eligible trade school, except that payment in any one year shall not exceed the tuition and mandatory fees of the institution attended. The term "mandatory fees" shall exclude, among other things, room and board expenses and any other non-academic expenses.

2. Payment shall be made directly to the institution in which an eligible child is enrolled upon certification that the child is duly enrolled as at least a half-time student. Such certification should state the tuition and mandatory fees charged by the institution attended. Special rules apply if an eligible child starts, but does not complete, an academic semester or term, and the Colgate Human Resources Department should be contacted if that occurs. Receipt of institutional, state or federal aid does not affect the amount of the Colgate Higher Education Grant; but receipt of the Colgate Higher Education Grant may affect any institutional, state or federal aid offered by the institution where the child is enrolled (including Colgate University) and may reduce any financial aid award.

3. Except as otherwise provided in the "Special Requirements for Eligible Disabled Children" section of this policy that appears below, no eligible child shall receive such assistance for more than a total of eight semesters or the equivalent.

Procedures
To assist the University in financial planning for the allocation of sufficient funds to the Higher Education Grant Program, employees who plan to participate in this Program are requested to notify the Human Resources Department of their intention two years in advance of the proposed date of enrollment in an accredited educational institution. Please email benefits@colgate.edu stating your child's name and expected high school graduation date. No separate form is necessary.

Special Requirements for Eligible Disabled Children
If a child satisfies the eligibility requirements of this policy and has a qualifying disability that has been approved by Colgate's Human Resources Department ("Eligible Disabled Child"), and if that qualifying disability would have an impact on the Eligible Disabled Child's progress toward degree completion, the applicable eligible employee, on behalf of the Eligible Disabled Child, can apply to Colgate's Human Resources Department for a modification of the half student requirement and/or the eight semester limit requirement. An application for such a modification must be approved by Colgate's Human Resources Department, and any such approval will specify the minimum student enrollment level and/or or the maximum number of semesters that will be provided for the completion of the first baccalaureate degree of the Eligible Disabled Child based on their disability.

In order to apply for any such modification, an eligible employee must submit (1) a letter requesting the modification, and (2) documentation from a professional who is not a relative and who is qualified to provide a current and complete assessment of the Eligible Disabled Child's educational needs and can establish in writing the correlation between the functional impact of the disability and any recommended accommodations related to the Eligible Disabled Child's half-time student status and/or the eight semester timeline. A Disability Service Professional at the applicable educational institution the Eligible Disabled Child is attending (or, if none, such other education official that is approved by Colgate's Human Resources Department) would need to confirm in writing that the accommodation of a reduced course load resulting in a modification of the half-time student status and/or an extension of the eight semester timeline to complete the degree has been approved.

For purposes of this policy, the term qualifying disability shall mean a physical or mental impairment that substantially limits one or more of the major life activities, as determined by Colgate's Human Resources Department.

Miscellaneous
A Colgate Higher Education Grant could, in certain circumstances, be subject to taxes (e.g., if a child does not qualify as a dependent under the Internal Revenue Code, the grant for that child generally will be taxable). Grants awarded on behalf of a child for whom the employee has been granted legal guardianship will be treated as taxable income to the employee. If such circumstances are present, Colgate will withhold whatever taxes are required by applicable law. Colgate reserves the right to seek reimbursement of a grant paid if an eligible parent terminates employment and eligibility for the grant ceases. If any issue arises about how this program should be interpreted or applied, such interpretation or application will be made by Colgate in its sole discretion and will be binding upon all interested persons.

Tuition-free Courses at Colgate

Employees:
Colgate University supports the academic achievement and professional development of its staff members. As evidence of that commitment, employees in regular full and regular part time benefit eligible positions are eligible to take up to two Colgate courses per term without any tuition charge. Interns and employees in comparable positions are eligible to take one course per semester. The following conditions apply:

1. The supervisor must approve any rescheduling of working hours and the employee will be expected to work a full daily schedule. Enrollment in Colgate courses by one employee in a department should be managed so that it does not create extra work for co-workers.

Those employees wishing to take a second tuition-free course at Colgate in any one term may apply. Human Resources will work with the employee's supervisor to ensure that the department's needs will continue to be met and that co-workers will not be adversely impacted by the employee's attendance in the class. In such cases, a second tuition-free course will be approved. Departments are encouraged, wherever possible, to provide employees with the flexibility to pursue professional development opportunities.

2. It is understood that the privilege of continuing in this program is contingent upon satisfactory academic performance in accordance with standard University regulations. **If an employee fails a course, s/he is not eligible to enroll in another course for a year.** S/he does have the option to withdraw from a course during the withdrawal period but overuse of this alternative may warrant withdrawal of this benefit.

3. To enroll in a class, the employee must obtain an "Application for Tuition Free-Course(s)" from Human Resources. You may enroll following the pre-registration for full-time Colgate students prior to the beginning of the semester or at any time until the end of the drop/add period at the beginning of the semester. The Registrar's Office will provide information regarding space availability. You must obtain the signature of the instructor of the course on the "Application for Tuition Free-Course(s)" Form.

4. Enrollment may not displace a full-time Colgate student from class.

5. The employee must pay a registration fee of $20.00 for each course attempted and a receipt from the Office of Accounting and control must be submitted with the signed application form to the Registrar's Office by the end of the drop/add period in any term.

6. If employment at Colgate is terminated and the termination date is on or before drop/add, eligibility for this benefit ceases and the employee is responsible for full tuition. If the termination date is after drop/add, the course may be completed under the terms of this benefit.

Employees in regular positions and their spouses/domestic partners are eligible to take one Colgate course per term without any tuition charge under the following conditions:

Spouses/Domestic Partners:
Spouses of regular full and regular part time benefit eligible employees are eligible to take two Colgate courses per term without any tuition charge subject to conditions 2 through 6 above. Those wishing to take more than two courses in any term may do so at a cost of one-half tuition for each additional course. Spouses of interns and employees in comparable positions are not eligible for this benefit.

Colgate employees, their spouses or domestic partners interested in obtaining a Colgate degree will need to apply through Colgate's Office of Admission. This application process should take place once a minimum of four Colgate courses have been completed but not later than having completed eight Colgate courses. Anyone considering matriculation should talk with the Associate Dean of the Faculty as soon as possible regarding their course selection.

Application materials may be obtained from Colgate's Admission Office. Transfer admission information can be found in Colgate's Admission with Advance Standing booklet or on the website: https://www.colgate.edu/admission-aid/apply/transfer-other-applicants. Admission criteria for employees/spouses/domestic partners are similar to Colgate's admission standards for non-employees. Questions about the Admission process should be directed to the transfer coordinators in the Office of Admission.

Taxability of Tuition:
IRS regulations govern the taxability of tuition benefits. Please contact Human Resources for more information.

Tuition-Reimbursement: Work Related Courses

As evidence of its commitment to academic achievement and professional development, it is the policy of the University to assist employees by providing tuition benefits for them to enroll in work-related courses and degree programs at the undergraduate and graduate level at educational institutions other than Colgate.

ELIGIBILITY
Eligibility for this benefit requires an employee be in an approved benefit eligible position and in one of the following employee categories: administrators, staff coaches, language interns, library and athletic faculty, support staff, technicians, facilities and campus safety officers. In addition, eligible

employees must have completed three months of employment and maintain a solid performance rating for each year preceding course attendance.

QUALIFYING COURSES
This benefit provides limited reimbursement for tuition for undergraduate and graduate courses which are related in a direct or general way to the employee's work and professional development. A "work related" course is one in which the course content is of significant assistance to the employee in their present duties and responsibilities or in their professional development. Courses that are not directly work-related, but form part of a work-related degree program may also qualify for this benefit. Accredited online classes do qualify for reimbursement. Submission of the application requesting approval must be submitted prior to the start of the course.

COURSE ATTENDANCE
Courses attended under this policy will be taken at educational institutions other than Colgate and attendance should normally fall outside the normal work schedule. With the approval of the supervisor, employees may use vacation time or make alternate work arrangements if classes cannot be scheduled outside the employee's normal work hours.

NUMBER OF WORK-RELATED COURSES
Employees may take more than one work-related course per semester, providing the total number of classes for reimbursement does not exceed 3 classes per calendar year (spring, summer, and fall).

REIMBURSEMENT
If approved, reimbursement will be made at 100% of tuition and mandatory fees (with the exception of parking fees) up to $5,250* (which is the IRS maximum for tax free tuition reimbursement) for undergraduate and graduate classes. A grade of C (2.0) or better is required to obtain reimbursement. If the employee is dependent upon University funding for payment of the course, prior approval is required. Employees must be actively working at the time of the course completion to be eligible for reimbursement.

*For equity and taxability purposes, departments may not supplement course costs with professional development funds.

APPROVAL
Approval will be made by the Senior Associate Director of Benefits. Employees should complete the application (available from the Human Resources Department or on the website at https://www.colgate.edu/media/4076/download?attachment for taking work-related courses and submit the completed form and course description to Human Resources prior to beginning the course(s). Please allow for at least 48 business hours for the review of the application. The University will approve applications, as received, based on the funding available designation for this program.

APPEAL

Should approval for taking a course be denied, an employee may request a review of the decision to the Vice President for Administration. The Vice President requests that the written appeal be forwarded with reasons for reconsideration.

Benefits for Retired Employees

Normal Retirement

Post-Retirement benefits are provided to employees who retire from Colgate University after attaining at least age 65 and after completing at least 10 years of continuous full-time or regular part-time active employment with the University.

Early Retirement

Post-retirement benefits also are provided to employees who retire from the University after attaining at least age 62 and after completing at least 15 years of continuous full-time or regular part-time active employment with the University.

For more information regarding eligibility for normal and early retirement, see "Retirement" in Section IX: Separation.

For University employees who were hired before July 1, 2012, and who satisfy the age and service eligibility requirements described above, the level of post-retirement benefits is determined by the date of retirement as follows:

For retirements prior to July 1, 1996
Please contact Human Resources for more information.

For retirements between July 1, 1996 – June 30, 2006
University paid life insurance in the amount of $2,000.
Retiree Health insurance with a prescription drug benefit.*
Medicare Part B reimbursement of $40/month with no increases.
No dental insurance.

For retirements July 1, 2006 and after
University paid life insurance in the amount of $2,000.
Retiree Health with a prescription drug benefit.*
No Medicare Part B reimbursement.
No dental insurance.

***Insurance Premiums**
Colgate's contribution toward the cost of health and prescription drug coverage for retirees (regardless of age or eligibility for Medicare) will be based on the cost of the coverage offered and the amount Colgate provides.

While it is the University's intent to continue these retiree benefits, the University reserves the right to modify, amend, or terminate, at any time, any retiree benefits presently in effect, or to require or increase premium contributions at its sole discretion.

For University employees who were hired after June 30, 2012, and who satisfy the age and service eligibility requirements described above, post-retirement benefits are determined as follows:

No dental insurance.
No life insurance.
Access to health insurance that is funded, in part, through a "defined contribution" healthcare plan, as follows:

- Beginning upon an employee's attainment of age 40 (or date of employment, if later), the University will begin making monthly contributions to a tax-exempt trust. Trust accumulations will be applied at the time of retirement to pay premiums for health insurance coverage made available through Emeriti Retirement Health Solutions, a non-profit consortium that provides retiree healthcare products to a number of institutions of higher education throughout the country ("Emeriti").
- For 2026 – 2027, the University's annual contribution to the trust shall equal $94.54 per month ($1,134.44 annualized) per eligible employee. This contribution amount is scheduled to increase by 3 percent each year. Employees may make additional voluntary (after-tax) contributions to a separate trust as another means to save for post-retirement healthcare costs.
- Contributions to the trusts will be allocated to separate subaccounts for covered employees. Employees will be responsible for providing investment directions to Alta Trust Company, who will be engaged as the investment manager.
- After retirement, contributions and earnings accumulated in the trust account(s) for an eligible retiree will be applied to pay the premiums on the applicable Emeriti health insurance, or any other health plan, for the retiree and the retiree's eligible dependents. When a retiree's trust accumulations are exhausted, the retiree must pay future premiums from the retiree's other (personal) resources, if the retiree wishes to continue the selected coverage.

Full details of all post-retirement benefits are described in the formal plan documents that govern the rights of eligible retirees. Employees should not rely on the summaries described above. *Further, the University reserves the right to modify or discontinue any or all of the benefits provided to retirees at any time. Employees and retirees shall never be considered vested in any right to the post-retirement benefits described above.*

Wellness Program – CU Well

Colgate University recognizes the importance of maintaining and promoting the health and well-being of its employees. The employee wellness program, *CU Well*, provides employees with opportunities to improve their health, to exercise, and to learn how to achieve "wellness."

Articles concerning health and wellness information and activities appear in *Inside Colgate*, the campus newsletter. The Human Resources Department sponsors other events that focus on wellness including classes (aerobics, water exercise, yoga), brown bag lunches, wellness fairs, and Weight Watchers at Work (contact Human Resources for more information).

SECTION VIII: CAMPUS RESOURCES

Admission to University Events (ID Card)

All Colgate employees (except for those hired on an event or on-call basis) will be issued an official Identification Card. This card may be used to indicate eligibility for free admission to many Colgate athletic and cultural events, for the purchase of tickets for family members at discounted rates, and to obtain the employee discount at the Bookstore. Employees are entitled to use University athletic facilities and equipment at times designated by the Division of Physical Education and Athletics (see Athletic Facilities below). Employees are also entitled to library privileges and to receive discounted rates at the Seven Oaks Golf Course.

Art Gallery **https://www.colgate.edu/about/campus-facilities/museums-galleries/picker-art-gallery**

The Picker Art Gallery, located in the Charles A. Dana Arts Center, has enriched the educational and cultural life of a broad community since 1966. It is the place on campus for all people to develop and pursue their interests in the visual arts. The Picker Art Gallery encourages all interested persons in the Mid-York area to take full advantage of its permanent collection, free exhibitions, and special events.

Athletic Facilities **https://gocolgateraiders.com/sports/2005/12/13/facilities.aspx**

The following facilities are available for use by employees:

- Huntington Gymnasium
- Trudy Fitness Center
- racquetball, squash, handball courts
- basketball courts
- gymnasium facilities
- sauna
- climbing wall
- locker room facilities
- equipment issue room

Lineberry Natatorium

An L shaped 50-meter 6 lane pool with a 50-yard competition area and diving stations.

Base Camp, Outdoor Education Program

Outdoor Equipment Rental Center with an extensive inventory of camping, backpacking, skiing and snowshoe equipment.

Reid Athletic Center

- ice rink
- bowling lanes
- basketball court

Sanford Field House

- 200-meter jogging/walking track
- four indoor tennis courts
- batting cage

Colgate Boat House

Sailing, canoeing and rowing on nearby Lake Moraine.

Seven Oaks Golf Course

Robert Trent Jones championship course and practice range. Employees receive discounted rates.

Abrahamson Tennis Courts

Nine outdoor cork-turf courts (three singles and six doubles).

Trap Range

Trap range and clubhouse facility.

Bookstore www.colgatebookstore.com

The Colgate Bookstore is located in the center of downtown Hamilton. Upon presentation of the employee's identification card, employees are entitled to a 10% discount on most purchases that total more than $2. The Bookstore has textbooks, other books, stationery, greeting cards, office supplies, CDs, computers and Colgate memorabilia.

Campus Safety http://www.colgate.edu/offices-and-services/campussafety

The Colgate Campus Safety Office is located at 88 Hamilton Street. The office may be reached by telephone by dialing ext. 7333 on campus or, from off campus by dialing 228-7333. The Campus Safety Department reports to the Dean of the College, and is responsible for providing emergency response on campus, and for providing Campus Safety services to the university community. Campus Safety staff regularly patrols the campus seven days per week, 24-hours per day.

Information Technology Services **https://www.colgate.edu/about/offices-centers-institutes/information-technology-services**

Information Technology Services (ITS) provides a wide variety of computer services to the Colgate community. Its primary mission is to develop, enhance and support electronic resources that foster the exchange of information and ideas among students, faculty, staff and the world.

A campus-wide high speed network connects over 4,500 computers in residence halls, classrooms, and faculty and administrative offices. The network provides connection to the Internet as well as communication services including electronic mail, electronic conferencing, video bulletin boards, a web-based campus wide information system and teleconferencing.

ITS offers computer short courses for staff and faculty throughout the year and runs the HELPLINE – a telephone service that provides quick answers to computing questions.

Dining Facilities

Merrill House https://www.colgate.edu/student-life/housing-and-dining/dining-campus (the faculty/staff dining room), the Coop, the Pub, Curtis E. Frank Dining Halls and Chobani Cafe are locations on campus where dining services are available for employees.

Health Services

Health Services provides high quality, convenient, accessible, confidential and cost-effective health care as well as educational and preventive services for students. While their primary mission is to provide student medical care, Health Services staff members are available to monitor health concerns for employees such as blood pressure and weight management. They also administer annual flu shots and travel immunizations for faculty and staff.

The Health Services Center is not available for the treatment of illness or injuries that require on-going care.

Human Resources Department

https://www.colgate.edu/about/offices-centers-institutes/finance-and-administration/human-resources

The Human Resources Department seeks to provide leadership and expertise on human resource issues by serving as internal consultants to University employees. It is the goal of the Human Resources Department to develop and support a quality workforce, to attract and retain quality employees, to facilitate open, two-way communications between supervisory and staff personnel, to develop and maintain a climate of mutual trust, confidence and sensitivity to the needs of the employee and the University, and to build and enhance motivation, a spirit of cooperation and of job satisfaction. The Human Resources Department serves as advocates for equity and diversity, strives to provide excellent customer service and to strengthen and support the University through the human dimension.

Libraries **https://cul.colgate.edu/**

Two libraries serve the Colgate Community. The Case Library and Geyer Center for Information Technology houses collections in the humanities and social sciences; the George R. Cooley Science Library located in McGregory Hall serves the physical and biological sciences, mathematics, computer science and psychology. The mission of both libraries is to provide the Colgate community with outstanding collections and sophisticated information services in support of the university's educational program. Employees are entitled to use both libraries and books may be borrowed for a two-week period upon presentation of the employee I.D. card.

Lost and Found

The campus lost and found operation is coordinated by the Campus Safety Office located at 88 Hamilton Street.

Mail Services http://www.colgate.edu/offices-and-services/mailservices

The Mail Services Department, located on the lower level of the O'Connor Campus Center, provides services through the campus mail delivery system and through its role as a contract station of the U.S. Postal Service. Postal services include money orders, registered mail, certified mail, parcel post,

and the sale of all postal supplies. All incoming mail to the University as well as outgoing mail is processed through the Colgate station. During the academic year, the station's hours are from 10:00 a.m. to 4:30 p.m. on Monday, 10:00 a.m. to 6:00p.m. Tuesday through Friday, and 9:00 a.m. to 1:00 p.m. Saturday. When school is not in session the hours are 10:00 a.m. to 4:00 p.m. Monday through Friday. (Also see Section IX Mail Services on page 20.)

University Printing http://www.colgate.edu/offices-and-services/documentservices

The Office of Document Services, located in the basement of the O'Connor Campus Center, provides a number of printing services. All work done by Document Services must be charged against the department code number and the charge approved in advance by the head of the department. The volume of work makes it imperative that sufficient lead time be given for work to be completed when needed. Shorter items which are needed on a rush basis can often be done the same day or on a one day turn-around basis. The Office of Document Services in coordination with the Office of Communications, also has facilities for typesetting, design, and layout of brochures, booklets, programs, posters, flyers, and tickets.

Purchasing http://www.colgate.edu/offices-and-services/purchasing

The Purchasing Department is responsible for providing the necessary programs and services to procure all equipment and supplies for the University. As a centralized purchasing operation, the department's objective is to obtain equipment supplies and services in the most economical and efficient fashion.

Telephone Service

The telephone system owned by Colgate University provides rapid telecommunication service between campus telephones. The university maintains an online Contact Directory, which includes faculty, staff and students. Staff can access Colgate's online directory at http://www.colgate.edu/directory.

SECTION IX: SEPARATION

Termination of Employment

Resignations

Employees who resign from the University should submit a letter to their immediate supervisor with a copy to Human Resources. Although employees have a right to terminate their employment without advance notice, it is helpful to give as much notice as possible. Administrative employees are encouraged to provide at least one month's notice and Support Staff and Technical employees at least two weeks' notice.

Retirements

Normal Retirement is age 65 with ten or more years of service.

Early Retirement can occur at age 62 but the employee must have *at least 15 years of active service* at Colgate University.

- Employees who elect to leave Colgate between the age of 55 and 62, and who have at least 15 years of service at Colgate University, may be eligible for an unpaid leave of absence to age 62. During such leaves of absence, benefits will remain in effect but the employee must pay the costs quarterly in advance. At age 62, the employee is eligible to exercise early retirement as provided above.

- Employees who elect to leave Colgate at age 62, but who have *not* completed 15 years of service to Colgate University, may be eligible for an unpaid leave of absence to age 65. During such leaves of absence, benefits will remain in effect but the employee must pay costs quarterly in advance. The employee must have completed 15 years of continuous employment by the end of the leave of absence. At age 65, the employee is eligible to exercise normal retirement as provided above. These benefits are also provided to employees who are receiving benefits under Colgate's long-term disability insurance program.

Benefits for employees who retire are outlined 87 (Benefits for Retired Employees).

Involuntary Terminations

The University may terminate the employment of an individual at any time in accordance with the provisions of this Handbook.

Colgate may take disciplinary action, up to and including termination, against any employee for failing, in Colgate's sole discretion, to adhere to certain standards of behavior. Such failure is frequently reflected in certain actions by the employee, like some of those mentioned earlier in this Handbook, and including, but not limited to, the following examples:

- Failure to properly perform the duties or fulfill the responsibilities to which assigned, including wasteful and inefficient use of materials, supplies, or equipment;
- Working overtime without receiving prior authorization;
- Making unauthorized commitments or expenditures on behalf of Colgate.;

- Failure to promptly notify Colgate of inability to report to work;
- Violations of University safety policies, causing hazardous or dangerous situations, or failing to report and/ or remedy such situations;
- Disregard for, abuse of or failure to comply with Colgate policies;
- Misuse of confidential or proprietary information pertaining to fellow employees or affairs of Colgate;
- Disobedience: failure through neglect or procrastination to follow instructions, procedures, and policies;
- Reporting for work under the influence of liquor, unauthorized prescribed drugs, or any other intoxicant.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. You should not assume that your conduct and job performance is acceptable simply because you refrain from the above-listed examples of prohibited conduct.

Colgate expects employees to recognize that standards of performance will and do change as it strives to respond to changing circumstances and to meet its objectives for continued growth and improvement. As a result, employees should not assume that performance considered acceptable in the past will be acceptable in the present or future. Instead, employees should be guided at all times by a commitment to excel.

If there is a problem with the performance of a regular employee, the following procedures should normally be followed to ensure fairness and due process. Although these procedures are generally applied, they may be disregarded for appropriate reasons upon approval of the Vice President for Administration.

A supervisor is responsible for providing, on a regular basis, accurate and objective evaluation of an employee's performance. The employee should understand the standards that are established for competent performance of the job. A supervisor should discuss any performance deficiencies with the employee. If improvement does not occur, the employee should receive a written communication from the supervisor that states the problem, outlines need for improvement, and indicates acceptable performance levels. A copy of this notice must be sent to Human Resources for inclusion in the personnel record.

If improvement is not observed after a reasonable time, the supervisor should inform the employee in writing of goals to be achieved within a specific period of time and that employment may be terminated if satisfactory performance is not achieved. A copy should be given to Human Resources. Any recommendations for termination of employment must be reviewed by the Vice President for Administration, the appropriate Vice President or Dean of an executive division, and the President, as appropriate. (See Grievance Procedures in this Handbook)

Although it is the University's policy to have progressive discipline prior to termination, circumstances may dictate a deviation from this policy. In addition, there may be circumstances which, because of their nature, will result in immediate termination of an employee without prior warning. This category may include insubordination; sale, possession or unauthorized use of alcoholic beverages, unauthorized prescription drugs or illegal substances on campus; theft, misuse

or destruction of University property (including computer data and software); willful mistreatment of fellow employees or students, including rude actions, abusive or obscene language; engaging in unsafe or destructive conduct; assault or fighting; inappropriate or disruptive behavior; threatening, intimidating, or coercing fellow employees on Colgate premises at any time and for any reason; unauthorized possession or concealment of firearms (loaded or unloaded) or other weapons on Colgate premises at any time; sexual harassment; falsification of any college record, including original employment application; unlawful, indecent or immoral conduct; dishonesty; or negligent actions which would cause injury to fellow workers or similar conduct or activity.

The supervisor must contact Human Resources prior to discharging a staff member to ensure consistency with University regulations.

Termination Procedures

Employees should contact the Human Resources Department for information and a checklist to assist them during termination of employment with Colgate. All University property, keys, and identification cards must be returned to the appropriate office.

The Human Resources Department may conduct an exit interview with terminating employees on or before their last day of work.

Employment References

All requests for employment and salary verification and for job references should be referred to the Human Resources Office.

Requests for personal and payroll information are considered confidential and proprietary and handled appropriately. Generally, without specific written authorization and release from an employee, only job title and employment dates will be released outside the University.