

# **FAIRFIELD UNIVERSITY EMPLOYEE HANDBOOK**

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# SECTION 1: GENERAL INFORMATION

## Welcome

Welcome to Fairfield University! One of the keys to our success is hiring good employees. We have hired you because we believe you have the skills and the potential to help our University succeed. We expect employees to perform the tasks assigned to them to the best of their abilities. We believe that hard work and commitment will not only benefit Fairfield University, but will also help give all of our employees a sense of pride and accomplishment. We are glad to have you as a member of our team.

Fairfield University intends to provide employees with all of the support and the resources they will need to perform their job effectively. If, at any time, you need assistance or guidance, do not hesitate to ask your supervisor or Human Resources.

## Purpose of Employee Handbook

This Employee Handbook contains information about the employment policies and practices of Fairfield University. These policies reflect the University's values, and we expect each employee to read this Employee Handbook carefully as it is a valuable reference for understanding your job and Fairfield University.

This Employee Handbook supersedes all previously issued employee handbooks. Except for the policy of at-will employment, Fairfield University reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions, or additions must be in writing. No oral statements or representations can change the provisions of this Employee Handbook.

This Employee Handbook does not constitute an express or implied contract guaranteeing continued employment for any employee. No supervisor has any authority to enter into a contract of employment express or implied that changes or alters the fact that employment with Fairfield University is at-will. **Only the President of the University or his authorized representative has the authority to enter into an employment agreement that alters the fact that employment with the University is at-will, and any such agreement must be in writing signed by the President of the University or his authorized representative.**

Not all of the University's policies and procedures are set forth in this Employee Handbook. We have summarized only some of the more important ones. If you have any questions or concerns about this Employee Handbook or any other policy or procedure, please ask your Human Resources representative.

Nothing in this Handbook or in any other document or policy is intended to violate any local, state, or federal law. Nothing in this Handbook is intended to limit any concerted activities by employees relating to their wages, hours, or working conditions, or any other conduct protected by Section 7 of the National Labor Relations Act. Furthermore, nothing in this Handbook prohibits an employee from reporting concerns to, filing a charge or

complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by the Equal Employment Opportunity Commission (“EEOC”), National Labor Relations Board (“NLRB”), Securities and Exchange Commission (“SEC”) or any other federal, state or local agency charged with the enforcement of any laws.

This Handbook may apply to employees working in a state with greater or different rights. Employees may receive a state-specific supplement to the Employee Handbook that provides information and policies applicable to employees working in that state. The University complies with applicable state and local laws.

## **Statement of Employment At-Will**

Employment with Fairfield University is at-will, unless state law provides otherwise. This means that employment may be terminated for any or no reason, with or without cause or notice at any time, by the employee or by the University. Nothing in this Handbook or any oral statement shall limit the right to terminate at-will. This at-will employment policy is the sole and entire agreement between the employee and Fairfield University regarding the fact that employment with Fairfield University is at-will. No supervisor has any authority to enter into a contract of employment express or implied that changes the fact that employment with Fairfield University is at-will. **Only the President of the University or his authorized representative has the authority to enter into an employment agreement that alters the fact that employment with Fairfield University is at-will, and any such agreement must be in writing signed by the President of the University or his authorized representative.**

## **SECTION 2: COMMITMENT TO EQUAL EMPLOYMENT**

### **Equal Employment Opportunity**

As a Jesuit Catholic institution, Fairfield University is and has always been unwavering in its dedication to fostering a meaningfully inclusive community (which is broadly understood and applied) where all are welcomed, respected, and valued. This pedagogy is rooted in our Jesuit Catholic identity and informed by the 500-year tradition of Jesuit education.

Fairfield University is an equal opportunity employer. We prohibit discrimination based on any legally-recognized basis, including race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws. The University will not tolerate discrimination based on these characteristics or any other characteristic protected by applicable federal, state, or local law. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The University's policy against discrimination applies to all persons involved in its operations regardless of their position, and prohibits discriminatory and harassing conduct by any employee of Fairfield University, including supervisors, and nonsupervisory employees. This policy also protects employees from prohibited discrimination by third parties, such as customers, vendors, clients, visitors, or temporary or seasonal workers. If such conduct occurs in the workplace by someone not employed by Fairfield University, the procedures in this policy should be followed. The workplace includes: actual worksites, any setting in which work-related business is being conducted (whether during or after normal business hours), University-sponsored events, and University owned/controlled property.

## **Unlawful Harassment**

Fairfield University is committed to providing a work environment that is free of prohibited harassment. As a result, the University maintains a strict policy prohibiting harassment against applicants and employees based on any legally-recognized status, including, but not limited to: race, color, religion, sex, pregnancy (including lactation, childbirth or related medical conditions), sexual orientation, gender identity, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service member status, or any other status protected by federal, state or local law.

The University's anti-harassment policy applies to all persons involved in its operations regardless of their position, and prohibits harassing conduct by any employee of Fairfield University, including supervisors and nonsupervisory employees. This policy also protects employees from prohibited harassment by third parties, such as customers, vendors, clients, visitors, or temporary or seasonal workers. If such harassment occurs in the workplace by someone not employed by Fairfield University, the procedures in this policy should be followed. The workplace includes: actual worksites, any setting in which work-related business is being conducted (whether during or after normal business hours), University-sponsored events, and University owned/controlled property.

Prohibited harassment may include but is not limited to:

- Verbal conduct including taunting, jokes, threats, epithets, derogatory comments, or slurs based on an individual's protected status;
- Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, social media, emails, text messages, or gestures based on an individual's protected status; and
- Physical conduct including assault, unwanted touching, or blocking normal movement because of an individual's protected status.

## **Non-Retaliation**

Retaliation is prohibited against any person by another employee or by Fairfield University for reporting proscribed harassment or discrimination or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by the

University or a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

An employee should report any retaliation prohibited by this policy to Human Resources or the Senior Director, Equity. All reports of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

## **Complaint Procedure**

Any applicant or employee who believes they have been harassed, discriminated against, or subject to retaliation by a co-worker, supervisor, agent, client, vendor, or customer of Fairfield University in violation of the foregoing policies, or who is aware of such harassment, discrimination, or retaliation against others, should immediately provide a written or verbal report to Human Resources or to the Senior Director, Equity to report such incidents. Applicants and employees are encouraged to report concerns, even if they relate to incidents in the past, involve individuals who are no longer affiliated with Fairfield University, or relate to conduct occurring outside of work if it impacts the individual at work.

Any supervisor who receives a complaint of discrimination, harassment, or retaliation must immediately report the allegation to Human Resources or the Senior Director, Equity. Employees are encouraged but not required to communicate to the offending person that the person's conduct is offensive and unwelcome.

After a report is received, a thorough and objective investigation by management will be undertaken. The investigation will be completed and a determination made and communicated to the employee as soon as practical.

The University expects all employees to fully cooperate with any investigation conducted by the University into a complaint of proscribed harassment, discrimination, or retaliation, or regarding the alleged violation of any other University policies, and during the investigation, to keep matters related to the investigation confidential.

If the University determines that this policy has been violated, remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to deter any future harassment or discrimination prohibited by this policy. If a complaint of prohibited harassment, discrimination, or retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

The initiation of a good faith complaint of harassment, discrimination, or retaliation will not be grounds for disciplinary action, even if the allegations cannot be substantiated. Any individual who makes a complaint that is demonstrated to be intentionally false may be subject to discipline, up to and including termination.



The Equal Employment Opportunity Commission ("EEOC") and equivalent state agencies will accept and investigate charges of unlawful discrimination or harassment at no charge to the complaining party. The nearest office of the EEOC and equivalent state agencies can be found in your local telephone directory or online at [www.eeoc.gov](http://www.eeoc.gov). Any University employees based in Connecticut who believe they have been harassed or discriminated against may file a complaint with the Connecticut Commission on Human Rights and Opportunities (CHRO).

See also the University's Non-Discrimination and Harassment Policy, which is incorporated herein by reference, at University Policies – Governance, Legal, and Institutional Equity on the University's Wiki site.

## **Supervisor's Responsibilities**

All supervisors are responsible for:

- Implementing the policies regarding discrimination, harassment, and retaliation;
- Ensuring that all employees under their supervision have knowledge of and understand these policies;
- Promptly reporting any complaints to Human Resources or to the Senior Director, Equity so they may be investigated and resolved in timely manner;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with this policy; and
- Conducting themselves at all times in a manner consistent with these policies.

Failure to meet these responsibilities may lead to disciplinary action, up to and including termination.

## **Sex-Based Harassment, Discrimination & Retaliation Policy**

Fairfield University's commitment to non-discrimination includes an assurance that the University will not tolerate discrimination or harassment on the basis of sex, sexual orientation or gender identity, including but not limited to sexual violence, dating or domestic violence, stalking, or retaliation, in its community. The Sex-Based Harassment, Discrimination & Retaliation Policy is intended to guide the community on the University process for complaints of sexual misconduct, the resources available to individuals affected by sexual misconduct and the sexual misconduct prevention initiatives of the University. For a copy of the Sex-Based Harassment, Discrimination & Retaliation Policy, which is incorporated herein by reference, please see University Policies – Governance, Legal, and Institutional Equity on the University's Wiki site.

## ***Disability and Accommodation***

Fairfield University hires applicants on the basis of each applicant's ability to perform the essential functions of their job. To comply with applicable laws ensuring equal employment opportunities for individuals with disabilities, the University will make reasonable accommodations for the known physical or mental limitations of an otherwise

qualified individual with a disability who is an applicant or an employee, unless undue hardship and/or a direct threat to the health and/or safety of the individual or others would result. Any employee who requires an accommodation in order to perform the essential functions of his or her job, enjoy an equal employment opportunity, and/or obtain equal job benefits should contact Human Resources to request such an accommodation. Human Resources will communicate with the employee and engage in an interactive process to determine the nature of the issue and what, if any, reasonable accommodation(s) may be appropriate. In some cases, this interactive process may be triggered without a request from the employee, such as when the University receives notice from its own observation or another source that a medical impairment may be impacting the employee's ability to perform his or her essential job functions.

Employees who believe they need an accommodation must specify, preferably in writing, what barriers or limitations prompted the request. The University will evaluate information obtained from the employee, and possibly his or her health care provider or another appropriate health care provider, regarding any reported or apparent barriers or limitations, and will then work with the employee to identify possible accommodations, if any, that will help to eliminate or otherwise address the barrier(s) or limitation(s). If an identified accommodation is reasonable and will not impose an undue hardship on the University and/or a direct threat to the health and/or safety of the individual or others, the University generally will make the accommodation, or it may propose another reasonable accommodation which may also be effective. Employees are required to cooperate with this process by providing all necessary documentation supporting the need for accommodation, and being willing to consider alternative accommodations when applicable.

The University will also consider requests for reasonable accommodations for medical conditions related to pregnancy, childbirth, and lactation where supported by medical documentation and/or as required by applicable federal, state or local law.

Employees who wish to request unpaid time away from work to accommodate a disability should speak to Human Resources. For information about service animals and reasonable accommodations for employees in University housing, please see the supplement to this policy at Exhibit B to this Handbook and the Fairfield University Animals on Campus Guidelines located on the University Wiki site under University Policies – Human Resources.

### ***Religious Accommodation***

The University will provide reasonable accommodation for employees' religious beliefs, observances, and practices when a need for such accommodation is identified and reasonable accommodation is possible. A reasonable accommodation is one that eliminates the conflict between an employee's religious beliefs, observances, or practices and the employee's job requirements, without causing undue hardship to the University. Any employee who perceives a conflict between job requirements and religious belief, observance, or practice should bring the conflict and request for accommodation to the attention of Human Resources to initiate the accommodation process. The University

requests that accommodation requests be made in writing, and in the case of schedule adjustments, as far in advance as possible.

## **SECTION 3: GENERAL EMPLOYMENT PRACTICES**

### **Employee Classifications**

Employees of Fairfield University are classified as either exempt or nonexempt under federal and state wage and hour laws, and are further classified for administrative purposes. Employees will be informed whether their status is exempt or nonexempt and should consult their supervisor and/or Human Resources with any questions or concerns regarding this status. The following designations are used throughout this Employee Handbook.

#### ***Exempt Employees***

Exempt employees are employees whose job assignments meet specific tests established by the federal Fair Labor Standards Act (FLSA) and state law and who are exempt from minimum wage and overtime pay requirements. Exempt employees are compensated on a salary basis.

#### ***Nonexempt Employees***

Nonexempt employees are employees whose job positions do not meet FLSA or applicable state exemption tests, and who are NOT exempt from minimum wage and overtime pay requirements. Nonexempt employees are eligible to receive overtime pay for hours worked in excess of 40 hours in a given week, or as otherwise required by applicable state law.

#### ***Full-Time Regular Employees***

Employees who are regularly scheduled to work 35 to 40 hours per week throughout the calendar year. Employees in this category are eligible for benefits.

#### ***Academic Year Employees***

Employees who regularly work a full-time work schedule but who are employed less than 12 continuous months, but not less than 9 months. Employees in this category are eligible for benefits while working a minimum of 30 hours per week.

#### ***Part-Time Regular Employees***

Part-time regular employees are those who are normally scheduled to work and who do work a minimum of 20 hours/week but less than a full-time work schedule. Part-time regular employees may be assigned a work schedule in advance or may work on an as-needed basis. Part-time regular employees are eligible for some but not all employee benefits, and are provided with benefits required by applicable law.

### ***Temporary Employees***

Temporary employees are those who are employed for short-term assignments. Temporary employees are generally hired to temporarily supplement the workforce or assist in the completion of a specific project. These temporary employment assignments are of limited duration. Temporary employees are not eligible for employee benefits except as required by applicable law, and may be classified as exempt or nonexempt on the basis of job duties and compensation.

### ***Student Workers***

Student workers are individuals who are primarily students of the University. The provisions of this Handbook are not applicable to students whose University work activity is secondary to their education, except as required by applicable law. This includes graduate assistants receiving courses and/or stipends for payment. Student workers should never exceed 19 hours of work per week (for all University positions combined).

### ***Other***

Employees in certain positions (e.g., Facilities, Public Safety Officers) are required to work under specific guidelines related to the nature of their responsibilities. As a result of the unusual requirements of their positions, some policies and procedures are modified for those employees. If you fall into one of these categories, your supervisor will explain any such modifications to you. You also may contact Human Resources with any questions.

## **Employee Eligibility and Work Authorization**

Fairfield University is committed to employing only individuals who are authorized to work in the United States and who comply with applicable immigration and employment law. As a condition of employment, every individual must provide satisfactory evidence of their identity and legal authority to work in the United States within three business days of commencing employment. If the employee cannot verify their right to work in the United States within three business days of employment, the University will be required to terminate their employment immediately.

## **Background Checks**

The University recognizes the importance of maintaining a safe, secure workplace. The University reserves the right to investigate an individual's prior employment history, personal references, and educational background, as well as other relevant information. Consistent with legal or contractual requirements, the University also reserves the right to obtain and to review an applicant's or an employee's criminal conviction record and related information and to use such information when making employment decisions, but only to the extent permissible under applicable law.

All background checks will be conducted and used in strict conformity with the federal Fair Credit Reporting Act (FCRA) and applicable state and federal laws. Background checks will be completed for all newly hired employees and for all rehires.

## **Promotions and Transfers**

The University recognizes its employees' interest in promotion and transfer opportunities within the University. Therefore, job listings will generally be posted on a regular basis to communicate the information to our employees. Available positions are posted on the University website.

Employees who wish to apply for a transfer or promotion should contact Human Resources. A "promotion" is normally a change to a position in a higher pay grade. A "transfer" is normally a change to a position in the same or lower pay grade. Qualifications, past performance, seniority, and the general needs of the University are factors that will normally be considered in evaluating an employee's application for transfer or promotion. Employees must be in their current position for a minimum of one year in order to apply for a transfer or promotion.

No employee will be considered for promotion or transfer to another position at the University unless they have advised their direct supervisor of their intent to apply before applying. An employee must be in their current role at the University for at least 1 year before they are eligible to apply for another role.

## **Personnel Files and Personal Data**

Only authorized members of management and Human Resources have access to an employee's personnel file. Employees will be provided access to their own personnel records in accordance with applicable state law. Please contact Human Resources to schedule a time. The University will cooperate with - and provide access to an employee's personnel file to - law enforcement officials or local, state or federal agencies in accordance with applicable law, or in response to a subpoena, in accordance with applicable law.

Current employees in Connecticut can access their own personnel files up to two times each calendar year. An employee's request to access his or her personnel file must be in writing and addressed to Human Resources. Current employees will be permitted to inspect and copy their personnel files within seven business days after the University receives their written request.

Former employees who worked for the University in Connecticut will be permitted to inspect and copy their personnel files within 10 business days after the University receives their written request, provided that the former employee's written request is received no later than one year after the termination of his or her employment.

If an employee disagrees with any of the information contained in his records, the employee may request that the University remove or correct such information. If the

employee and the University cannot agree upon such removal or correction, the employee may submit a written statement explaining his or her position. The employee's written statement will be maintained as part of his records and will accompany any transmittal or disclosure from such file or records made to a third party.

To better assist employees and their families in the event of personal emergencies, Fairfield University strives to maintain up-to-date contact information. Maintaining accurate information in our files also is important for recordkeeping, payroll and benefits related purposes. Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be reported promptly to Human Resources via employee self-service in Workday.

## **Telework**

Positions at Fairfield University are campus-based unless otherwise indicated at the time the position is posted. From time to time, teleworking (also known as "remote work") may be arranged when it is in the best interest of the University and the employee. Under this arrangement, employees may work at a location other than the Fairfield University campus, for all or part of their workweek, when both the employee and the job are suited to such an arrangement. Teleworking may be appropriate for some employees and jobs but not for others; it is not an entitlement for any employee. Employees who wish to request a teleworking arrangement should review this policy carefully and then discuss their request with their supervisor.

A telework arrangement is not a contract of employment and in no way changes the terms and conditions of employment with the University or the nature of the at-will employment relationship with the University. A teleworking employee remains obligated to comply with all Fairfield University rules, standards, policies, practices, and instructions that would apply if the employee were working at their regular worksite.

## ***Job Duties***

The general expectation for a telework arrangement is that the employee will effectively accomplish their regular job duties, regardless of work location. A teleworking employee will:

- remain accessible during the telework work schedule;
- remain in regular contact with their supervisor;
- be available for teleconferences (e.g., via Zoom, Teams Chats, Skype), scheduled on an as-needed basis;
- be available to come into the office in Fairfield, CT if a business need arises;
- request supervisor approval in advance of working any overtime hours (if employee is non-exempt);
- follow all Fairfield University policies and procedures; and
- follow all applicable federal and state laws and regulations.

### ***Compensation, Work Hours, and Time Worked***

An employee's compensation, benefits, work status, and work responsibilities will not change due to teleworking. Work hours are not expected to change due to the fact that an employee is teleworking. Teleworking employees must ensure that they record their hours as they would if not teleworking. An employee must take all required breaks and meal periods and must accurately record each break in Workday. All vacation and other time off (including leaves of absence) must be scheduled, approved, and recorded in accordance with the University's time off policies and practices.

For non-exempt employees, overtime should be discussed with and approved in advance by an employee's supervisor, just as any overtime scheduling would normally have to be approved. Failure to comply with these requirements may result in discipline, including but not limited to the immediate termination of the telework arrangement.

Teleworking employees are responsible for tax and insurance consequences, if any, of a telework arrangement, consistent with applicable federal and state law.

### ***Work Space and Equipment***

Teleworking employees must maintain a safe, secure, and ergonomic work environment and communicate regularly with their supervisor. Teleworking employees will ensure that they have everything needed to perform the job remotely. They must maintain access to networking and/or Internet capabilities at the remote work site. Teleworkers are responsible for maintaining minimum inbound and outbound available bandwidth to support a remote office, as determined by Fairfield University's IT Department.

The use of equipment provided by the University is limited to authorized persons and for purposes relating to University business. The University's IT personnel may answer general questions related to staff-owned equipment, but cannot provide on or off-site detailed technical support for staff-owned equipment. For further details on technology to support remote work, please consult IT.

Teleworking employees must protect University-owned equipment, records, and materials from unauthorized or accidental access, use, modification, destruction, or disclosure and must execute a Confidentiality Agreement for Telework. All equipment, records, and materials provided by the University are and shall remain the property of the University. Teleworking employees must report to their supervisor any incidents of loss, damage, or unauthorized access at the earliest reasonable opportunity and cooperate with reporting such incidents to law enforcement officials and/or insurance providers, as appropriate. Equipment must be returned to the University damage-free and in good working order immediately upon the termination of the telework arrangement, or upon demand by the University. Records and materials provided by the University likewise must be returned upon the termination of the telework arrangement, or at any time upon demand by the University.

Office supplies will be provided by the University, as needed. Teleworking employees must obtain prior approval from the University before purchasing office supplies and must

follow University reimbursement procedures, unless otherwise required by applicable federal or state law.

Teleworking employees are responsible for conforming to any local zoning regulations, if applicable.

Teleworking employees shall report to Human Resources any job-related injuries that occur in the course and scope of employment at the earliest reasonable opportunity.

### ***Communication and Travel***

Teleworking employees are expected to maintain consistent and open communication with their supervisors. All teleworking employees must be available (including but not limited to by phone and email) during Fairfield University's normal working hours based on Eastern Standard Time (EST). Teleworking employees must be available for staff meetings and other meetings deemed necessary by management, and may be required to come to Fairfield University's campus for such meetings. Any such travel will be at the teleworking employee's sole expense, unless otherwise required by applicable federal or state law.

### ***Distractions***

It is the teleworking employee's primary responsibility to perform work for the University during the employee's regularly scheduled work hours. The employee is responsible for controlling interruptions during their work hours and should make regular dependent care arrangements as needed for teleworking periods. A telework arrangement is not intended to be used, and should not be used, as a substitute for dependent care.

### ***Term, Review, and Termination***

Telework arrangements are made on a trial basis covering a period of up to one year, are subject to formal review, and may be renewed on an annual basis. Telework arrangements require advance approval by both Human Resources and the employee's supervisor. Notwithstanding said annual review, the University in its discretion may review the telework arrangement more frequently as needed to ensure that employee's work quality, efficiency, and productivity are satisfactory.

Either the employee or the University may end a telework arrangement:

- An employee may terminate a telework arrangement upon reasonable written notice to their supervisor. There is no guarantee that the University can accommodate an employee's return to a campus-based location.
- In the event that the University determines that the telework arrangement is not in the best interests of the University for any reason, including but not limited to the employee's performance and productivity, the University may terminate the telework arrangement. The University will strive to provide a minimum of two weeks' written notice of such termination of the



arrangement, but is not required to do so if circumstances prevent such notice or render such notice superfluous.

### ***Modifications to Telework Arrangement***

All employee-proposed changes to an existing telework arrangement are subject to approval by both Human Resources and the employee's supervisor. Ad-hoc modifications to an agreement should be discussed among and documented by the employee, Human Resources, and the supervisor. Long-term or substantive modifications should be documented by entering into a new Telework Agreement.

### ***Emergency Teleworking***

It may be necessary for the University to cease, limit, or otherwise alter its operations on campus for a period of time due to an emergency circumstance (e.g., COVID-19). This does not mean that the University is shutting down all operations. Many functions can be performed on an interim basis via teleworking. In such circumstances, the University will communicate with employees with regard to teleworking and may, in its sole discretion, forgo documenting such arrangements via Telework Agreements. Implementation of emergency teleworking does not indicate the University's approval of remote work for any employee on an ongoing or long-term basis. When the University deems the emergency circumstances to have passed or if a telework arrangement is not successful, employees will be notified that the emergency telework arrangements will terminate. We encourage employees to review their roles and regular tasks with their supervisors in advance of a potential emergency to determine what functions can be performed remotely and what resources may be necessary to accomplish remote work. Even during a period of emergency teleworking, no employee may telework from out of state (other than on a de minimus basis, such as while on vacation) without advance approval from their supervisor and Human Resources.

### ***Out of State Teleworking***

We recognize that in rare circumstances, it may benefit the University to permit exempt employees to work from an out of state location. Examples of such circumstances include positions which may be difficult to fill locally, or positions which would provide the University with a business-related presence outside of Connecticut. Upon request by an exempt employee in good standing, the University may permit an out of state telework arrangement for up to one year, subject to review and renewal as set forth above and subject to the conditions generally applicable to telework arrangements at the University as set forth in this policy. No employee may telework from out of state (other than on a de minimus basis, such as while on vacation) without advance approval from their supervisor and Human Resources.<sup>1</sup>

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<sup>1</sup> Student workers, including students working in internships administered by the University, generally are not eligible to telework outside of Connecticut, and must consult with their supervisor, Human Resources, and Payroll before engaging in any such remote work.

This Telework policy and any Telework Agreements entered into pursuant to this policy do not apply to telework arrangements made through the University's disability accommodation process based on an employee's own disability.

### ***Requesting a Telework Arrangement***

If your supervisor has approved proceeding with a telework arrangement, please contact Human Resources for the applicable forms.

## **Voluntary Open Door**

We recognize that employees may have suggestions for improving our workplace, as well as complaints about the workplace. We feel that the most satisfactory solution to a job-related problem or concern is usually reached through a prompt discussion with an employee's supervisor. Employees should feel free to contact their supervisors or Human Resources with any suggestions and/or complaints.

While we provide employees with this opportunity to communicate their views, please understand that not every complaint can be resolved to the employee's satisfaction. Even so, we believe that open communication is essential to a successful work environment and all employees should feel free to raise issues of concern without fear of reprisal.

Please note that some University policies, such as the Sex-Based Harassment, Discrimination & Retaliation Policy, contain specific reporting procedures that should be followed. Employees should utilize this Voluntary Open Door policy for reports and ideas that are not addressed through the University's specific reporting procedures.

## **SECTION 4: WORKPLACE CONDUCT**

### **Code of Business Ethics**

#### ***Conflicts and Potential Conflicts Prohibited***

Fairfield University recognizes and respects the individual employee's right to engage in activities outside of his or her employment which are private in nature and do not in any way conflict with or reflect poorly on the University. However, all employees must conduct themselves in such a way as to avoid actual or potential conflicts of interest. The following are examples of prohibited conflicts of interest in any aspect of their jobs:

- Serving as a director, officer, consultant, agent, or employee of a supplier, customer, competitor, or any entity that engages in business with the University;
- Owning a material interest in, being a creditor of, or having other financial interest in a supplier, customer, competitor, or any entity that engages in or seeks to engage in business with the University;
- Receiving from or giving to any supplier, customer, competitor, or entity seeking to do business with the University: gifts, gratuities, loans, special allowances,

- discounts, or other advantages not generally available to employees of the University;
- Having any significant direct or indirect personal interest in a business transaction involving the University;
- Conducting outside activities that materially detract from or interfere with the full and timely performance of an employee's job duties for the University;
- Misusing or divulging confidential University information for personal or professional gain; and
- Influencing commercial transactions involving purchases, contracts or leases in a way that would have a negative impact on the University or its business.

Employees are further generally prohibited from using any authority vested in them as a representative of the University to obtain personal favors, discounts, payments, or other benefits, whether from third parties or from University employees. Use of an employee's position in furtherance of a personal or other nonbusiness interest or relationship creates and actual or perceived conflict of interest and is prohibited.

### ***Reporting and Resolution of Conflicts of Interest***

If an employee has, or is considering the assumption of, a financial interest or outside employment relationship that might involve a conflict of interest, or if the employee is in doubt concerning the proper application of this policy, they should promptly discuss the matter with their supervisor and refrain from exercising responsibility on the University's behalf in any manner that might reasonably be considered to be affected by any adverse interest. Failure to disclose the fact of a conflict or potential conflict may constitute grounds for disciplinary action.

Employees must report good-faith concerns about any business-related conduct they believe to be fraudulent, illegal, or unethical, whether that conduct occurs within the University or otherwise involves one of the University's consultants, vendors, contractors, sub-contractors, bankers, or any other party having a business relationship with the University. Failure to report unethical, fraudulent, illegal, or wrongful business conduct may result in discipline, up to and including termination.

The University will not tolerate harassment, retaliation, or reprisals of any kind against any employee who has, in good faith, protested or raised a concern regarding a University policy or practice or reported a reasonable suspicion that someone connected with the University is engaged in fraudulent or other unethical or illegal conduct in the course of their work.

Examples of activity that should be immediately reported to the University, include, but are not limited to:

- Fraud;
- Bribery;
- Gratuity, gifts, favors, entertainment, loans or anything of monetary value to government employees;

- Association with outside companies in a manner that creates a conflict of interest in the performance of job functions;
- Failure to report a significant overpayment(s) of any contract with the government, other than overpayments resulting from contract financing payments;
- Presentation or creation of false claims for government payment;
- Creation of a false record or statement in support of a fraudulent claim for government payment;
- Requests or instructions to employees to act in a manner that conflicts with University policy and/or that does not serve the best interests of the University; and
- Other violations of the University's Code of Conduct.

Employees may submit complaints, concerns, and information regarding potential unethical, fraudulent, or illegal business conduct to their immediate supervisor. If the employee is not comfortable speaking their supervisor or is not satisfied with the supervisor's response, or if the concern relates to a particularly serious or sensitive issue, the employee is encouraged to report their concern to Human Resources.

When submitting a report, employees should provide as much detailed information as possible, including the background and history of the concern, names, dates and places where possible, and why the situation is a reason for concern. The University will investigate the concerns and take remedial action as appropriate. Please note that an investigation does not suggest that the concerns have been confirmed or rejected. While the University will endeavor to maintain confidentiality, the primary focus will be on taking all reasonable steps to investigate the allegations thoroughly.

## **Political Contributions**

Fairfield University encourages its employees to become involved in civic affairs. Their involvement and participation, however, must be on an individual basis, on their own time, and at their own expense. Employees are strictly prohibited from donating University funds, goods, or services, directly or indirectly, to candidates for political offices. This prohibition includes employees' work time. Employees may not make a personal contribution and then seek reimbursement from the University through an expense report or any other means. In no event will an employee be reimbursed in any manner for political activities.

## **Familial and Romantic Relationships**

The University will not take any adverse employment action against any employee for engaging in romantic relationships during nonworking hours away from University premises. However, it will consider such relationships when they affect an employee's job performance, occur during working time or on University premises, or pose a danger of a conflict of interest.

A familial or intimate relationship among employees can create an actual or potential or perceived conflict of interest in the employment setting, especially where one relative, spouse, partner, or member of such a relationship supervises another relative, spouse, partner, or member. To avoid this problem, the University may refuse to hire or place a relative or other intimately associated individual in a position where the potential for favoritism or a conflict exists.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. In other cases where a conflict or the danger of a conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment at the discretion of the University.

This policy also applies to familial and romantic relationships between University employees and students. Under both this section and the Code of Business Ethics generally, employees must refrain from engaging in any activity that would create an actual or apparent conflict of interest in connection with any familial or romantic relationship with a student.

For the purposes of this policy, a “relative” or person with a “familial relationship” is any person who is related by blood or marriage (current or former), or whose relationship with the employee is similar to that of persons who are related by blood or marriage (e.g., domestic partnership, civil union status, adoption).

Violation of this policy will result in discipline, up to and including termination.

## **Standards of Conduct**

To ensure safety and security and provide the best possible work environment, we expect employees to follow basic, common-sense rules of conduct that will protect everyone’s interests and safety.

It is also expected that all employees will always maintain professional standards of conduct, dress, and demeanor consistent with their professional status and the basic aims, spirit, and philosophy of Fairfield University. All employees are expected to treat students, colleagues, faculty members, visitors, and guests with the dignity and respect consonant with their profession.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action:

- Falsification of employment records, employment information or other record;
- Theft or the deliberate or careless damage of any University property or the property of any University employee;

- Use of University materials, supplies, tools or products for personal reasons without advance permission from management;
- Abuse of University's electronic resources, including sending personal emails during working time or in a manner that interferes with the employee's work performance;
- Possessing, distributing, selling, transferring, using or being under the influence of alcohol or illegal drugs in the workplace;
- Provoking a physical fight or engaging in physical fighting during working hours or on University premises;
- Carrying firearms, weapons, or dangerous substances at any time, on University premises, unless state law provides otherwise;
- Using abusive, violent, threatening, or vulgar language at any time during working hours or while on University premises;
- Absence of three consecutive scheduled workdays without prior notice to the University;
- Failing to obtain permission to leave work during normal working hours;
- Failing to observe working schedules, including meal and rest breaks;
- Abusing or misusing paid sick leave;
- Failing to provide a certificate from a health care provider when requested or required to do so in accordance with applicable law;
- Working overtime without authorization or refusing to work assigned hours, including overtime hours;
- Violating any safety, health, or security policy, rule, or procedure of the University; and
- Committing a fraudulent act or intentional breach of trust under any circumstances.

As outlined in this Handbook, employment may be terminated for cause by the University at any time, subject to certain procedures outlined herein.

Examples of less severe forms of discipline include verbal warnings, written warnings, demotions, and suspensions. Although one or more of these forms of discipline may be taken, no formal order or procedures are necessary. Fairfield University reserves the right to determine which type of disciplinary action to issue in response to any type of performance issue or violation of any University policy, rule, or guideline.

## **Reporting**

### ***We Encourage A Speak Up Culture***

The University is deeply committed to promoting a culture of ethical conduct and compliance with our code of business ethics, standards of conduct, and other policies, rules, and guidelines, in addition to applicable laws, rules, and regulations that govern our operations. We expect all of our employees, officers, directors, and agents to follow this commitment in all aspects of their work. The University encourages employees to speak up and raise good faith workplace concerns promptly.

## ***Raise Good Faith Questions and Concerns about Conduct that may Violate our Code***

References to our “Code” should be read to encompass all of our obligations to perform our jobs in a manner that is consistent with the University’s policies, procedures, rules, and guidelines, as well as applicable laws. Consistent with our commitment to ethics, compliance, and the law, we welcome your good faith questions and concerns about any conduct you believe may violate our Code, especially conduct that may be illegal, fraudulent, unethical, or retaliatory.

We promote an environment that fosters honest, good faith communications about matters of conduct related to our business activities, whether that conduct occurs within Fairfield University, involves one of Fairfield University’s contractors, suppliers, consultants, or clients, or involves any other party with a business relationship to Fairfield University.

### ***The University Does Not Tolerate Retaliation***

The University will not tolerate retaliation of any kind because an employee in good faith raises a question or concern about a violation or suspected violation of our Code, our policies, or the laws and regulations under which we do business, or because the employee participates in or cooperates with an investigation of such concerns.

Retaliation is any conduct that would reasonably dissuade an employee from raising, reporting, or communicating about good faith concerns through our internal reporting channels or with any governmental authority, or from participating in or cooperating with an investigation or legal proceeding raising such concerns. Retaliation may occur through conduct or written or verbal communication and may take many forms, including actual or implied threats, verbal or nonverbal behaviors, changes to the terms or conditions of employment, coercion, bullying, intimidation, or deliberate exclusionary behaviors.

The following are examples of potential retaliation the University prohibits:

- Adverse employment action affecting an employee’s salary or compensation;
- Demotion, suspension, or termination of employment;
- Taking away opportunities for advancement;
- Excluding an employee from important meetings;
- Threatening an employee who has made a report;
- Directing an employee who has made a report not to report to outside regulators;
- Deliberately rude or hostile behaviors or speech; and
- Creating or allowing the creation of a work atmosphere that is hostile toward an employee who has reported a concern.

It is the University’s policy to adhere to all applicable laws protecting our employees against unlawful retaliation or discrimination as a result of their raising good faith

questions or concerns. If you become aware of an instance or threat of retaliation, please immediately report it.<sup>2</sup>

### ***How to Raise Questions and Concerns***

Employees can submit their good faith questions or concerns about conduct they believe may violate our Code, our policies, or the laws and regulations under which we do business to:

- Their supervisor
- Human Resources
- Senior Director, Equity

When an employee raises a concern, the University will maintain confidentiality to the fullest extent possible, consistent with applicable legal requirements and the need to conduct an adequate investigation or review. We ask that employees provide as much detailed information as possible, including the background and history of the concern; names, dates, and places where possible; and the reasons why the situation is cause for concern. This is especially important for concerns raised anonymously, so that the University may conduct an appropriate review and if necessary, begin an investigation.

Please note that Fairfield University does not prohibit anyone from electing to report concerns to, file a charge or complaint with, make lawful disclosures to, provide documents or other information to, participate in an investigation or hearing conducted by or communicate with the Equal Employment Opportunity Commission (“EEOC”), National Labor Relations Board (“NLRB”), Securities and Exchange Commission (“SEC”) or any other federal, state or local agency charged with the enforcement of any laws.

Other parts of this Handbook address the confidentiality of the University’s trade secrets and other proprietary information. You should note that in raising any questions or concerns you may have about potentially illegal conduct, pursuant to the 2016 Defend Trade Secrets Act (DTSA), no individual will be held criminally or civilly liable under Federal or State trade secret law for disclosure of a trade secret (as defined in the Economic Espionage Act) that is: (A) made **in confidence to** a Federal, State, or local government official, either directly or indirectly, or to an attorney, and made **solely for the purpose of** reporting or investigating a suspected violation of law; or, (B) made in a complaint or other document filed in a lawsuit or other proceeding, **if such filing is made under seal** so that it is not made public. And, an individual who pursues a lawsuit for retaliation by an employer for reporting a suspected violation of the law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court or arbitration proceeding, if the individual files any document containing the trade secret under seal, and does not disclose the trade secret, except as permitted by court order or arbitration award.

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<sup>2</sup> Nothing in this policy prevents the University from taking appropriate disciplinary or other legitimate employment action consistent with its usual disciplinary practices and the law. In addition, this policy prohibits and does not protect employees who knowingly and intentionally raise false concerns or reports.



### ***What Fairfield University Will Do***

Fairfield University is committed to reviewing all reported concerns, conducting proper, fair and thorough investigations tailored to the circumstances, and taking appropriate remedial and concluding steps as warranted. All good faith concerns and reports raised under this policy will be taken seriously. Action taken by the University in response to a concern will necessarily depend on the nature and severity of the concern. This may include initial inquiries and fact-gathering to decide whether an investigation is appropriate and, if so, the form and scope of the investigation. Note that an investigation into concerns raised is not an indication that they have been confirmed or rejected. The University complies with the law in conducting investigations and expects that employees will cooperate with an investigation, except when voluntary compliance with an investigation is being requested. The University also expects that employees will provide truthful information when participating in an investigation and, during the investigation, will keep matters related to the investigation confidential.

Employees who believe that they have been subjected to any conduct that violates this policy may register a complaint using the procedures outlined above. Any employee who unlawfully discriminates or retaliates against another employee as a result of the employee's protected actions as described in this policy may be subject to corrective action, up to and including termination.

### **Confidential Information**

The University's confidential and proprietary information is vital to its current operations and future success. Each employee should use all reasonable care to protect or otherwise prevent the unauthorized disclosure of such information. In no event should employees disclose or reveal confidential information within or outside the University without proper authorization or purpose.

"Confidential Information" refers to a piece of information, or a compilation of information, in any form (on paper, in an electronic file, or otherwise), related to the University's business that the University has not made public or authorized to be made public, and that is not generally known to the public through proper means.

Confidential Information does not include information lawfully acquired by non-management employees about wages, hours or other terms and conditions of employment, if used by them for purposes protected by §7 of the National Labor Relations Act such as joining or forming a union, engaging in collective bargaining, or engaging in other concerted activity for their mutual aid or protection. Nothing in this Employee Handbook prohibits an employee from communicating with any governmental authority or making a report in good faith and with a reasonable belief of any violations of law or regulation to a governmental authority, or disclosing Confidential Information which the employee acquired through lawful means in the course of employment to a governmental authority in connection with any communication or report, or from filing, testifying or participating in a legal proceeding relating to any violations, including making other disclosures protected or required by any whistleblower law or regulation to the Securities

and Exchange Commission, the Department of Labor, or any other appropriate government authority.

Further, employees are hereby notified that under the 2016 Defend Trade Secrets Act (DTSA): (1) no individual will be held criminally or civilly liable under Federal or State trade secret law for the disclosure of a trade secret (as defined in the Economic Espionage Act) that: (A) is made **in confidence to** a Federal, State, or local government official, either directly or indirectly, or to an attorney; and made **solely for the purpose of** reporting or investigating a suspected violation of law; or, (B) is made in a complaint or other document filed in a lawsuit or other proceeding, **if such filing is made under seal** so that it is not made public; and, (2) an individual who pursues a lawsuit for retaliation by an employer for reporting a suspected violation of the law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court or arbitration proceeding, if the individual files any document containing the trade secret under seal, and does not disclose the trade secret, except as permitted by order in that proceeding.

## **Personal Appearance**

The image Fairfield University projects to the public is reflected in the appearance of our employees. Simply stated, employees should look well-groomed and should be dressed appropriately for their specific duties. Employees are expected to use good judgment in their appearance and grooming, keeping in mind the nature of the work, their own safety and the safety of co-workers, and their need to interact with the public. For office staff, business casual attire is allowed throughout the year. However, it is expected that all employees dress professionally and appropriately for meeting with students, parents and guests of the University. At no time are shorts, flip-flops, or revealing clothing considered appropriate business attire.

We encourage employees to seek the advice of their supervisor or Human Resources if they have questions regarding appropriate dress or appearance at work. Employees who report to work improperly dressed or groomed may be instructed by their supervisor to return home to change. The time that nonexempt employees are absent for this purpose will be unpaid unless state law requires otherwise.

Nothing in this policy is intended to prevent employees from wearing a hair or facial hair style that is consistent with their cultural, ethnic, or racial heritage or identity. This policy will be interpreted to comply with applicable local, state or federal law.

## ***Religious, Medical and Disability Accommodations***

The University will reasonably accommodate exceptions to this policy if required due to an employee's religious beliefs, medical condition, or disability. Employees who need such an accommodation should contact their supervisor or Human Resources.

## **Attendance and Punctuality**

Employees are expected to have regular work attendance and to be punctual. If employees are absent, their work generally must be performed by others or go undone. Employees are expected to report to work as scheduled, be on time, and be prepared to start work as scheduled. Employees are also expected to remain at work for their entire work schedule, except for meal or break periods, or when required to leave on authorized University business or other authorized reason. Unapproved late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

If an employee is unable to report for work on any particular day, they must call or email their supervisor with as much notice as possible and in any event at least one hour in advance of the time the employee is scheduled to begin working for that day (unless it is impossible to do so, in which case the employee must call as soon as possible thereafter). Employees who need to leave early must notify their supervisor as soon as they learn that they will not be able to complete their scheduled shift. Unless extenuating circumstances exist, employees must call in on each and every scheduled day on which they will not report to work, unless they are on an approved leave of absence. Your supervisor will notify you if your department has specific notification requirements, due to the nature of the operation.

Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment, unless the absence or tardiness is excused or approved.

Each situation of absenteeism, tardiness, or early departure will be evaluated on a case-by-case basis. Even one unexcused absence or tardiness may be considered excessive, depending upon the circumstances. The University will not subject employees to disciplinary action or retaliation for an absence, tardiness, or early departure for which discipline may not be imposed under applicable law. If the employee believes that an absence, tardiness, or early departure is (or should be) excused pursuant to applicable law, the employee should notify their supervisor of this fact as soon as possible, but no later than at the time of the absence, tardiness or early departure. If an employee believes they have mistakenly been subject to disciplinary action for an absence, tardiness, or early departure that the employee believes is or should be excused/approved, the employee should promptly discuss the matter with their supervisor or Human Resources. The University will investigate the situation and any errors will be corrected.

Employees who fail to report for work without any notification to their supervisor and whose absence continues for a period of three (3) consecutive days (No Call / No Show) will be considered to have abandoned and voluntarily terminated their employment, absent extraordinary circumstances.

## **Personal Devices**

Although the University permits employees to bring personal electronic devices including cell phones into the workplace, employees are expected to remember that working time is for work. Therefore, employees should engage in personal phone calls and

communications and other use of personal electronic devices only during nonworking time, including breaks and meal periods. Outside of this time, personal phone calls and other personal device use should be kept to a minimum and for emergency use only.

## **Personal Calls**

While employees are at work, they are expected to perform their job duties and responsibilities. Personal calls should be made primarily outside of working time, whether using a personal cell phone or University telephones.

The University may monitor the frequency and duration of an employee's usage of its telephones. In the event it is necessary to make a personal long-distance call, employees may be asked to reimburse Fairfield University for the cost, when applicable. Abuse of the University's telephones and/or long-distance service may result in discipline, up to and including termination of employment.

## **Social Media**

The University recognizes that online social media can be highly effective tools for sharing ideas and exchanging information. This policy addresses general use of social media by employees and details specific allowable use of social media for work purposes. The University adheres to all relevant federal and state laws and regulations regarding electronic communications, including the National Labor Relations Act.

The University defines social media broadly to include online platforms that facilitate activities such as professional or social networking, posting commentary or opinions, and sharing pictures, audio, video, or other content. Social media include personal websites and all types of online communities (for example, Facebook®, LinkedIn®, Yelp®, YouTube™, Twitter™, blogs, message boards, and chat rooms).

The University's electronic communication systems and devices should be used primarily for business-related purposes, and employees should not expect any privacy when using such systems and devices for social media purposes.

The University recognizes that employees own various forms of electronic communication devices that allow them access to social media. Employees can use personal electronic communication devices at the workplace only according to the University's policy on Personal Devices.

Employees should be mindful of their responsibilities to the University as described in this Handbook. Once content is posted online, it is no longer private and can remain on the internet indefinitely.

Violations of the University's harassment policies that occur via social media are subject to discipline. Employees are prohibited from taking pictures or making audio/video recordings in private areas such as changing rooms, locker rooms, and restrooms, nor should they share any such pictures or recordings via social media.

The University expects employees to refrain from illegal activities when using social media. Administrators who engage in illegal activity via social media over the University's electronic communication systems, whether at work, or elsewhere while telecommuting, may be subject to immediate termination and appropriate legal action by the University or relevant governmental entities. If employees have any questions about their online activity, they should contact Human Resources.

### ***Employees' Personal Social Media***

The University respects employees' right to express personal opinions when using personal social media, and does not retaliate or discriminate against employees who use social media for political organizing or other lawful purposes, such as activities protected by the National Labor Relations Act. Administrators who link to the University's websites on personal social media websites should identify their relationship with the University. Employees who identify themselves as University employees on social media should state that the views they express are their own. The University protects its name and related business assets that are discussed on social media, as permitted by federal and state law. Employees are prohibited from disclosing on any social media network information that is confidential or proprietary to the University, or to a third party that has disclosed information to the University.

### ***Employee Use of Social Media for Work Purposes***

Employees should not utilize their personal social media accounts for work purposes. Employees who need to use social media for work purposes should contact Human Resources to discuss creation and use of University social media accounts for University business. The University expects all employees to abide by the University policy when using social media for work purposes.

### ***Employer-Sponsored Social Media***

The University engages in communications with current and prospective students, families, business partners, vendors and suppliers, affiliates and subsidiaries, and the general public via University-sponsored social media (for example, the University has its own Facebook® and Twitter™ accounts). University-sponsored social media are for business use only, and the University owns the accounts for University-sponsored social media, including all content, communications, and connections created, sent, received, or stored on such accounts. Only employees who are designated and authorized by the University can prepare content for or delete, edit, or otherwise modify content on University-sponsored social media; such employees are specially trained by the University for use of University-sponsored social media.

The University protects its copyrights, trademarks, patents, trade secrets, customer lists, and other sensitive, proprietary, and confidential material as permitted by federal and state law.

### ***Security and Monitoring of Social Media***

Because the University owns and operates electronic communication systems and devices, the University monitors employee use of social media, whether accessed at work or elsewhere while telecommuting, to ensure that electronic communication systems and devices are being used in compliance with federal and state laws and regulations, this policy, and other University rules.

### ***Violations***

If not otherwise provided in this policy, employees who violate the social media policy are subject to discipline. Violations of the University's social media policy can constitute violations of other relevant University policies. Employees who use social media for illegal purposes are subject to appropriate legal action by the University or governmental entities.

The University encourages employees to use official company communications to report all perceived or actual violations of University policies, including violations of the social media policy. Employees can report actual or perceived violations to Human Resources.

None of the prohibitions contained in this policy are intended to infringe upon employees' exercise of their rights under Section 7 of the National Labor Relations Act or any other applicable law, including discussions with co-workers or other issues related to their wages, hours or working conditions.

### **Contact with the Media**

To ensure that the University communicates with the media in a consistent, timely and professional manner about matters related to the University, you should notify the Vice President for Marketing & Communications that you have been contacted by the media whenever you are asked to speak on behalf of the University so that the University knows that a media inquiry has been made. The media include print, radio, broadcast, and internet media outlets, including without limitation student media outlets (e.g., The Fairfield Mirror). Do not respond to media inquiries on the University's behalf without authorization. Unless you have specifically been authorized to speak on behalf of the University by an officer of the University, you must state that the views expressed are your own and made in your personal capacity.

### **Children in the Workplace**

Employees are not permitted to bring their children to work during working hours. As used in this policy, the terms "child" and "children" refer to individuals who have not reached the age of 18. This policy does not apply to children age 15 or older who are volunteering or working on campus, or to special arrangements such as "Take Your Child to Work Day", special arrangements made in advance, or other University-condoned events where children are specifically invited. On occasions when children are in the workplace, they must be directly supervised by the employee at all times, and it is the responsibility of the employee to ensure that the child follows all applicable rules. Any employee who brings a child to the workplace and leaves him/her unattended in an office,

room, hall, lounge, restroom, lunch area or elsewhere will be asked to take the child home and may be subject to disciplinary action. When unforeseen circumstances impact daycare arrangements, employees should discuss arranging time off or other alternatives with their supervisors. Employees are not allowed to utilize telework arrangements as a childcare arrangement. It is the responsibility of supervisors to ensure that the work of the campus is accomplished in an environment that promotes employee health, safety, and student learning with minimal work- related disruptions.

Children exhibiting symptoms of potentially contagious illnesses should not be brought into the workplace under any circumstances, including for University-condoned events. The University does not accept any liability or responsibility for injuries to or caused by children who are on campus in violation of this policy.

## **Outside Employment**

The University respects each employee's right to engage in activities outside of employment such as those that are of a personal or private nature, to the extent that such activities do not create a conflict of interest as described in the Conflicts of Interest policy set forth in this Handbook, or adversely affect the employee's ability to perform their job. Under certain circumstances, however, if an employee's personal conduct adversely affects performance on the job or makes it impossible for the employee to carry out any or all job duties while at work, appropriate disciplinary action up to and including termination of employment may be appropriate.

An example of an activity that might adversely affect an employee's ability to perform their job duties is outside employment. While the University does not prohibit employees from holding other jobs, the following types of outside employment are generally prohibited (to the extent allowed under applicable law):

- Employment that conflicts with the employee's work schedule, duties and responsibilities or creates an actual conflict of interest;
- Employment that impairs or has a detrimental effect on the employee's work performance with the University;
- Employment that requires employees to conduct work or related activities during working times or using any of the University's tools, materials or equipment; and
- Employment that directly or indirectly competes with the business or the interests of the University.

Staff are not allowed to adjunct teach during the business day without specific advance approval by their supervisor.

For the purposes of this policy, self-employment is considered outside employment.

The University will not assume any responsibility for employees' outside employment. Specifically, Fairfield University will not provide workers' compensation coverage or any other benefit for injuries occurring from, or arising out of, such outside employment.

## **Family Educational Rights and Privacy Act (FERPA)**

Enacted in 1974 and sometimes referred to as the Buckley Amendment, the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. The law addresses student institutional information, changes to student records, consent to the disclosure of student records, and the right to file a complaint with the Family Policy Compliance Officer. University staff and faculty must comply with the law by protecting student educational information as outlined by FERPA. Please contact University Counsel with any questions about this policy.

## **SECTION 5: PAY PRACTICES**

### **Performance Reviews**

Performance reviews may or may not be scheduled, in the University's sole discretion. The University reserves the right to issue disciplinary action before or after a performance review. Employees are not entitled to a performance review at any specific interval.

### **Payment of Wages**

Non-exempt employees are paid weekly on Fridays for the time period covering Monday through Sunday of the prior week. Exempt employees are paid on the 15<sup>th</sup> for the time period covering the 1<sup>st</sup> through the 15<sup>th</sup> of the month and on the 30<sup>th</sup> for the time period covering the 16<sup>th</sup> through the end of the month. If the regular payday falls on a weekend or University-recognized holiday, then employees will be paid on the work day before the regular payday. Paychecks are available in the Payroll Department or can be delivered by direct deposit on each payday.

### ***Paycheck Deductions***

The University is required by federal and some state laws to make certain deductions from your paycheck each pay period. Such deductions typically include taxes and Social Security. Depending on the state in which you are employed and the benefits you choose, additional deductions may occur.

The pay of some nonexempt employees may be subject to additional deductions. Such deductions will be made in accordance with state and federal law, and will require written authorization from the employee.

The amount of all deductions will be listed on the employee's pay slip.

### ***Reporting Errors and Obtaining More Information***

Fairfield University makes every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. Please review your pay slip as soon as it becomes available to make sure it is correct. If any employee, exempt or



nonexempt, has questions about deductions from their pay, believes they have been subjected to improper deductions, or believes that the amount paid does not accurately reflect the employee's total hours worked or salary, that employee should promptly contact Payroll or Human Resources.

Every report will be fully investigated, and the University will provide the employee with any compensation to which the employee is entitled in a timely fashion.

The University complies with all applicable laws including the Fair Labor Standards Act, and will not allow any form of retaliation against individuals who make good faith reports of alleged violations of this policy, or who cooperate in an investigation by the University, even if the reports do not reveal any errors or wrongdoing.

### ***Wage Increases***

Each spring the Board of Trustees approves the University budget for the following fiscal year. The budget includes the approved increase percentage, if any, for all University divisions. The increase percentage is then applied to each division's wage and salary budget to be allocated as an appropriate wage increase for eligible employees in that division. Wage increases are not automatic but may be granted on a discretionary basis in recognition of job performance and merit.

### **Work Schedules**

The University is normally open for business from Monday through Friday, 8:30 a.m. – 4:30 p.m. However, as a residential University, hours for different roles may vary. Your supervisor will assign your work schedule.

All employees are expected to be at their desk or designated work area at the start of their scheduled shift, ready to perform their work.

Supervisors will schedule meal and rest periods as appropriate. The University complies with federal and state laws in this regard.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in total hours that may be scheduled each day and week.

### **Meal and Rest Breaks**

It is the University's policy to comply with all laws regarding meal and rest breaks.

Employees must record the beginning and ending time of their meal breaks each day on their time records.

Connecticut employees who work seven or more consecutive hours will be provided one 60-minute meal break, except during summer hours, when hours are altered to permit a partial work day on Friday and one 45-minute meal break is provided Monday-Thursday.

The meal break generally should be taken after the first two hours of work and before the last two hours of work. An uninterrupted 30-minute meal break will be unpaid for nonexempt employees. All nonexempt employees must record their meal breaks.

Employees who are unable to take all of the meal breaks to which they are entitled in accordance with this policy, or who have been prevented or discouraged from taking a break to which he or she is entitled under this policy, should immediately notify a supervisor, or a Human Resources representative.

Employees outside of Connecticut should refer to their state-specific supplement, if applicable, for additional information regarding meal and rest breaks required under state law. If an employee works in a state where there are no applicable meal or rest break requirements, the University will provide break time as appropriate, subject to operational needs and supervisor discretion.

## **Lactation Accommodation**

In accordance with state and federal law, nursing mothers may express breast milk or breastfeed during their regularly scheduled meal or break periods. The University will make reasonable efforts to provide employees with the use of a private place in close proximity to their work area, other than a toilet stall, to express milk or breastfeed. Employees should discuss with Human Resources the location to express their breast milk and for storage of expressed milk and to make any other arrangements under this policy. The University reserves the right not to provide a private location for expressing breast milk if doing so would impose an undue hardship on its operations.

Fairfield University will not discriminate against, discipline or otherwise take adverse action against an employee because she has elected to exercise her rights with regard to breastfeeding and/or expression of breast milk.

For employees working in a jurisdiction that has a mandatory lactation accommodation law, the University will comply with all legal requirements, including providing greater or different benefits than those indicated here.

In accordance with Connecticut law, an employee can, at their discretion, express breast milk or breastfeed during their meal or break periods. The University will make reasonable efforts to provide employees with the use of a room or other location (other than a toilet stall) in close proximity to their work area to express milk or breastfeed. Unless it would impose an undue hardship on the University, the room or other location for lactation accommodation will also be free from intrusion and shielded from the public while the employee is expressing breast milk, include or be situated near a refrigerator or employee-provided portable cold storage device to store breast milk and include access to an electrical outlet.

Employees should discuss with their supervisor or a Human Resources representative the location to express their breast milk and for storage of expressed milk and to make any other arrangements under this policy.

## **Timekeeping**

### ***Nonexempt Employees***

Employees who are classified as nonexempt must accurately record the time they work each day, including arrival, departure and meal break times. All breaks must be accurately reported in the timekeeping system.

When employees receive their paychecks, they should verify immediately that their working time was recorded accurately and that they were paid correctly for all hours worked.

Nonexempt employees must report all time worked and not work any time that is not authorized by their supervisors. This means nonexempt employees must not start work early, finish work late, work during a meal or rest break, or perform any other extra or overtime work unless directed to do so. Employees who have questions about when or how many hours they are expected to work should contact their supervisor or Human Resources.

It is a violation of the University's policy for anyone to instruct or encourage another employee to work "off the clock," to incorrectly report hours worked, or to alter another employee's time records. If any employee is directed or encouraged to incorrectly report hours worked, or to alter another employee's time records, they should report the incident immediately to a supervisor or Human Resources.

### ***Exempt Employees***

Employees who are classified as exempt must record absences from work for reasons such as sick leave or vacation.

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee's work. In general, an exempt employee will receive their salary for any week in which the employee performs any work, regardless of the number of days or hours worked. However, an exempt employee will not be paid for days not worked in the following circumstances:

- When an exempt employee takes one or more full days off for personal reasons other than sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available vacation to make up for the reduction in salary;
- When an exempt employee takes one or more full days off from work due to sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available sick time to make up for the reduction in salary;
- When an exempt employee works only part of the week during their first and last week with the University, the employee will be paid only for the days actually worked;

- When an exempt employee takes unpaid leave under the Family and Medical Leave Act or corresponding laws, the University will not pay for such days/hours of absence; and
- When an exempt employee receives an unpaid disciplinary suspension of one or more full days, imposed in good faith for workplace conduct rule infraction, the University will not pay for such days of suspension.
- When an employee elects to take unpaid summer flex time

The University may require an exempt employee to use available vacation or sick time, as a replacement for salary, when the employee takes less than a full-day off from work.

An exempt employee's salary will not be reduced when the employee works part of a week and misses part of a week due to service as a juror, witness or in the military or for lack of work, though deductions may be made to offset amounts an employee receives as jury or witness fees, or for military pay. The University may also make lawful deductions from an employee's salary for penalties imposed in good faith for infractions of safety rules of major significance.

It is University policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. The University prohibits any deductions from pay that violate the FLSA or applicable state law.

If an exempt employee believes that an improper deduction has been made to their salary, the employee should immediately report this information to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

## **Overtime**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. Nonexempt employees will be paid one and one-half (1.5) times their regular rate of pay for all hours worked in excess of 40 in one workweek and as otherwise required by applicable state and federal law.

All overtime work must be authorized in advance by the employee's supervisor. Working overtime without prior authorization may result in disciplinary action. For overtime pay calculation purposes, the work day begins at 12:00 a.m. on Monday and ends at 11:59 p.m. on Sunday, unless another agreement such as a Collective Bargaining Agreement governs.

Exempt employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime or additional compensation is provided to exempt employees.

## **On-Call Pay**

To ensure that employees will be available to address and resolve issues that may arise, the University has instituted an on-call compensation policy to cover those nonexempt employees who may be required to be on-call and/or come back into work following their regularly scheduled shift. Union members should consult their CBA for additional information regarding on-call pay. Non-union employees subject to this policy should consult with their supervisor or Human Resources with any questions about on-call pay.

This policy will be applied and interpreted in accordance with applicable municipal, state and federal legal requirements.

Exempt employees are not eligible for "on-call" pay.

## **Business Travel and Reimbursement**

The University will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance. Once approved, employees should make travel arrangements and seek reimbursement in accordance with the guidelines in this policy.

When approved, the actual cost of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the University. Employees are expected to limit expenses to reasonable amounts. Reimbursement of nonstandard expenses (including the purchase of alcoholic beverages) incurred on business trips is within the sole discretion of the University.

Employees should ask their supervisor or Accounts Payable for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses or any other business travel issues. Employees should also consult the applicable finance policies for additional information.

Exempt employees will be paid their regular salary for any weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with University policy and with federal and state wage and hour laws.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may result in disciplinary action, up to and including termination of employment.

## **Discussion of Wages**

No employee is prohibited from inquiring about, discussing, or disclosing his or her wages or the wages of another employee, if voluntarily disclosed by that employee. The University will not terminate, discipline, or otherwise discriminate against employees because they engage in such disclosures, discussions or inquiries.

Employees are not required to disclose their wages to anyone.

## **SECTION 6: TIME OFF AND LEAVES OF ABSENCE**

### **Time Off and Leaves of Absence**

The University recognizes that employees benefit from time away from work for a variety of reasons—all of which contribute towards a positive work-life balance for our employees. Therefore, the University provides time off—both paid and unpaid—to eligible employees for the following situations:

- Holidays;
- Vacation;
- Sick Leave;
- Personal Leave;
- Family and Medical Leave;
- Military Leave;
- Jury and Witness Duty Leave;
- Voting Leave;
- Bereavement Leave; and
- Other Leaves of Absence.

### **Holidays**

Each spring, a list of University holidays to be observed during the following fiscal year (July 1 to June 30) is published. The holidays commonly recognized by the University are:

|                            |                        |
|----------------------------|------------------------|
| New Year's Day             | Independence Day       |
| Martin Luther King Jr. Day | Labor Day              |
| President's Day            | Fall Holiday           |
| Good Friday                | Thanksgiving           |
| Easter Monday              | Day after Thanksgiving |
| Memorial Day               | Christmas Eve Day      |
| Juneteenth                 | Christmas Day          |

In addition, the period between Christmas and New Year's is observed as a holiday by the University, and eligible employees will be paid accordingly.

When a University-recognized holiday falls on a non-working day, the day immediately prior to or following may be substituted.

A holiday that occurs during a period of absence without pay is considered part of that absence and, accordingly, the employee will not be paid for the holiday. In order to receive holiday pay, eligible employees must work the scheduled day before and the scheduled day after the holiday, unless their absence was approved by their supervisor.

Part-time employees who work a regular schedule will receive their regular pay if a holiday is observed on their regularly scheduled workday.

Temporary employees receive no pay for a holiday on which they do not work. If eligible temporary employees are required to work on a holiday, they will receive premium pay for hours worked based on the pay policy in effect at the time.

## **Vacation**

All full time and regular part time staff are eligible to accrue vacation benefits. Vacation accrual will commence on the first of the month following hire, with monthly accrued time added to the vacation bank on the last workday of the month.

Exempt full-time employees will accrue a vacation benefit of 1.667 days per month. Non-exempt, full-time employees accrue a vacation benefit listed below:

| <b>Years of Service</b> | <b>Days Accrued per month</b> |
|-------------------------|-------------------------------|
| up to 1                 | .75                           |
| After 1                 | .833                          |
| After 2                 | .917                          |
| After 3                 | 1                             |
| After 4                 | 1.08                          |
| After 5                 | 1.16                          |
| After 6                 | 1.25                          |
| After 7                 | 1.33                          |
| After 8                 | 1.42                          |
| After 9                 | 1.5                           |
| After 10                | 1.58                          |
| After 11 +              | 1.67                          |

Part-time employees scheduled to work more than 20 hours per week will earn vacation prorated at 50%.

Partial year employees will accrue vacation time during the months worked.

Employees may accrue vacation benefits from one year to the next, but not to exceed a maximum of 30 days. Employees who have accumulated the maximum amount of vacation time will not accrue additional vacation time until they have reduced their vacation time below the maximum. Employees may not take paid vacation time before it is earned and at no time should have a negative vacation balance.

Holidays which occur during an employee's vacation will be treated as holidays and not vacation days. Illness or injury occurring during an employee's vacation will not be substituted with sick leave benefits. Inclement weather closings occurring during an employee's vacation will still be charged to an employee's vacation bank.

Unless state or local law requires otherwise, accrued vacation benefits will be granted only to those terminating employees who have worked more than 3 continuous months and have given sufficient working notice, defined as two full weeks worked. Time off may not be substituted for working notice.

All requests for vacation time must be made in Workday and must be approved by your supervisor.

## **Personal Time**

Full-time, non-exempt employees are provided with 3 personal days per fiscal year (7/1-6/30). Personal days are prorated during the first fiscal year that an employee is hired into a non-exempt, full-time position. Personal days are forfeited if not used prior to the end of the fiscal year and do not rollover into the new fiscal year.

## **Sick Time**

Fairfield University offers paid sick leave to regular full-time employees.

- Exempt, full-time employees do not accrue or earn sick time, but are paid for periods when sickness occurs.
- Non-exempt, full-time employees accrue sick time at the rate of 1 day per month, up to a maximum of 12 days per year.

The following University sick time rules only apply to Connecticut-based employees after 40 hours of CT Paid Sick Leave is exhausted per calendar year. For the first 40 hours of sick time per year, CT Paid Sick Leave guidelines listed below in the “Connecticut Paid Sick Leave” section apply.

Sick leave is to be used only when an employee actually needs to recover from illness or injury or to attend medical and dental appointments, unless otherwise required by applicable state law. Employees may also use one week of sick time in order to care for an ill family member, and up to two weeks of sick time may be used to care for an ill family member if the leave runs concurrently with FMLA. The University will not tolerate abuse or misuse of sick-leave.

An employee who is unable to report to work because of injury or illness must notify their supervisor prior to the scheduled starting time and should refer to the Attendance and Punctuality section of the Handbook for specific requirements for calling in sick.

For absences of more than three consecutive days due to illness or injury not connected with employment, a certification from a health care provider must be submitted. The certification must state that the employee was under the provider’s care or treatment for the days in question and that it is the provider’s recommendation that the employee remain out of work. A health care provider’s certification may also be required in other circumstances.



The University reserves the right to require a release from the employee's health care provider before the employee returns to work.

Full-time, non-exempt employees may accumulate unused sick time from year to year, to a maximum of 6 months.

When applicable, sick leave taken under this policy may run concurrently with available FMLA and/or state family medical leave.

For employees working in a jurisdiction that has a mandatory sick leave law or a jurisdiction that defines how sick leave may be used or accrued, the University will comply with all legal requirements, including providing greater or different benefits than those indicated here. In such a situation, the leave the employee is entitled to under the law may run concurrently with the leave provided under this policy, to the extent permissible under applicable law. Connecticut-based employees, please see "Connecticut Paid Sick Leave" section below.

## **Connecticut Paid Sick Leave**

The University provides eligible employees with paid sick leave in accordance with Connecticut's paid sick leave law ("CT PSL"). The guidelines set forth in this policy do not supersede applicable federal, state or local law regarding leaves of absence, including leave taken under the Family and Medical Leave Act (FMLA) and/or as a reasonable accommodation under the Americans with Disabilities Act (ADA) or Americans with Disabilities Act Amendments Act of 2008 (ADAAA) or any other applicable federal, state or local law, including those prohibiting discrimination and harassment.

### ***Eligibility***

Employees who work in Connecticut are eligible to accrue CT PSL under this policy. Seasonal employees (including temporary employees) who work 120 days or less in a calendar year are not eligible for CT PSL.

The University may allow, but will not require, eligible employees to work additional hours during the same work week with supervisor approval in lieu of using accrued paid sick time. Decisions will be made on a case-by-case basis. Employees who wish to work additional hours in lieu of using accrued paid sick time should consult with their supervisor or Human Resources.

### ***Reasons CT PSL May Be Used***

Eligible employees may use accrued CT PSL for absences resulting from any of the following:

1. An employee's or employee's family member's illness, injury, or health condition;
2. The medical diagnosis, care, or treatment of the employee or employee's family member;

3. Preventive medical care for the employee's or employee's family member's mental or physical health;
4. The employee's own mental health wellness day;
5. Closure by order of a public official, due to a public health emergency, of either an employer's place of business or a family member's school or place of care;
6. A determination by a health authority, employer of the employee, employer of a family member, or a healthcare provider of whether an employee or employee's
  - a. family member poses a risk to the health of others due to exposure to a communicable illness, whether or not the employee or family member contracted the
  - b. communicable illness; and
7. Where an employee or employee's family member is a victim of family violence or sexual assault, provided that the employee is not the alleged perpetrator, for the purposes of:
  - a. Medical care or psychological or other counseling for physical or psychological injury or disability;
  - b. Obtaining services from a victim services organization;
  - c. Relocating due to such family violence or sexual assault; or  
Participating in any civil or criminal proceeding related to or resulting from such family violence or sexual assault.

Eligible family members include the employee's spouse, sibling, son or daughter, grandparent, grandchild, or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.

### ***Accrual of CT PSL***

CT PSL is accrued at a rate of one hour for every 30 hours worked up to a maximum accrual of 40 hours per calendar year. "Hours worked" refers to actual hours worked and does not include sick, vacation or other leave time.

Eligible employees accrue CT PSL beginning on January 1, 2012 or the employee's date of hire, whichever is later.

Per CT PSL, employees may use CT PSL on or after 120 calendar days of employment, however, the University will allow employees to use CT PSL immediately upon accruing.

Eligible employees may use a maximum of 40 hours of CT PSL in any calendar year.

### ***Increments***

CT PSL must be used in increments of 15 minutes or more.

### ***Recording CT PSL***

When calling out, employees should include the anticipated duration of the absence when possible. Employees are responsible for specifying that the time off is for a CT PSL-covered reason (as opposed to, for example, vacation), so that the absence may be accurately designated. Pursuant to the University's timekeeping policies, employees should record their use of CT PSL in Workday, either before their absence or upon their return to work.

### ***Carry Over***

Eligible employees may carry over up to 40 unused accrued hours of CT PSL from one year to the next, but can only use up to 40 hours of CT PSL in any one year.

### ***Effect on Other Rights and Policies***

The University may provide other forms of leave for employees to care for medical conditions under certain federal, state, and municipal laws. In certain situations, leave under this policy may run at the same time as leave available under another federal or state law, provided eligibility requirements for that law are met. The University is committed to complying with all applicable laws. Employees should contact Human Resources for information about other federal, state and municipal medical or family leave rights.

### ***Verification of Absence***

In general, the University will not require documentation in support of CT PSL unless permitted under another applicable law including, but not limited to, the Family and Medical Leave Act or the Americans with Disabilities Act.

### ***Discipline for Unprotected Use of CT PSL***

Discipline up to and including termination may be taken against an employee who uses CT PSL for a purpose not covered by, or in a manner not consistent with, the CT PSL statute and/or this policy. In addition, discipline up to and including termination may be taken against an employee who violates this policy's requirements concerning using and/or recording use of CT PSL.

### ***Separation from Employment***

Compensation for accrued and unused CT PSL is not provided upon separation from employment for any reason.

### ***No Discrimination or Retaliation***

As long as the use of CT PSL complies with the requirements of this policy and the CT PSL statute, the University will not count an employee's use of CT PSL as an absence or "occurrence" under any University attendance policy for disciplinary purposes.

The University will not retaliate or discriminate against eligible employees who request or use CT PSL for authorized circumstances or for making a complaint or informing a person about suspected violations of this policy, cooperating or participating in any investigation, administrative hearing or judicial action regarding an alleged violation, opposing any policy or practice prohibited by CT PSL, or informing any person of their potential rights under the law.

## **Personal Leave of Absence**

Employees scheduled to work a minimum of 1,000 hours per year may be granted a personal leave of absence of one to three months upon approval of their supervisor and Human Resources. Employees who work less than full time may be considered for leaves of shorter duration. Leave may be paid if the employee has accrued paid time off available.

Requests for personal leaves of absence will be considered and evaluated on an individual basis. An employee applying for an unpaid leave of absence must exhaust accrued earned time before going on leave. An employee must request a leave of absence in writing and in advance, and may be required to show continued need at any time during the leave of absence.

Employees on personal leaves of absence are expected to maintain regular contact with their supervisor. Employees who fail to return on the date agreed upon are considered to have voluntarily resigned from the University. Employees are responsible for insurance premiums during an unpaid leave of absence.

Approval or denial of such requests will be entirely at the University's discretion. In determining the feasibility of granting such requests, factors such as the purpose of requested leave, availability of coverage for job responsibility during the requested leave, previous absences, length of employment, prior work records and performance, and similar factors will be considered. Such requests must be submitted to the supervisor and then to Human Resources if the supervisor approves. The University reserves the right to refuse requests for a leave of absence if the leave would be unduly disruptive to University operations or for other business reasons. No leave of absence shall be granted to an employee to accept employment or work with another institution, organization, vendor, or personal customer. Working for another employer during a leave of absence, other than in a part time role that was held prior to the leave, is grounds for immediate dismissal from the University.

University-paid insurance continues during the personal leave of absence provided the employee pays their cost-share or commits to reimbursement upon return to work. Employees will not continue to accrue earned time off during an unpaid leave. Employees should contact Human Resources before a leave of absence to discuss the details of an approved leave.

The University will attempt to return an employee to their former position or a comparable position upon return from personal leave, at its discretion. Given changing business needs, however, no guarantee of reinstatement can be made.

Employees on leave are asked to confirm their return date in writing to their supervisor and Human Resources at least two weeks before they return to work. Any requests for additional leave must be made as soon as possible. Employees on leave who do not return as scheduled and fail to request or cannot show good reason why an extension should be granted will be considered to have voluntarily resigned from their employment as of the date the original leave expired.

## **Family and Medical Leave**

The University will grant family and medical leave in accordance with the requirements of applicable federal and state law in effect at the time the leave is granted. Although the federal and state laws sometimes have different names, the University refers to these types of leaves collectively as “FMLA Leave.” In any case, employees will be eligible for the most generous benefits available under applicable law. Connecticut-based employees should also review the “Connecticut Family and Medical Leave” section below.

### ***Employee Eligibility***

To be eligible for FMLA Leave benefits, employees must: (1) have worked for the University for a total of at least 12 months; (2) have worked at least 1,250 hours over the previous 12 months as of the start of the leave; and (3) work at a location where at least 50 employees are employed by the University within 75 miles, as of the date the leave is requested. Eligibility requirements may differ for employees who have been on a protected military leave of absence. If employees are unsure whether they qualify, they should contact Human Resources.

### ***Reasons for Leave***

Federal and state laws allow FMLA Leave for various reasons. Because employees' legal rights and obligations may vary depending upon the reason for the FMLA Leave, it is important to identify the purpose or reason for the leave. FMLA Leave may be used for one of the following reasons, in addition to any reason covered by an applicable state family/medical leave law:

- The birth, adoption or foster care of an employee's child within 12 months following birth or placement of the child (Bonding Leave);
- To care for an immediate family member (spouse, child, or parent) with a serious health condition (Family Care Leave);
- An employee's inability to work because of a serious health condition (Serious Health Condition Leave);
- A “qualifying exigency,” as defined under the FMLA, arising from a spouse's, child's, or parent's “covered active duty” (as defined below) as a member of the military reserves, National Guard or Armed Forces (Military Emergency Leave); or

- To care for a spouse, child, parent or next of kin (nearest blood relative) who is a “Covered Service member,” as defined below (Military Caregiver Leave).\

### ***Definitions***

- **“Child”** for purposes of Bonding Leave and Family Care Leave, means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that Family and Medical Leave is to commence. “Child,” for purposes of Military Emergency Leave and Military Caregiver Leave, means a biological, adopted or foster child, stepchild, legal ward, or a child for whom the person stood in loco parentis, and who is of any age.
- **“Parent”** for purposes of this policy, means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the person. This term does not include parents-in-law. For Military Emergency leave taken to provide care to a parent of a deployed military member, the parent must be incapable of self-care as defined by the FMLA.
- **“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 (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.
- **“Covered Service member”** means (1) a member of the Armed Forces, including a member of a reserve component of the Armed Forces, 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 incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform their military duties, or (2) a person who, during the five (5) years prior to the treatment necessitating the leave, served in the active military, Naval, or Air Service, and who was discharged or released therefrom under conditions other than dishonorable (a “veteran” as defined by the Department of Veteran Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran.
- **“Spouse”** means the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into, or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This includes common law marriage and same sex marriage in places where these marriages are recognized.
- **“Key employee”** means a salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite.

### ***Length of Leave***

The maximum amount of FMLA Leave will be 12 workweeks in any 12-month period when the leave is taken for: (1) Bonding Leave; (2) Family Care Leave; (3) Serious Health Condition Leave; and/or (4) Military Emergency Leave. However, if both spouses work for the University and are eligible for leave under this policy, the spouses will be limited to a total of 12 workweeks off between the two of them when the leave is for Bonding Leave or to care for a parent using Family Care Leave. The applicable "12-month period" utilized by the University is a rolling 12-month period measured backward from the date an employee uses FMLA leave. Under this method the 12-month period is measured backward from the day the employee uses any FMLA leave.

The maximum amount of FMLA Leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of 26 workweeks in a single 12-month period. A "single 12-month period" begins on the date of the employee's first use of such leave and ends 12 months after that date.

If both spouses work for the University and are eligible for leave under this policy, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or is for a combination of Military Caregiver Leave, Bonding Leave and/or Family Care Leave taken to care for a parent.

To the extent required by law, some extensions to leave beyond an employee's FMLA entitlement may be granted when the leave is necessitated by an employee's work-related injury or illness or by a "disability" as defined under the Americans with Disabilities Act and/or applicable state or local law. Certain restrictions on these benefits may apply.

### ***Intermittent or Reduced Schedule Leave***

Under some circumstances, employees may take FMLA Leave intermittently, which means taking leave in blocks of time, or by reducing the employee's normal weekly or daily work schedule. An employee may take leave intermittently whenever it is medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Leave taken intermittently may be taken in increments of no less than .25 hours (15 minutes). Employees who take leave intermittently or on a reduced work schedule basis for a planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt the University's operations. Please contact Human Resources prior to scheduling planned medical treatment. If FMLA Leave is taken intermittently or on a reduced schedule basis due to foreseeable planned medical treatment, we may require employees to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave.

If an employee's request for intermittent leave is approved, the University may later require employees to obtain recertification of their need for leave. For example, the

University may request recertification if it receives information that casts doubt on an employee's report that an absence qualifies for FMLA Leave.

### ***Notice and Certification***

### ***Bonding, Family Care, Serious Health Condition and Military Caregiver Leave Requirements***

*Employees are required to provide:*

- When the need for the leave is foreseeable, 30 days advance notice or such notice as is both possible and practical if the leave must begin in less than 30 days (normally this would be the same day the employee becomes aware of the need for leave or the next business day);
- When the need for leave is not foreseeable, notice within the time prescribed by the University's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical;
- When the leave relates to medical issues, a completed Certification of Health-Care Provider form within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health-Care Provider form);
- Periodic recertification (upon request); and
- Periodic reports during the leave.

Certification forms are available from Human Resources. At our expense, we may require a second or third medical opinion regarding the employee's own serious health condition or the serious health condition of the employee's family member. In some cases, we may require a second or third opinion regarding the injury or illness of a Covered Service Member. Employees are expected to cooperate with the University in obtaining additional medical opinions that we may require.

When leave is for planned medical treatment, employees must try to schedule treatment so as not to unduly disrupt the University's operation. Please contact Human Resources prior to scheduling planned medical treatment.

### ***Recertification After Grant of Leave***

In addition to the requirements listed above, if an employee's Family and Medical Leave is certified, the University may later require medical recertification in connection with an absence that the employee reports as qualifying for Family and Medical Leave. For example, the University may request recertification if (1) the employee requests an extension of leave; (2) the circumstances of the employee's condition as described by the previous certification change significantly (e.g., employee absences deviate from the duration or frequency set forth in the previous certification; employee's condition becomes more severe than indicated in the original certification; employee's encounter complications); or (3) the University receives information that casts doubt upon the



employee's stated reason for the absence. In addition, the University may request recertification in connection with an absence after six months have passed since the employee's original certification, regardless of the estimated duration of the serious health condition necessitating the need for leave. Any recertification requested by the University will be at the employee's expense.

### ***Military Emergency Leave Requirements***

Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances;
- A copy of the covered military member's active duty orders when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the military member's leave; and
- A completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available from Human Resources.

### ***Failure to Provide Certification and to Return from Leave***

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If an employee fails to return to work at leave's expiration and has not obtained an extension of the leave, the University may presume that the employee does not plan to return to work and has voluntarily terminated their employment.

### ***Compensation During Leave***

Generally, FMLA Leave is unpaid. However, employees may be eligible to receive benefits through state-sponsored programs or by choosing to use accrued vacation and sick leave, to the extent permitted by law and the University's policy. All payments of wage-replacement benefits and accrued paid leave will be integrated so that employees will receive no greater compensation than their regular compensation during this period. The University may require employees to use accrued vacation and sick leave to cover some or all of the FMLA Leave to the extent permissible under applicable law. Connecticut employees may retain up to 2 weeks of accrued PTO without using such PTO concurrently with FMLA leaves. The use of paid benefits will not extend the length of a FMLA Leave.

### ***Benefits During Leave***

University-paid insurance continues during the personal leave of absence provided the employee pays their cost-share or commits to reimbursement upon return to work. Employees will not continue to accrue earned time off during an unpaid leave. Employees

should contact Human Resources before a leave of absence to discuss the details of an approved leave.

### ***Job Reinstatement***

Under most circumstances, employees will be reinstated to the same position they held at the time of the leave or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. However, employees have no greater right to reinstatement than if they had been continuously employed rather than on leave. For example, if an employee would have been laid off if they had not gone on leave or, if the employee's position was eliminated during the leave, then the employee will not be entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider that certifies the employee can perform the essential functions of the job as those essential functions relate to the employee's serious health condition. For an employee on intermittent FMLA leave, such a release may be required if reasonable safety concerns exist regarding the employee's ability to perform their duties, based on the serious health condition for which the employee took the intermittent leave.

Key employees may be subject to reinstatement limitations in some circumstances. If employees are considered a "key employee," those employees will be notified of the possible limitations on reinstatement at the time the employee requests a leave of absence.

### ***Confidentiality***

Documents relating to medical certifications, recertifications or medical histories of employees or employees' family members will be maintained separately and treated by the University as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors, first aid and safety personnel or government officials.

### ***Fraudulent Use of FMLA Prohibited***

An employee who fraudulently obtains Family and Medical Leave from the University is not protected by FMLA's job restoration or maintenance of health benefits provisions. In addition, the University will take all available appropriate disciplinary action against such employee due to such fraud.

### ***Nondiscrimination***

The University takes its FMLA obligations very seriously and will not interfere, restrain or deny the exercise of any rights provided by the FMLA. We will not terminate or discriminate against any individual for opposing any practice, or because of involvement in any proceeding related to the FMLA. If an employee believes their FMLA rights have been violated in any way, they should immediately report the matter to Human Resources.

### ***Additional Information Regarding FMLA***

A Notice to Employees of Rights under FMLA (WHD Publication 1420) is attached to this Handbook as Exhibit C. Employees should contact Human Resources as to any FMLA questions they may have.

### ***State Law***

A number of states have family leave laws that provide leave benefits which exceed those available to employees under the FMLA. Employees in states other than Connecticut should contact Human Resources for additional information.

### **Connecticut Family and Medical Leave**

Fairfield University recognizes that Connecticut employees may need to be absent from work for an extended period of time for family and/or medical reasons and will grant time off to employees in accordance with the requirements of the federal Family and Medical Leave Act (FMLA) and the Connecticut Family and Medical Leave Act (CTFMLA). When both the FMLA and CTFMLA apply, the leave provided by each will count against the employee's entitlement under both laws and must be taken concurrently. An employee who is eligible for leave under only one of these laws will receive benefits in accordance with that law only. This policy addresses employee rights under the CTFMLA.

### ***Eligible Employees***

To be eligible for CTFMLA leave, an employee must have been employed by the University for at least three months immediately preceding the request for leave.

### ***Reasons for and Length of Family and Medical Leave***

Eligible employees may request up to a maximum of 12 weeks of CTFMLA leave in a 12-month period for one or more of the following reasons:

- To bond with a son or daughter within one year of the child's birth or placement in connection with foster care or adoption, or when leave is required because of the impending birth or placement of a child; ("Bonding Leave").
- To care for a family member who has a serious health condition ("Family Care Leave").
- For the employee's own serious health condition ("Serious Health Condition Leave").
- To serve as an organ or bone marrow donor ("Donor Leave").
- For a "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's, or parent's "covered active duty" (as defined below) as a member of the

military reserves, National Guard (including the Connecticut National Guard) or Armed Forces ("Military Emergency Leave").

For the 12-month period, the University uses a rolling 12-month period measured backward from the date an employee uses their CTFMLA leave. Under this method the 12-month period is measured backward from the day the employee uses any CTFMLA leave.

Serious Health Condition Leave may be extended up to an additional two weeks (up to a total of 14 weeks of Serious Health Condition Leave in a 12-month period) if the employee experiences a pregnancy-related serious health condition that results in incapacity.

Eligible employees may also take CTFMLA leave when they are absent from work in order to care for a spouse (including a same-sex spouse and an out-of-state civil union or domestic partner residing in Connecticut), son, daughter, parent or next of kin, who is a member of the Armed Forces (as defined under the law) and is undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status or is on the temporary disability retired list for a serious injury or illness incurred in the line of duty ("Military Caregiver Leave"). Employees seeking Military Caregiver Leave may take up to a maximum of 26 workweeks in a single 12-month period for each armed forces member, per serious injury or illness incurred in the line of duty. The 12-month period begins on the date of the employee's first day of leave taken to care for a covered armed services member and ends 12 months after that first day of leave.

If both spouses (including same-sex spouses or out-of-state civil union or domestic partners) are employed by the University and are eligible for CTFMLA leave, their combined leave may not exceed a combined total of 12 workweeks during any 12-month period if such leave is taken upon the birth or placement of a son or daughter for adoption or foster care or to care for a sick family member. If both spouses are employed by the University and are entitled to Military Caregiver Leave, the aggregate number of workweeks of leave to which both may be entitled may be limited to 26 workweeks during any 12-month period.

### ***Intermittent and Reduced Schedule Leave***

Serious Health Condition Leave, Military Caregiver Leave, Donor Leave and Family Care Leave may be taken intermittently (i.e., in separate blocks of time) or on a reduced leave schedule (i.e., a schedule that reduces the usual number of hours per workweek, or hours per workday) when medically necessary. Leave due to military exigencies may also be taken on an intermittent basis. The University may require an employee to temporarily transfer during a period of intermittent or reduced leave schedule to an available alternative position for which the employee is qualified and which better accommodates the recurring periods of leave than does the employee's regular position.

Requests for intermittent or reduced schedule leave for the birth or placement of a child may be directed to Human Resources and will be considered on a case-by-case basis depending on the needs of the University.

If an employee who has been approved for intermittent leave seeks leave time that is unforeseeable, the employee must specifically reference the need for CTFMLA leave at the time the employee calls off.

### **Definitions**

- **“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 (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.
- **“Family member”** means an employee's spouse, sibling, son or daughter, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.
- **“Grandchild”** means a grandchild related to a person by blood or marriage or because of the adoption or foster care by a child of the grandparent.
- **“Grandparent”** means a grandparent related to a person by blood or marriage or because of the adoption of a minor child or foster care of a child by a child of the grandparent;
- **“Next of kin”** means, with respect to Military Caregiver Leave, the armed forces member's nearest blood relative, other than the covered armed forces member's spouse (including a same-sex spouse or out-of-state civil union or domestic partner), parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the armed forces member by court decree or statutory provisions, brothers, and sisters, grandparents, aunts and uncles, and first cousins, unless the covered armed forces member has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave or any other individual whose close association with the employee is the equivalent of a family member for purposes of Military Caregiver Leave, in which case the designated individual will be considered the next of kin.
- **“Parent”** means a biological parent, foster parent, adoptive parent, stepparent, parent-in-law or legal guardian of an eligible employee or an eligible employee's spouse, an individual standing in loco parentis to an eligible employee, or an individual who stood in loco parentis to the eligible employee when the employee was a child.
- **“Serious Health Condition”** means an illness, injury, impairment or physical or mental condition that involves either: inpatient care in a hospital, hospice, nursing home or residential medical care facility; or continuing treatment, including outpatient treatment, by a health care provider.

- **“Sibling”** means a brother or sister related to a person by blood, marriage, adoption by a parent of the person or foster care placement.
- **“Son or daughter”** means a biological, adopted or foster child, stepchild, legal ward, or a child of a person standing in loco parentis, or an individual to whom the employee stood in loco parentis when the individual was a child.

### ***Requesting Leave***

Employees should contact Human Resources as soon as they become aware of the need for CTFMLA leave. Only Human Resources or its designated agent has the authority to grant or deny requests for CTFMLA leave.

If the need for Bonding Leave is foreseeable, the employee must provide at least 30 days’ advance notice of the intention to take leave. If the date of birth or placement of a child requires leave to begin in less than 30 days, the employee must provide notice as soon as is practicable. If the need for Serious Health Condition Leave, Family Care Leave or Donor Leave is foreseeable based on planned medical treatment, the employee should make a reasonable effort to schedule the treatment so as not to unduly disrupt University operations (subject to health care provider approval) and must provide 30 days’ advance notice, or as much notice as is practicable.

Any request for Serious Health Condition Leave, Family Care Leave, or Military Caregiver Leave must be supported by a certification issued by the health care provider of the eligible employee or family member. Certification forms for this purpose may be obtained from Human Resources. Employees must provide a copy of the completed certification form to Human Resources within 15 calendar days. Certifications for intermittent leave or leave on a reduced schedule for certain qualifying reasons will need to include the expected duration and schedule of the intermittent leave or reduced schedule leave.

If a completed form is not returned in a timely manner, the leave may be delayed or denied. The University may require periodic recertification, if applicable law permits, not more than once per 30-day period unless required by the health care provider. The University may also require, at its own expense, a second or third medical opinion regarding an employee’s own serious health condition or the serious health condition of an employee’s family member. Employees are expected to cooperate with the University in obtaining additional medical opinions that the University may require.

### ***Health Benefits***

The University will continue making contributions for an employee’s group health benefits during a CTFMLA leave on the same terms and conditions as if the employee had continued to work. This means that if an employee wants group health benefits coverage to continue during a CTFMLA leave, the employee must continue to make any premium payments that the employee is currently making for the employee and the employee’s dependents, but employees may have the option to “catch-up” on outstanding premiums upon their return to work by increasing the premium deduction from wages.

Employees taking Bonding Leave, Family Care Leave, Serious Health Condition Leave, and Donor Leave will generally be provided with group health benefits for up to a 12-week period, or 14 weeks for a Serious Health Condition resulting in incapacitation that occurs during a pregnancy. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of 26 weeks. In some instances, the University may recover premiums it paid to maintain health coverage if an employee fails to return to work following a CTFMLA Leave.

No loss of service credit with the University will occur as a result of leave under the FMLA or the CTFMLA, but an employee who takes leave under this policy is not entitled to the accrual of any seniority or employment benefits during any period of leave

### ***Effect on Other Rights and Paid Leave***

When both the FMLA and the CTFMLA apply, the leave provided by each will count against the employee's entitlement under both laws, and leave taken under the FMLA will run concurrently with leave taken under the CTFMLA.

Where time off qualifies as CTFMLA leave, employees must use available vacation, paid sick time, and other available paid time off, although employees will be allowed to retain two weeks of vacation. Employees will also be allowed to use up to two weeks of available accrued sick leave for Bonding Leave or Family Care Leave.

Employees may also be eligible to receive partial wage replacement benefits ("PFML Benefits") during a CTFMLA through the state-mandated Connecticut Paid Leave Program, which is administered by the CT Paid Leave Authority ("PLA"). Employees who are requesting PFML Benefits in conjunction with a CTFMLA leave will also be allowed to use accrued vacation or similar paid time off while on leave in order to receive their full salary or wages during the leave. However, University-provided paid leave and PFML Benefits will be integrated such that the employee's total pay does not exceed 100% of their regular pay.

For more information about PFML Benefits, contact Human Resources. Employees can also find additional information about filing for PFML Benefits through the PLA's website: [ctpaidleave.org](http://ctpaidleave.org).

### ***Return from Leave***

Upon return from CTFMLA leave, the employee will be returned to work at the position of employment held by the employee when the leave commenced or, if that position is not available, to one with equivalent benefits, pay and other terms and conditions of employment. If an employee is medically unable to perform the functions of their original job upon expiration of the leave, they will be transferred to work that is suitable for the employee's physical condition if such work is available. An employee has no greater right to continued employment or reinstatement than if the employee had been continuously employed. For example, employment may be terminated in conjunction with layoff or job elimination during a leave of absence the same as if the employee were not on leave.

The University requires each employee returning from a leave taken for their own serious health condition to receive certification from a health care provider that the employee is able to resume work, unless the employee is on an intermittent or reduced schedule.

### ***Confidentiality***

Documents relating to medical certifications, recertifications or medical histories of employees or employees' family members will be maintained separately and treated as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors, first aid and safety personnel or government officials.

### ***Fraudulent Use of CTFMLA Prohibited***

An employee who fraudulently obtains CTFMLA leave from the University is not protected by CTFMLA's job restoration or maintenance of health benefits provisions. In addition, the University will take all available appropriate disciplinary action against an employee who engages in this kind of fraud.

### ***Protected Rights***

The University takes its CTFMLA obligations very seriously and will not interfere with, restrain or deny the exercise of any right protected under the CTFMLA. It is a violation of Connecticut law and University policy to retaliate against an employee because they request, apply for or use CTFMLA leave for which they are eligible. Employees who believe that their CT FMLA rights have been violated in any way should immediately report the matter to Human Resources. Employees also have the right to file a complaint with the Connecticut Labor Commissioner alleging a violation of the CTFMLA.

Employees also may contact Human Resources with questions regarding CTFMLA leave.

## **Connecticut Paid Family and Medical Leave Benefits**

In accordance with Connecticut's Paid Family and Medical Leave Act ("PFMLA") employees may be eligible through the state-mandated Connecticut Paid Leave Program to receive partial wage replacement benefits ("PFML Benefits") for leave taken for any of the qualifying reasons under the Connecticut Family and Medical Leave Act (CTFMLA) or to address specific situations associated with being the victim of family violence. PFML Benefits are administered and paid by the CT Paid Leave Authority ("PLA"), not the University.

Employees seeking to use PFML Benefits must provide notice to the University and to the PLA. Employees will need to submit a claim for benefits and supporting documentation to the PLA. Claims for PFML Benefits should be submitted to the PLA 30 days in advance for leave that is foreseeable, or as soon as practicable when the need



for leave is unforeseeable. The PLA has indicated that it will not typically approve requests for PFML Benefits that are submitted more than 45 days following the initial date for which compensation is requested, unless the PLA determines that the employee has good cause for the delay.

Among other things, the PLA requires that employees provide an Employment Verification Form (“EVF”) to their employers. Employees seeking PFML Benefits can submit the EVF to Human Resources by [hr@fairfield.edu](mailto:hr@fairfield.edu). The University will submit the completed EVF to the PLA within 10 calendar days after receiving the EVF from the employee.

Employees can find additional information about filing for PFML Benefits through the PLA's website at [www.ctpaidleave.org](http://www.ctpaidleave.org).

### ***Effect on Other Paid Leave***

Employees who are requesting PFML Benefits in conjunction with a protected CTFMLA or family violence victim leave will also be allowed to use accrued vacation or similar paid time off while on leave in order to receive their full salary or wages during the leave. However, University-provided paid leave and PFML Benefits will be integrated such that the employee's total pay does not exceed 100% of their regular pay.

### ***Protected Rights***

The University takes its CTFMLA obligations and employee rights under the PFMLA very seriously and will not interfere with, restrain, or deny the exercise of any right protected under the CTFMLA or PFMLA. It is a violation of Connecticut law and University policy to retaliate against an employee because they request, apply for or use CTFMLA leave for which they are eligible. Employees who believe that their CT FMLA or PFMLA rights have been violated in any way should immediately report the matter to Human Resources. Employees also have the right to file a complaint with the Connecticut Labor Commissioner alleging a violation of the CTFMLA.

Employees may also contact Human Resources with questions regarding CTFMLA leave, leave for victims of family violence or PFML Benefits.

### **Military Leave**

Federal law provides employees with the right to take leave in order to serve in the military. At the federal level, military leave rights are governed by the Uniformed Services Employment and Reemployment Rights Act, commonly referred to as USERRA. This policy discusses military leave under USERRA.

State laws may also provide an employee with rights to take military leave. If the employee works in a state that provides rights in addition to those provided under USERRA, the University will provide those rights. If an employee plans to request leave based on military service, they should contact Human Resources for information on any additional rights or requirements, if applicable, under state law.

### ***Eligibility for Leave***

The University provides unpaid military leaves of absence to employees who serve in the uniformed services as required by USERRA and applicable state laws. The uniformed services are defined as the Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service and any other category of persons designated by the President of the United States in time of war or national emergency. The uniformed services also include participants in the National Disaster Medical System when activated to provide assistance in response to a public health emergency, to be present for a short period of time when there is a risk of a public health emergency, or when they are participants in authorized training.

Service consists of performing any of the following on a voluntary or involuntary basis: active duty, active duty for training, initial active duty, inactive duty training, full time National Guard duty, State active duty for a period of 14 days or more, State active duty in response to a national emergency declared by the President under the National Emergencies Act or in support of a major disaster declared by the President under Section 401 of the Stafford Act, absence from work for an examination to determine fitness for such duty, and absence for performing funeral honors duty. For purposes of this policy "State active duty" means training or other duty, other than inactive duty, performed by a member of the National Guard of a State, under the authority of the Governor of a State. It does not include duty performed under federal authority (such as Title 10 or Title 32), nor duty for which the National Guard member is entitled to pay from the Federal Government. A "State" includes the several states of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands and other U.S. territories.

Total military leave time may not exceed five years during employment, except in certain, defined circumstances.

### ***Notice of Leave***

Advance notice of leave is required, preferably in writing, unless notice is impossible, unreasonable, or prohibited by military necessity as defined by the United States Department of Defense. When notice is required, employees must provide their supervisor with as much advance notice as possible of any anticipated leave of absence for military service.

### ***Compensation and Benefits During Leave***

Accrued, unused vacation or PTO will be paid during military leave at the employee's request. After 30 days of continuous military leave, employees may elect to continue their health plan coverage at their own expense, for up to 24 months or during the remaining period of service, whichever is shorter.

## ***Reinstatement***

In order to be eligible for reinstatement, an employee must have provided advance notice of the need for military leave (where required) and have completed service on a basis that is not dishonorable or otherwise prohibited under USERRA.

Employees whose military service will be for fewer than 31 days must report to back to work at the beginning of the first full, regularly scheduled work day following completion of service, after allowing for a period of safe travel home and eight hours of rest.

Employees whose military service will be for more than 30 days, but fewer than 181 days must apply for re-employment within 14 days after completing service.

Employees whose service is greater than 180 days must apply for re-employment within 90 days after completing service.

As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in loss of reemployment rights. Full details regarding reinstatement are available from Human Resources

In general, an employee returning from military leave will be re-employed in the position and seniority level that the employee would have attained had there been no military leave of absence. If necessary, the University will provide training to assist the employee in the transition back to the workforce.

Vacation benefits do not continue to accrue during a military leave of absence. An employee returning from military leave is entitled to any unused, accrued vacation benefits the employee had at the time the military leave began minus any vacation benefits the employee chose to use during the leave. Upon reinstatement, the employee will begin to accrue vacation benefits at the rate they would have attained if no military leave had been taken.

## **Jury and Witness Duty Leave**

We encourage employees to serve on jury or witness duty when called. Employees must notify their supervisor of the need for time off for jury or witness duty upon receipt of a subpoena, notice, or summons from the court. Time off for jury or witness duty will be unpaid except where required otherwise by applicable state law and except that exempt employees will not incur any reduction in pay for a partial week of absence due to jury or witness duty. The University will comply with all state laws regarding pay for jury leave. Any mileage allowance, fee, etc. paid for jury or witness duty will be credited against any payments made to employees by the University.

Employees may be required to provide verification of jury duty or witness service from the court clerk. Any employee on jury or witness duty is expected to report or return to work for the remainder of the work schedule when dismissed from jury or witness duty.

For Connecticut employees on jury duty, full-time employees (those who complete 30 hours or more of service each week and have been working in their position for more than 90 days) will receive their regular compensation during the first five days, or any part thereof, of jury service in Connecticut courts as required by Connecticut law. Any additional time off under this policy, or time off taken by employees who are not full-time, will be without pay, except that exempt employees will not incur any reduction in pay for a partial week absence due to jury duty. An employee who has served eight hours on jury duty in any one day is considered as having worked a full day and will not be required to work past those eight hours.

## **Time Off to Vote**

The University encourages all employees to fulfill their civic responsibilities and to vote in official public elections. Generally, working hours are such that employees will have ample time to cast their votes before or after their work shift. The University will comply with all applicable state and municipal voting time laws. For the period June 23, 2021 through June 30, 2024, Connecticut employees may be allowed up to two hours of unpaid time off to vote during regular work hours, if they request such leave not less than two working days prior to an election, if the election is a regular state election or special election for U.S. senator, representative in Congress, or state legislative position.

## **Bereavement Leave**

In the event of a death in an employee's immediate family (defined as spouse; child or stepchild; parent or stepparent; and sibling), full time employees may take up to a maximum of five days of paid time off to attend the funeral and make necessary arrangements due to the death, except where additional bereavement time is required under state law.

For the death of an employee's extended family (for example a mother-in-law, father-in-law, grandparent, grandchild, aunt, and uncle), full time employees may take up to a maximum of three days of paid time off to attend the funeral and make necessary arrangements due to the death, except where additional bereavement time is required under state law.

Only regular, full-time and part-time employees (scheduled 20+ hours) are eligible for bereavement leave. Requests for bereavement leave should be entered into Workday and will be sent to the employee's supervisor and Human Resources for approval.

While the University grants paid time off for bereavement leave as specified above, employees may use vacation time, personal time, or unpaid time should additional time off be needed to attend a funeral and make any necessary arrangements due to the death of an immediate family member, or to attend the funeral of someone outside the employee's immediate family.

## **Other Leaves of Absence**

Connecticut-based employees are entitled to additional leaves of absence, including crime victim leave, family violence victim leave, emergency responder leave, elector leave, legislative leave, municipal/state office leave, and civil air patrol leave. For additional information, please contact Human Resources.

Many states require employers to provide their employees with additional leaves of absence, such as pregnancy disability leave, bone marrow donation leave and school activities leave. Please check the applicable state supplement to this Handbook for additional information and contact Human Resources with any questions.

## **SECTION 7: WORKPLACE SAFETY AND SECURITY**

### **Electronic Monitoring and Employee Data Privacy (Connecticut Employees)**

The University monitors employee use of University computer networks, electronic mail (email) systems and other University communication resources in its sole discretion. Specifically, the University may monitor email, instant messages including “Teams” chats, and/or internet access; video monitoring; and monitoring of telephone calls. Accordingly, employees should not expect that these communications are private.

No audio or video recording occurs in restrooms or areas where employees change clothing.

### **Employee Data Privacy Policy**

#### ***Scope and Application***

This Employee Data Privacy Policy outlines the principles Fairfield University seeks to observe regarding the collection, use, disclosure, security and disposal of personal information for its current and former United States employees and applicants (“Employees”).

#### ***Employee Personally Identifiable Information***

The University generally will collect personally identifiable information (PII) from employees, and will create and maintain records about employees that contain employee PII, only for legitimate University purposes and only to the extent necessary to achieve those purposes. PII includes first name or initial and last name in combination with any of the following categories of information (as long as the information is not otherwise publicly available): Social Security Number, passport numbers, employee identification number, driver’s license number, date of birth, maiden name, mother’s maiden name, credit card or financial account information, results of background or criminal history checks, payroll and salary information, medical information, accommodation requests

and related information, biometric data (such as fingerprint, voice print, retina or iris images), and/or digital or other electronic signature files.

### ***Collection and Use of Employee PII***

The University typically will collect, create and maintain employee PII only in connection with the employment relationship.

From time to time, the University may use employee PII for purposes unrelated to administration of the employment relationship. The University, for example, might use PII to introduce new products or services to its workforce. Before making such uses of employee PII, the University will provide employees with notice and an opportunity to opt out.

The records and databases that contain employee PII are the property of the University, and access to the information they contain is restricted. Employees may not access, use or disclose employee PII unless authorized to do so and then only for the University's legitimate business purposes.

### ***Safeguarding Employee PII***

Fairfield University is committed to safeguarding the confidentiality, integrity and availability of employee PII through the use of reasonable and appropriate physical, administrative and technical safeguards

The University's applicable IT policies, located on the Wiki at Information Technology - University Policies - Wiki (fairfield.edu), provide additional guidance on the creation, access, storage, distribution, destruction, backup and recovery of information.

### ***Additional Safeguards for Social Security Numbers***

Employee Social Security Numbers (SSNs) and documents containing employee SSNs should receive the following additional protections:

- SSNs should not be publicly displayed, for example, by including them in electronic documents posted on internal web sites or in paper documents posted on employee bulletin boards;
- SSNs should not be printed on cards, such as insurance identification cards, that must be presented for an employee to obtain goods or services;
- SSNs generally should not be printed on paper documents that are mailed unless the document, by law, is required to include an SSN (such as a Form W-2) or in certain other limited circumstances. Employees should consult with the Law Department before including SSNs in a mailing; and
- SSNs should not be transmitted over the internet unless encrypted pursuant to the University's applicable IT policies.

### ***Disposal of Employee PII***

Disposal of documents containing employee PII should be accomplished in a manner intended to prevent unauthorized access to such employee PII. Employee PII stored on electronic media, such as hard drives, compact disks, and back-up tapes, should be subject to processes, before disposal or reassignment, that render the employee PII irretrievable.

### ***Disclosure and Use of Employee PII by Third Parties***

Fairfield University generally will disclose an employee's PII to third parties who are not acting as service providers for the University only with an employee's consent, when required by law or in connection with a legal or regulatory proceeding or process, or when disclosure is otherwise necessary or advisable. In accordance with University policies, the University may disclose employee PII to its third-party service providers to those service providers who have agreed to implement reasonable and appropriate safeguards, including but not limited to benefit, payroll, and workers' compensation administrators.

### ***Violations of the Employee Data Privacy Policy***

The University is committed to ensuring that employee PII is handled in accordance with this Employee Data Privacy Policy. Anyone who is aware of a suspected or perceived violation of this policy should immediately contact Human Resources. Employees who violate this policy will be subject to discipline, up to and including termination of employment.

## **Workplace Violence**

The safety and security of employees is of vital importance to Fairfield University. It is our goal to have a workplace free from acts or threats of violence and to respond effectively in the event that such acts or threats of violence do occur. Therefore, the University has adopted a zero-tolerance policy concerning workplace violence. Threats or acts of violence, including intimidation, bullying, physical or mental abuse and/or coercion, that involve or affect University employees or that occur on the University's premises will not be tolerated.

The prohibition against threats and acts of violence applies to all persons involved in the operation of the University, including, but not limited to, University employees and other personnel, contract and temporary workers, consultants, contractors, customers, vendors, visitors, and anyone else on the University's premises.

Violations of this policy by an employee will result in disciplinary action, up to and including termination from employment.

Workplace violence is any intentional conduct that is sufficiently severe, abusive, or intimidating to cause an individual to reasonably fear for their own personal safety or the safety of their family, friends, and/or property such that employment conditions are altered

or a hostile, abusive or intimidating work environment is created for one or several employees. Examples of workplace violence include, but are not limited to:

- Threats or acts of violence occurring on University premises, regardless of the relationship between the parties involved in the incident;
- Threats or acts of violence occurring off University premises involving someone who is acting in the capacity of a representative of the University;
- Threats or acts of violence occurring off University premises involving an employee if the threats or acts affect the business interests of the University;
- All threats or acts of violence occurring off University premises, of which an employee is a victim, if we determine that the incident may lead to an incident of violence on University premises; and
- Threats or acts of violence resulting in the conviction of an employee or agent of the University, or an individual performing services for the University on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence when that act or the conviction adversely affect the legitimate business interests of the University.

Examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to:

- Threatening physical contact directed toward another individual;
- Threatening an individual or the individual's family, friends, associates or property with harm;
- The intentional destruction or threat of destruction of Fairfield University property or another's property;
- Menacing or threatening phone calls;
- Stalking;
- Veiled threats of physical harm or similar intimidation; and/or
- Communicating an endorsement of the inappropriate use of firearms or weapons.

Workplace violence does not refer to workplace arguments or debates that are zealous or impassioned, provided there is no resort to any form of coercion. Rather, workplace violence refers to behavior that demonstrates an intention to engage in violence, condones violence in our workplace, or targets any individual with acts or threats of violence.

Employees should help maintain a violence-free workplace. To that end, employees are encouraged to immediately report any incident that violates this policy to a supervisor or Human Resources.

No provision of this policy statement or any other provision in this policy alters the at-will nature of employment with Fairfield University. We will make the sole determination of whether and to what extent, threats or acts of violence will be acted upon by the University. In making this determination we may undertake a case-by-case analysis in



order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred.

## **Weapons in the Workplace**

The University strictly prohibits employees or any other person providing services to the University or located on the University's premises from possessing weapons of any kind at the workplace unless authorized due to the nature of employment. The workplace includes any property owned or leased by the University or occupied by groups of University employees or persons providing services to the University. Unless this prohibition is contrary to state or local law, the workplace specifically includes University parking areas. Employees are not permitted to transport or store weapons in vehicles owned or leased by the University and used by the employee for work purposes, unless the employee is required to transport or store a weapon as part of the employee's duties and the employee has written permission from the President of the University, or the President's authorized representative. This policy prohibits the possession of concealed weapons as well as weapons carried openly.

This prohibition specifically includes guns, rifles and firearms of any type, including those for which the holder has a legal permit. Other examples of prohibited weapons include, but are not limited to, knives, ammunition, bombs, bows and arrows, clubs, slingshots, blackjacks, metal knuckles and similar devices that by their design or intended use are capable of inflicting serious bodily injury or lethal force.

## **Workplace Bullying**

The University does not tolerate bullying behavior. Individuals who engage in workplace bullying may be disciplined, up to and including termination of employment.

Workplace bullying is the use of force, threats or coercion to abuse, intimidate, or humiliate another employee. Workplace bullying includes, but certainly is not limited to, the following:

- Verbal abuse, such as the use of patently offensive, demeaning and harmful derogatory remarks, insults and epithets;
- Verbal or physical conduct that is threatening, intimidating or obscene;
- Pushing, shoving, kicking, poking, tripping, assaulting, or threatening physical assault, or intentionally damaging a person's work area or property; or
- Sabotage, or deliberately subverting, obstructing or disrupting another person's work performance.

Cyberbullying is also prohibited. Cyberbullying refers to bullying, as defined above, that occurs through the use of a computer, cell phone, smartphone, tablet, pager, or other device that transmits electronic information, regardless of whether the device is owned by or located at the University or connected to the University network.

This policy in no way prohibits employees from engaging in activities that are protected under applicable state and federal laws, including but not limited to any activity that is

protected under Section 7 of the National Labor Relations Act, which includes the right of employees to speak with others, engage in workplace debates and protest about their terms and conditions of employment.

Employees who are subject to, or witness, workplace bullying are encouraged to notify Human Resources immediately. The University will promptly investigate the complaint. The University will maintain confidentiality to the extent possible, consistent with its commitment to investigating the complaint promptly and thoroughly.

If the complaint is verified, the University will take appropriate remedial and disciplinary action, which may include, but is not limited to, verbal or written warnings, suspension, termination of employment, counseling and other actions. The University will also report to law enforcement, if appropriate. The complaining party will be advised of the results of the investigation.

The University strictly prohibits retaliation against an employee for making a good-faith claim of bullying or for participating in good faith in an investigation of bullying.

## **Work-Related Injuries**

An employee who sustains a work-related injury or illness should inform their supervisor and Human Resources immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately.

Employees who sustain work-related injuries may receive workers' compensation benefits. See the University's Workers' Compensation Insurance policy for more information. Employees who need to take time off from work due to a workers' compensation illness or injury may also be eligible for a leave of absence under the University's leaves of absence or reasonable accommodation policies. Employees should consult with Human Resources for additional information.

## **Smoke-Free Workplace**

The University provides a work environment that is smoke-free. Smoking and the use of all tobacco-related products, including but not limited to, smoking, vaping, the use of chewing tobacco and the use of e-cigarettes is strictly prohibited in all University buildings, including residence halls. Similarly, smoking is prohibited in any University vehicle. Employees who observe other individuals smoking in the workplace have a right to object and should report the violation to their supervisor or Human Resources. Employees will not be disciplined or retaliated against for reporting smoking that violates this policy.

Employees that violate this policy or who tamper with "no smoking" signs may be subject to disciplinary action, up to and including termination.

## **Drug-Free Workplace**

The University strives to provide a safe environment for employees and others and to minimize the risk of accidents and injuries. Accordingly, each employee has a responsibility to co-workers and to the public to deliver services in a safe and conscientious manner. Continuing research and practical experience have proven that even limited quantities of illegal drugs, abused prescription drugs or alcohol can impair reflexes and judgment. This impairment, even when not readily apparent, can have catastrophic consequences. Moreover, studies have shown that impairment by controlled substances may last long after the user believes the effects to have worn off. For these reasons, The University has adopted a policy that all employees must report to work and remain completely free of illegal drugs, abused or nonprescribed prescription drugs and alcohol.

### ***Drug Use/Distribution/Possession/Impairment***

The University strictly prohibits the use, sale, attempted sale, conveyance, distribution, manufacture, purchase, attempted purchase, possession, cultivation and/or transfer of illegal drugs or other unlawful intoxicants at any time, and in any amount or any manner, regardless of occasion. “Illegal drugs” means all drugs whose use or possession is regulated or prohibited by federal, state or local law. These include prescription medication that is used in a manner inconsistent with the prescription or for which the individual does not have a valid prescription. Marijuana remains illegal as a matter of federal law and therefore the use of marijuana and marijuana products is prohibited by this policy. The University will accommodate individuals who are medically certified to use marijuana by their home state where required to do so by law, but in no case may an employee use or possess marijuana or marijuana products at work or during work time or work while impaired.

Employees are also prohibited from having any such illegal or unauthorized controlled substances in their system while at work.

Included within this prohibition are lawful controlled substances that have been illegally or improperly obtained.

### ***Alcohol Use/Distribution/Possession/Impairment***

All employees are prohibited from distributing, dispensing, possessing or using any beverage or medicine containing alcohol while at work or on duty and from coming onto The University premises, reporting to work, or working with alcohol in their systems. Furthermore, lawful off-duty alcohol use, while generally not prohibited by this policy, must not interfere with an employee's job performance.

### ***Prescription and Over-the-Counter Drugs***

This policy does not prohibit the possession and proper use of lawfully prescribed or over-the-counter drugs. However, an employee taking medication should consult with a health care professional or review dosing directions for information about the medication's effect on the employee's ability to work safely, and promptly disclose any work restrictions to

Human Resources at Fairfield University. Employees are not required to reveal the name of the medication or the underlying medical condition.

The University reserves the right to transfer, reassign, place on leave of absence or take other appropriate action regarding any employee during the time the employee uses medication that may affect the ability to perform safely. The University will comply with all requirements pertaining to providing reasonable accommodations to the extent required by applicable law.

### ***Reasonable Suspicion Testing***

Employees may be required to submit to drug/alcohol screening whenever the University has a reasonable suspicion that they are under the influence of drugs or alcohol while working. Reasonable suspicion may arise from, among other factors, supervisory observation, co-worker reports or complaints, performance decline, attendance or behavioral changes, results of drug searches or other detection methods, the employee's appearance or an odor of drugs or alcohol. Observations leading to reasonable suspicion determinations will be reasonably contemporaneous with the request for a test.

Employees asked to take a reasonable suspicion drug and/or alcohol test will be transported to the collection site for testing and then transported home pending receipt of test results. Employees will be placed on administrative leave without pay pending the results of the test. If the test results are negative, the employee will be compensated for any wages lost due to the leave, unless a suspension without pay is justified under another policy.

Failure to cooperate could result in further investigation and disciplinary action. A verified positive test will result in a termination of employment in violation of this policy. Human Resources at Fairfield University should be involved in all such requests for reasonable suspicion testing.

### ***Confidentiality***

All records relating to positive test results, drug and alcohol treatment, and employee medical information shall be kept confidential, and disseminated to and within The University only on a need-to-know basis. Such records will be kept in secure files separate from personnel files. Test results will not be released outside The University without the written consent of the tested individual, or as otherwise may be required or permitted by law or legal process.

### **Emergency Evacuation**

In the event of a fire, the emergency fire alarm system should be activated by pulling one of the fire alarms. Any employee who suspects an emergency should report it immediately; the source of a potential fire or hazardous material emergency should not be investigated. In any emergency, reporting is the first essential step to protecting oneself and others.

When the emergency fire alarm system is activated, all employees and visitors are expected to evacuate the building by exiting in an orderly manner through the nearest exit. When exiting, employees should not use elevators and should descend stairwells in an orderly manner. After exiting, employees should report to the area away from the building exits designated as the meeting location. Once employees arrive at the designated area, they should remain at that location until accounted for and authorized to leave.

No reentry to the building will be permitted until an official all-clear notification is given.

Employees should review this policy and the evacuation procedures and notify Human Resources if they believe they might require an accommodation or assistance in order to comply with these procedures in the event of an emergency.

## **Right to Search**

The University wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, and other improper materials. To this end, the University prohibits the control, possession, transfer, sale, or use of such materials on its premises to the extent permitted by applicable law. We require the cooperation of all employees in administering this policy.

Desks, lockers, offices, closets, file cabinets, and other storage devices are provided for the convenience of employees but remain the sole property of the University. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the University at any time, either with or without prior notice.

In addition, to ensure the safety and security of employees and customers and to protect our legitimate business interests, we reserve the right to question and inspect or search any employee or other individual entering or leaving University premises or job sites. The inspection or search may include any packages or items that the individual may be carrying, including briefcases, handbags, knapsacks, shopping bags, et cetera. If a non-exempt employee is present during any search or inspection, the employee must report the time spent during the search or inspection as working time.

These items are subject to inspection and search at any time, with or without prior notice. We also may require employees to agree to reasonable inspection of their personal property and/or person while on the job or on the University's premises. The individual may be requested to self-inspect their personal property or person by displaying the contents of any packages and/or turning out their pockets, etc., in the presence of a representative of the University, typically a management employee of the same gender. The University will not tolerate any employee's refusal to submit to a search.

## **Cameras and Video Surveillance**

For purposes of workplace safety and security and to prevent theft and other misconduct, the University has installed video surveillance cameras in work areas. If there is any

reported incident of theft, trespass, workplace violence, employee misconduct or any type of safety violation (hereafter collectively referred to as "security incidents"), the University will utilize its surveillance equipment as an investigatory tool. The University will also make use of its surveillance equipment to deter any future security incidents. The University also reserves the right to actively monitor, through its surveillance cameras, any areas for safety reasons (to protect against equipment failure, breakage, or accident) or confidentiality reasons (to protect documents or other proprietary information). The University respects the privacy of its employees. Accordingly, no video cameras will be installed in the University's restrooms or in any lactation or changing areas.

Although the video surveillance described in this policy is intended to monitor for security incidents and other safety reasons at the University, it is possible that such surveillance may monitor activities not related to the University's business.

The surveillance video cameras and any video footage from the surveillance are to be used solely for the purposes of this video surveillance policy. Any unauthorized use of these video cameras and/or videotapes is strictly forbidden and may result in discipline, up to and including termination of employment.

## **Visitors**

Restricting access to University premises helps maintain safety standards, protect against theft, ensure security of equipment, protect confidential information, safeguard employee welfare, and avoid potential distractions and disturbances. For this reason, only authorized visitors are allowed in University office buildings and dormitories. All visitors in these spaces must be escorted at all times by a Fairfield University student or employee.

Employees being visited are responsible for the actions of their guest(s). Should a guest of an employee act in such a manner that disrupts the normal working conditions of the University or threatens the security of the University and/or its employees, the employee accompanying the guest may be held responsible for the guest's actions and subject to disciplinary action up to and including termination of employment.

The University reserves the right to verify the contents of packages including handbags, tote bags, backpacks and briefcases brought onto University premises by visitors.

If an employee suspects or becomes aware of any unusual situation, they should immediately notify the Department of Public Safety and/or Human Resources.

## **Use of University Equipment and Resources**

### ***University Equipment***

When using University vehicles or other property, employees are expected to exercise care, maintain the property in safe working order, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisors if any equipment, machines, tools, or vehicles appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Employees who have questions about their responsibility for maintenance and care of equipment or vehicles used on the job should consult their supervisor or Human Resources.

All employees are expected to comply with all local, state, and federal laws while operating University vehicles and other equipment. The University may discipline employees who engage in unlawful conduct.

### ***University Resources***

The University has significantly invested in telephone lines, fax machines, photocopiers and other types of business equipment, internet access and software that are vital to keeping our operations flowing smoothly and effectively. The University's resources are limited and, except as provided in the Electronic Resources policy in this Handbook, should be used for business transactions only and not for personal use, unless explicitly authorized by a supervisor.

### **Electronic Resources - Acceptable Use Policy**

This policy describes the University's general guidelines for the acceptable use of its electronic resources, including electronic mail (email), voicemail, internet access and computer and information systems. Employees should use the University's electronic resources with the understanding that these resources are provided for the benefit of the University's business. Employees may use University electronic resources for personal use, during nonworking time, as long as such use complies with University rules and applicable laws. Employees should never use the University's electronic resources for personal use in a manner that interferes with their work duties or any responsibilities. The University reserves the right to limit access to its networks through University-owned or other computers, and to remove or limit access to material posted on University-owned computers. Sending, saving, accessing, or viewing obscene, uncivil or otherwise inappropriate material on the University's electronic resources is prohibited. Messages stored and/or transmitted by the University's electronic resources, including the computer, voicemail, email, or the telephone system, must not contain content that may reasonably be considered to be obscene or other patently offensive material. Prohibited material does not include material accessed for legitimate research, study, or work purposes, and includes, but is not limited to, sexual comments, jokes or images, racial slurs, gender-specific comments, or any comments, jokes or images that would discriminate against or harass someone on the basis of their race, color, sex, age, national origin or ancestry, disability, or any other category protected by federal, state or local law. Likewise, any use of the internet, email, or any other electronic resource to engage in harassment or discrimination prohibited by University policies is unlawful and strictly prohibited. Violators may be subject to discipline, up to and including termination of employment.

Unless otherwise noted, all software on the internet should be considered copyrighted work. Therefore, employees are prohibited from downloading software and/or modifying any such files without permission from the copyright holder. Publication, distribution, or broadcast of copyright protected materials without permission is prohibited and may lead to discipline, up to and including termination of employment.

Materials available on the Fairfield University network do not necessarily reflect the views of, nor are they necessarily attributable to, Fairfield University.

### ***No Solicitation***

The University's electronic resources must not be used for solicitation purposes during working time. The University's no solicitation rule applies to the use of electronic resources.

### ***Software Code of Ethics***

Employees may not duplicate any licenses, software or related documentation for use either on the University's premises or elsewhere unless the University is expressly authorized to do so by agreement with the licensor. Unauthorized duplication of software may subject users and/or the University to both civil and criminal penalties under the United States Copyright Act. Employees may not give software to any outsiders including contractors, customers or others. Employees may use software on local area networks or on multiple machines only in accordance with applicable license agreements. Employees may not download software from the internet and install it on their computers.

The University reserves the right to audit any University computer to determine what software is installed on the local drive(s).

### ***Employee Responsibilities***

Each employee is responsible for the content of all text, audio or images that they place or send using the University's electronic resources. The same standards should be utilized for the creation of email messages in connection with an employee's work as would be utilized for other University correspondence or memoranda.

Employees are also responsible for reviewing and complying with all applicable IT policies, located on the Wiki at Information Technology - University Policies.

The following non-exhaustive examples specify some of the responsibilities that accompany the use of electronic resources at Fairfield University and/or networks to which Fairfield is connected.

1. Users may not attempt to or modify the University's information technology facilities, crash and/or disable systems, or tamper with any software protections or restrictions placed on computer applications or files.



2. All users must obtain authorized computing accounts and may only use their own user names and passwords to access the University's information technology systems. Users may not supply false or misleading data nor improperly obtain another's password in order to gain access to computers or network systems, data, or information. Users should not attempt to subvert restrictions associated with their computer accounts.
3. Users are responsible for all use of their computer account(s). They should make appropriate use of system- and network-provided protection features and take precautions against others obtaining access to their information technology resources. Individual password security is the responsibility of each user.
4. University-owned computers, iPads, MiFi devices and the data that is on them are property of Fairfield University and controlled by ITS, and must be returned to the hiring supervisor upon termination/resignation or upon earlier request.
5. Users may not encroach on others' use of computer resources (e.g., by tying up computer resources for excessive game playing or other trivial applications; sending frivolous or excessive messages, including chain letters, junk mail, and other types of broadcast messages, either locally or over the Internet; using excessive amounts of storage; intentionally introducing any malicious software to Fairfield University hardware, software, or networks; attempting to access another user's credentials or computer; physically damaging systems; running grossly inefficient programs when efficient ones are available).
6. Fairfield University equipment and software may not be used to violate copyright or the terms of any license agreement. No one may inspect, modify, distribute, or copy proprietary data, directories, programs, files, disks or other software without proper authorization.
7. Users must not connect unauthorized devices to the University networks, including wireless networks, without authorization. Unauthorized devices include, but are not limited to, any of the following:
  - a. Wireless Access Points (e.g., Apple AirPort Base Stations, Linksys or NetGear Access Points or Gateways, etc.)
  - b. Network routers and switches
  - c. Devices or computers running network server services such as DHCP, DNS, SMTP, WINS, or acting as a network router
  - d. Wired and wireless networked printers
  - e. Any devices designed to potentially impede the functionality of other users or computers on University networks
8. Users should exercise their best judgment and due care to prevent the theft of University-provided computing devices assigned to them. Users must promptly report the theft, loss, suspected breach of security, or unauthorized disclosure of University data to the Help Desk, or Public Safety if the Help Desk is unavailable.

9. Users must only access, use, or share private or restricted University data to the extent it has been authorized by data stewards. In cases where that is not clear, users should refer to their direct supervisor and handle data as if it were restricted.

10. Users must protect electronic sensitive University data they handle, store, or process with due care, including ensuring only authorized applications are installed on computer systems used to store, process, or handle sensitive University data. Users must adhere to University policies concerning the safe handling of sensitive data.

### ***Email Content Screening***

The University maintains the right to screen all inbound and outbound email content. Email messages or attachments that contain obscene or similarly offensive material may be quarantined and held from transmission or receipt until the sender or recipient can verify the message or attached document is work related.

The University may, in its discretion, review communications to and from a personal account, subject to state laws regarding attorney-client communications.

If an employee wants to communicate with an attorney or send an otherwise confidential piece of communication that they do not want the University to monitor, the employee should consider using a personal email address and personal computer equipment. If an employee does use University equipment, the employee consents to any monitoring by the University and should understand that there is no right to privacy with respect to such communications, to the extent permissible under applicable law.

### **Driving for University Business**

Fairfield University provides University-owned vehicles for approved selected employees to drive. The University will also reimburse employees for business use of personal vehicles in accordance with this policy.

All employees are expected to comply with all local, state, and federal laws while operating University vehicles and other equipment or driving a personal vehicle for business purposes. The University may discipline employees who engage in unlawful conduct. For example, employees who are assigned to drive a University-owned vehicle or otherwise required to drive as part of their job duties are required to have and maintain a valid driver's license, wear seat belts, and travel at a safe speed. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

Unless approved for personal use, employees are expected to use their University-owned vehicle for work-related purposes only, but may run incidental, personal errands during their commute to and from work or during their meal break. This commuting and meal break time is the employee's time. Employees are not allowed to use University vehicles outside of normal work hours unless specifically authorized by senior management.

For those employees who have been authorized to use their University-owned vehicles for personal use, all gasoline and oil consumed for personal use is to be paid for by the employee. Personal use of University-owned vehicles must also be reported to payroll for tax purposes.

University vehicles are to be driven by authorized employees only, except in the case of repair testing by a mechanic. Any accidents in University vehicles or while driving on University business, regardless of severity, must be reported immediately to the police, Risk Management, and the Department of Public Safety. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action up to and including termination of employment.

Drivers are responsible for the security of University vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.

### **Cell Phone Use/Texting While Driving**

Employees whose job responsibilities include regular or occasional driving and who are issued a University cellular telephone or use their personal cellular telephone for business-related work are expected to put safety first. Therefore, employees are required to comply with federal, state, and local laws at all times with respect to cell phone use and vehicles.

Employees who are charged with traffic violations, or cause accidents or injuries, resulting from their use of personal or University-issued cellular telephones or blackberries while driving will be solely responsible for all liabilities, fines, etc., that result, to the extent permissible under the law.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a University-provided cellular telephone for business use or who use their personal cellular telephone for business use, are also expected to abide by the provisions of this policy.

### **Inclement Weather/Office Closing**

During periods of inclement weather, employees are expected to make every effort to report to work when normal operations are not officially cancelled or delayed. If you cannot report to work on time, you are required to contact your supervisor immediately.

Should inclement weather or other conditions result in delay or cancellation of classes, employees are expected to report for work on time, unless otherwise directed by the University.

When normal University operations, including work conducted in its offices, are cancelled or delayed, announcements will be made on the University's main website and main telephone number, and through the University's Stag Alert system. Employees should

ensure that their accurate cell phone number is registered in the alert system by checking employee information in Workday.

In certain departments where an essential activity may be affected by an employee's absence, the supervisor and the employee must arrange for coverage of the employee's work responsibilities. Eligible employees asked to work on a day when normal University operations are cancelled will be compensated accordingly.

In the event that the University closes early due to hazardous or severe weather, nonexempt employees will be paid for their full scheduled shift and will otherwise be paid in accordance with applicable federal and state law. Exempt employees who report to work but are sent home early due to hazardous or severe weather will receive pay for a normal working day.

When the University is open, but an employee is unable to report to work because of hazardous or severe weather, the employee should report any delay or absence to their supervisor at the earliest possible time. Employees will be required to use accrued vacation time on days when the University is open but the employee does not report to work because of inclement weather. For employees that do not have vacation available, nonexempt employees will be paid only for time worked and exempt employees will not be paid for full-day absences due to inclement weather. If the office remains open, employees must make a reasonable effort to report to work as scheduled.

Employees should consult with their supervisor prior to conducting any work away from the office following the closure of the University due to inclement weather or public emergency. All non-exempt employees should ensure all time worked is accurately recorded and reported.

No additional time off will be granted if an emergency closing is called while an employee is away from work during an approved absence, including vacation, personal time, or sick time.

Employees should not take unnecessary risks to report to work in unsafe conditions.

## **No Solicitation/Distribution of Literature**

The University has established the following rules applicable to all employees and nonemployees that govern solicitation, distribution of written material, and access to University property:

- Employees may engage in solicitation activities only during nonworking times. No employee may engage in solicitation during their own working time or during the working time of the employee or the employees at whom such activity is directed;
- Employees may distribute or circulate any written or printed material only in non-work areas, during nonworking times. No employee may distribute or circulate any written or printed material in work areas at any time, or during their own working

time or the working time of the employee or employees at whom such activity is directed;

- Nonemployees are not permitted to solicit or to distribute written material for any purpose on University property; and
- Off-duty employees are not permitted in work areas.

Strict compliance with these rules is required.

As used in this policy, "working time" includes all time for which an employee is paid and/or is scheduled to be performing services for the University; it does not include break periods, meal periods, or periods in which an employee is not performing and is not scheduled to be performing services or work for the University.

## **SECTION 8: EMPLOYEE BENEFITS**

### **Benefits Overview**

Benefit plans offered by Fairfield University are defined in legal documents such as insurance contracts and summary plan descriptions. If employees are offered benefits, and if a question arises about the nature and extent of plan benefits or if there is a conflict in language, the formal language of the Plan documents govern, not the informal wording of this Handbook. Plan documents, if applicable, are available for your inspection. The University and its designated benefit-plan administrators reserve the right to determine eligibility, interpretation and administration of issues related to benefits offered by the University.

Employment benefits vary according to the position and status of the employee. Employees should contact Human Resources or refer to the Benefits Plan Overview for detailed benefits information.

### **Insurance Plans**

The University currently offers medical insurance, prescription coverage, dental insurance, vision insurance, life insurance, long term disability, medical flexible spending accounts, dependent care flexible spending accounts, health savings accounts, and commuter benefits to eligible employees and their spouses and dependents in an equitable and cost-effective way and in compliance with applicable state and federal laws.

Employees have up to 31 days from their date of employment to select their insurance plans. Once the selection is made it will remain fixed for the remainder of the plan year; however, employees will have an opportunity to make changes to their benefit selections during the University's annual open enrollment period.

Employees who experience a qualifying life event such as marriage, divorce or the birth of a child will also be allowed to make a change in their benefit selection when that event occurs, in accordance with the terms of the Plan document.

Both the University and the employee contribute to the cost of medical and dental insurance. Employees should contact Human Resources with any questions.

## **Workers' Compensation**

When work-related accidents, injuries or illnesses occur, employees may be eligible for workers' compensation insurance benefits. The University provides a comprehensive workers' compensation insurance program at no cost to employees and in accordance with applicable state law. This program covers most injuries or illnesses, sustained in the course of employment, that require medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits or, if the employee is hospitalized, treatment immediately.

### ***Reporting Work-Related Injury or Illness***

Employees who sustain a work-related injury or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage.

### ***Leaves of Absence/Accommodation***

Employees who need to take time off from work due to a workers' compensation illness or injury may also be eligible for a leave of absence under the University's leaves of absence or reasonable accommodation policies. Employees should consult with Human Resources for additional information.

### ***Return to Work***

Employees who are ready to return to work following a workers' compensation-related leave of absence must supply a certification from a health care provider confirming the employee's ability to return to work.

### ***Fraud***

The University will notify the workers' compensation insurance if we have reason to believe an employee has supplied false or misleading information in connection with a claim and/or has filed a fraudulent claim. Workers' compensation fraud is a crime and may also be grounds for disciplinary action, up to and including termination of employment.

## **Employee Assistance Program**

The University provides an employee assistance program (EAP) at no cost to employees and their families. This counseling program is available 24 hours a day, seven days a week. It is a confidential, safe, and easy-to-use resource. EAP counselors will help employees clarify their concerns, assess their situation, and identify options to help them resolve problems. Employees are encouraged to review the

resources provided at [www.theeap.com/higher-education-eap](http://www.theeap.com/higher-education-eap). Higher Ed EAP can be reached at 1.800.252.4555.

## **Tuition Assistance**

### ***Tuition Remission***

If you are an eligible employee, you and your spouse may have the opportunity to take courses tuition free at the University. This benefit is given to you at the sole discretion of the University.

Full-Time Regular Employee (including Academic-Year Full-Time Employees): Full-time regular Fairfield University employees who meet the standard admissions requirements of the University may apply for an annual maximum of 18 credits based on the financial aid academic calendar (September-August). Courses must be taken outside of your regular working hours, exclusive of lunch hour. You are eligible for this benefit as of the beginning of the first registration period following the start of your employment.

Part-Time Regular Employee: Part-time employees, who work a minimum of 1,000 hours per year, may apply for tuition remission at a prorated rate of 50% of the fulltime benefit.

Temporary Employees: Temporary employees are not eligible for tuition remission for themselves or spouses.

Fairfield Preparatory Employees: Fairfield Prep employees are not eligible for tuition remission at the university for themselves or spouses.

Spouses: A legal spouse of an eligible employee may apply for tuition remission based on the guidelines outlined above.

### **General Information:**

- A) All requests for tuition remission must be made through Human Resources before the start of each semester. The electronic form can be found on My.Fairfield.
- B) An employee or a legal spouse may have the appropriate tuition remission toward one baccalaureate degree and one master's degree. Certain courses/programs are not covered under this policy. Human Resources will provide information regarding such programs. In general, doctorate programs are not included; however, the University can decide to cover specific programs.
- C) All fees must be paid at the time of registration.
- D) All employees and eligible spouses applying for admission will be considered under the normal application and review process of the school to which they apply.
- E) Part-time regular employees who transfer to full-time status may receive credit for their part-time service at the discretion of the University.
- F) Employees who terminate prior to completing a semester will be required to reimburse the University for any pro-rated tuition due.

- G) Tuition remission unused by an employee or eligible spouse is not a right of the employee and is not transferable or compensable in any way.
- H) Employees who leave the University in good standing with at least 15 years of continuous full-time service are eligible for the same tuition remission benefit as an active full-time employee.
- I) Length of service changes that affect the amount of tuition charged will be calculated at the beginning of each new semester only.
- K) Graduate tuition for a spouse is taxable, as well as graduate tuition for an active employee that exceeds the IRS calendar year limit (currently \$5,250). This tax will be withheld from the employee's pay.

### ***Tuition Grants-in-Aid***

A full-time Fairfield University employee who has completed at least one continuous year of employment prior to the start of a new semester may apply for a paid tuition grant-in-aid for an IRS qualifying relative (aka legal dependent defined in section E) who is enrolled as an undergraduate student at Fairfield University.

For legal dependents not matriculating at Fairfield University, tuition grant-in-aid may cover up to six credits during the summer and three credits during the fall, winter, and spring semesters.

Tuition grants-in-aid for dependents cannot be combined with other University awards or scholarships. Tuition grants-in-aid will be applied based on an employee's length of service as follows:

- 25% after one continuous year of full-time equivalent service
- 50% after two continuous years of full-time equivalent service
- 75% after three continuous years of full-time equivalent service
- 100% after four continuous years of full-time equivalent service

Part-time employees who regularly work a minimum of 1,000 hours per year may apply for tuition grant-in-aid for their legal dependents at a pro-rated rate of 50% of the fulltime benefit.

Up to one-half of the Fairfield College Preparatory School tuition can be waived for eligible male, legal dependents, based on employee's length of service as follows:

- 12.5% after one continuous year of full-time equivalent service
- 25% after two continuous years of full-time equivalent service
- 37.5% after three continuous years of full-time equivalent service
- 50% after four continuous years of full-time equivalent service

Eligible active full-time employees with female, legal dependents who attend a single-sex, private high school, are eligible for up to \$5,000/year non-taxable, tuition



reimbursement. Documentation showing proof of payment by the eligible employee is required for reimbursement.

General Information:

- A) Requests for tuition grants-in-aid must be made before the start of each semester. Untimely requests may be denied. The form is located on My.Fairfield under Tuition Benefit and must be completed online. You will be notified by email of approval or denial.
- B) Each legally dependent child of eligible University employees (and eligible nieces and nephews of full-time Jesuit employees) may be awarded the appropriate tuition grant-in-aid toward one baccalaureate degree from the University and/or high school diploma from Fairfield College Preparatory School.
- C) Grants-in-aid are not available for the graduate schools, contract courses, and certain excluded programs or courses. Human Resources can provide information regarding courses/programs not covered under this policy upon request.
- D) All fees must be paid at time of registration.
- E) This policy shall apply to children of University employees who are under age 26 at the beginning of the semester in which they plan to take classes and who under IRS guidelines qualify as a "qualifying relative".

A "qualifying relative" is a child who:

- is your biological child, adopted child or stepchild;
  - is unmarried;
  - receives over one-half of his/her support for the year from you (subject to a special rule in situations where a child's support is provided by two or more individuals); and
  - does not have gross income in excess of a specified amount (determined annually by the IRS).
- F) If a child's matriculation is delayed because of health or military service, the age limit may be extended by the length of such period of ill-health or service at the University's discretion.
  - G) Recipients must remain students in good standing and satisfy all terms and conditions of continued enrollment at the University.
  - H) Tuition grants-in-aid that are awarded but unused are not transferable or compensable in any way, and the employee and/or student has no legal right to any compensation for them.
  - I) The total number of courses taken during any one semester will be subject to normal academic guidelines.
  - J) Length of service affecting the amount of grant-in-aid will only be calculated effective as of the beginning of each new semester.
  - K) Employees who voluntarily separate from the University prior to completing a semester will be required to reimburse the University for the pro-rated tuition for the period after separation.

- L) Employees who leave the University in good standing with at least 15 years of continuous full-time service are eligible for the same tuition grant-in aid benefit as an active full-time employee, excluding the female tuition reimbursement benefit which is only in effect for active employees.
- M) If an eligible employee, with at least 7 years of continuous service should die while still employed by the University, the appropriate tuition grant-in-aid will be available to the surviving dependent children.

### ***FACHEX – Faculty and Staff Children Exchange Program***

This program provides for tuition waivers on an exchange basis, at Jesuit colleges and universities participating in the program. The program is limited to the eligible children of full-time faculty and staff with four years of service and applies to undergraduate degrees only. Each participating college/university determines student admission eligibility as well as which academic programs are covered.

### ***Tuition Exchange***

Fairfield University is a member institution in the Tuition Exchange program, a non-profit consortium of more than 600 institutions of higher education, which provides a national scholarship exchange program for dependent children of full-time eligible 21 employees. Tuition Exchange is granted in limited number based on seniority. For more information on this program contact the Enrollment Management department.

### ***Study Abroad Program***

Fairfield University will allow tuition grants-in-aid for study abroad programs for matriculated students at the University who are children of full-time faculty or staff, and will be covered for the Fall and Spring semesters.

### ***PreK3 – 8<sup>th</sup> Grade St. Thomas Aquinas Tuition Discount***

Dependent children of full-time employees receive a 25% tuition discount to St. Thomas Aquinas Catholic School provided that they must be admitted based on St. Thomas admissions criteria. Admission is not guaranteed.

Located in the heart of Fairfield, St. Thomas Aquinas is a co-ed school serving students from PreK3 through 8th grade.

Related Web Site: <https://www.stasonline.net/>

## **SECTION 9: LEAVING THE UNIVERSITY**

### **Separation from Employment**

Employees of Fairfield University are employed on an at-will basis. This means that employment may be terminated by either party at any time, with or without cause or

notice. Nothing in this policy is intended to limit or alter the at-will nature of your employment.

Employees may leave the University for a variety of reasons. Regardless of the reason, we strive to ensure that all separations from employment are handled fairly, efficiently and in compliance with applicable federal and state laws.

Reasons for termination include, but are not limited to, the following:

### ***Voluntary Termination***

A voluntary termination means an employee has made the decision to end the working relationship with the University. Voluntary resignations include, but are not limited to, written or verbal resignation, retirement (more fully discussed below) and job abandonment. An employee is considered to have abandoned the job if they fail to return within 3 days and have not notified the University of their intention to resign.

Employees who voluntarily leave the University are encouraged to provide their supervisor with written notice in order to allow a reasonable amount of time to transfer ongoing work. Upon resignation, an employee must return all keys, uniforms, credit cards or other University-issued property. Unless state or local law requires otherwise, accrued vacation benefits will be paid out only to those terminating employees who have given sufficient working notice, defined as two full weeks worked. Please see your applicable state supplement for additional information, or contact Human Resources with questions.

Employees in good standing who retire or resign from their positions may be eligible for re-hire.

### ***Retirement***

Employees who retire in good standing (meaning not terminated for cause) with a minimum age of 55 AND with at least ten (10) years of continuous service to the University (including all periods of full time employment, and leaves of absence, with the exception of leaves for total disability or illness) are entitled to the following privileges (subject to the current policies, restrictions and fees applicable to full-time active employees): access to all University academic and recreational facilities; attendance at the University's cultural, athletic and educational events, including academic convocations and processions; campus vehicle registration. Retirees may continue to receive University publications.

The University has established retirement plans designed to provide certain benefits to eligible employees. Since the type and level of benefits vary according to the terms of each plan and are subject to modification, they are not specifically set forth in this Handbook. Each plan is described in detail in a summary plan description, a copy of which is provided to each employee eligible to participate in such plan. Employees should contact Human Resources for additional information that will help to determine eligibility.

Nothing in this policy shall be deemed to modify any employee benefit plan or plans referred to herein or that may subsequently be established.

## ***Involuntary Termination***

An involuntary termination occurs when the University decides to end the working relationship with an employee. Involuntary terminations may occur for cause or for reasons other than cause.

Involuntary terminations for cause include, but are not limited to, terminations for violating University policy, misuse or theft of resources, the falsification of information or unsatisfactory work performance. Employees who are terminated for cause are not permitted to return to campus without prior authorization from Human Resources. Involuntary terminations for reasons other than cause include, but are not limited to, a reduction in workforce.

## **Pay and Benefits Upon Termination**

Final wages will be paid in accordance with applicable law. Vacation and sick leave will not be paid upon termination unless otherwise required by law, subject to the following:

With approval of Human Resources, eligible non-exempt employees who terminate after at least one year of continuous service may receive a cash payment of any unused sick time based on their service. The formula is:  $.03 \times \text{years of service} \times \text{unused amount of hours}$ , to a maximum of .45 or \$3,000, whichever is less.

Unless otherwise required by state and/or local law, vacation pay is given to terminating employees who have been in the employ of the University for at least three months, who have given the required period of notice (at least two weeks' working notice), and whose work record has been in good standing. Vacation pay is based on the number of unused accrued vacation days at the time of termination.

## **Return of University Property**

Employees are required to return all University property (e.g., computers, vehicles, passwords, uniforms, StagCard, credit cards ("P cards")) that is in their possession or control in the event of termination of employment, resignation, retirement or layoff or immediately upon request. No information belonging to the University can be copied for the employee's use. We also may take all action deemed appropriate to recover or protect University property.

## **References/Verifications of Employment**

In order for the University to handle requests for job references in a consistent, fair and lawful manner, all requests for official job references on behalf of the University should be forwarded to Human Resources. No supervisor is authorized to provide a reference on the University's behalf for current or former employees. Our policy concerning references for former employees is to disclose only the dates of employment and the title of the last position held. We also will provide a prospective employer with information on

the amount of the salary or wage last earned, if a former employee authorizes such disclosure in writing.

## **Exit Interviews**

Before leaving Fairfield University, employees may be asked to participate in a voluntary exit interview. This will provide closure to the employee's employment with the University and will allow the University to ensure that it has resolved various administrative matters, answered any questions about continuation of benefits, and listened to any of the employee's comments or ideas about improving the University's operations.

# **ADDITIONAL DOCUMENTS**

I have read, understand, and agree to the terms of the University's Code of Business Ethics, as set forth in the Handbook. I further acknowledge that I have fully complied and shall continue to comply with the terms and intent of the University's Code of Business Ethics. I understand that it is my ongoing responsibility to disclose any conflict of interest in writing to my division head as soon as it presents itself. I further acknowledge and understand that failure to immediately and fully disclose any conflict of interest may result in discipline, up to and including termination.

Date \_\_\_\_\_

[illegible]

## **EXHIBIT B - Supplement to Disability Accommodation Policy**

Fairfield University is committed to providing reasonable accommodations when such accommodations may be necessary to afford people with disabilities an equal opportunity to use and enjoy University housing. A reasonable accommodation request may include a change or exception to a rule or policy, or it may be a physical change to a unit or common area that is needed because of a disability. Such requests for accommodations are reviewed on an individualized and case-by-case basis.

The Office of Accessibility (“Accessibility”) is responsible for evaluating whether a student with a disability is eligible for a reasonable accommodation in University housing. In reviewing a student’s specific request, Accessibility will consult with the Office of Residence Life, the Health Center, and Counseling and Psychological Services as necessary to determine whether the requested accommodation is necessary and reasonable. Students who reside or intend to reside in University housing and who believe they need a reasonable accommodation must contact Accessibility.

Employees who reside on campus and who are requesting reasonable accommodations related to University housing must contact Human Resources. For housing-related reasonable accommodation requests involving Assistance Animals (including emotional support animals), please refer to the Procedures for Requesting Assistance Animals in University Housing contained in the University’s Animals on Campus Guidelines (located on the University Wiki site under University Policies - Human Resources).

Fairfield University will not retaliate against any person because that individual has requested or received a reasonable accommodation in University housing, including a request for a Service or Assistance Animal. Reports of retaliation may be made to the Senior Director, Equity.

### **Animals on Campus**

Fairfield University recognizes the importance of Service Animals as defined by the Americans with Disabilities Amendments Act (ADAAA) and the broader category of Assistance Animals under the Fair Housing Act. The University is committed to allowing individuals with disabilities the use of Service Animals on campus to facilitate the individual’s full participation in and equal access to the University’s programs and activities. The University is also committed to allowing Assistance Animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy University housing. Further, the University recognizes the value of trained and approved Therapy Animals in providing therapeutic support in times of stress. Animals that do not fall within any of these authorized categories are prohibited on campus. Keeping an unapproved animal on campus is a violation of University policy and may result in discipline.

For information regarding service, assistance, and support animals, please see the University’s Animals on Campus Guidelines, available on Wiki under University Policies – Human Resources.



## EXHIBIT C – FMLA Notice

# Your Employee Rights Under the Family and Medical Leave Act

## What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

## Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

## How do I request FMLA leave?

Generally, to request FMLA leave you **must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

## What does my employer need to do?

If you are eligible for FMLA leave, your **employer must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

## Where can I find more information?

Call 1-866-487-9243 or visit [dol.gov/fmla](https://www.dol.gov/fmla) to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

SCAN ME



## **EXHIBIT D – Notice of Employee Rights Under the Connecticut Family and Medical Leave Act (CTFMLA) & Connecticut Paid Leave Act (CTPL)**

### **LEAVE ENTITLEMENT AND ELIGIBILITY:**

The CTFMLA provides eligible employees, after 3 consecutive months on the job, up to 12 weeks of unpaid, job-protected leave during a 12-month period for qualifying family or medical leave reasons. Employees are entitled to return to their same job at the end of leave. The CTPL provides income replacement benefits to eligible employees who are unable to work for the same leave reasons. These leave options may run at the same time.

Qualifying reasons for leave include:

- The birth of a child and care within the first year after birth;
- The placement of a child with employee for adoption or foster care and care for child within the first year after placement;
- To care for a family member with a serious health condition. Family includes spouse (the person to whom one is legally married), sibling, son or daughter, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity;
- Because of the employee's own serious health condition;
- To serve as an organ or bone marrow donor;
- To address qualifying exigencies arising from a spouse, son, daughter or parent's active duty service in the armed forces; or
- To care for a spouse, son, daughter, parent or next of kin with a serious injury or illness incurred on active duty in the armed forces.

It also allows eligible employees to receive two extra weeks of leave (up to a total of 14 weeks) in connection with an incapacity that occurs during pregnancy. CTFMLA further allows eligible employees to take up to 26 weeks of leave in a single 12-month period to care for a covered servicemember with a serious injury or illness.

Employees may also take up to 12 days of leave to deal with the effects of family violence separate from leave time available under state or federal law. While this is not protected under CTFMLA, it is protected under the Connecticut Family Violence Leave Act and an employee can apply for CTPL in connection with these absences.

Leave does not have to be taken all at once. Employees may take leave intermittently (in separate blocks of time) or to reduce their work schedule.

CTFMLA leave is unpaid. However, an employer may require, or an employee may request to use their accrued, paid time off. An employee may choose to preserve up to 2 weeks of their accrued, paid time off. This accrued, paid time off is in addition to the income-replacement benefits available to employees under CTPL.

## **APPLYING FOR INCOME-REPLACEMENT BENEFITS UNDER CTPL:**

Wage replacement benefits under the CTPL may also be available for CTFMLA absences. More information about Connecticut's Paid Leave program and instructions for how to apply are available at <https://ctpaidleave.org/>.

Some employers have received approval from the CT Paid Leave Authority to provide CTPL benefits to their employees through an approved private plan instead of through the state's CTPL program. Employers that have approved private plans are required to notify their employees how to file claims for benefits through their private plan and who the employees can contact for answers to questions about their plan. CTPL benefits are available for up to 12 weeks in a 12-month period, with an additional two weeks available to an employee for incapacity or medical treatment during pregnancy. Benefits are limited to 12 days for leave to deal with the effects of family violence.

## **EMPLOYER NOTIFICATION FOR CTFMLA LEAVE**

Employees should provide at least 30-days advance notice to their employer of the need to take CTFMLA leave if they can. If they are unable to because they do not know they need leave, the employee must provide notice as soon as they can. An employer may require a medical certification to support a request for leave.

## **WHAT IS PROHIBITED?**

The CTFMLA prohibits employers from:

- Interfering with or denying any rights provided by the CTFMLA or CTPL. Examples include, but are not limited to, improperly refusing to grant CTFMLA leave or discouraging employees from using CTFMLA leave or applying for CTPL benefits.
- Disciplining, terminating, discriminating against, or retaliating against any individual for taking CTFMLA leave or applying for CTPL benefits, for opposing or complaining about any unlawful practice, or being involved in any proceeding related to the CTFMLA.

If you believe that your CTFMLA rights have been violated, you can either file a complaint directly in Superior Court or with the Connecticut Department of Labor.

To file a CTFMLA complaint with the Connecticut Department of Labor, complete and submit the appropriate CTFMLA complaint form found on the Department's website found at THE CONNECTICUT FAMILY & MEDICAL LEAVE ACT and CT PAID LEAVE APPEALS.

More information about the CTFMLA is available at <https://ctpaidleave.org/>.

## **EXHIBIT E – Notice of CT Paid Sick Leave (“CT PSL”)**

Fairfield University complies with the requirements of the Connecticut Paid Sick Leave law by providing up to 40 hours of paid sick leave per benefit year to qualifying employees. This policy sets forth the parameters regarding the accrual and use of paid sick leave.

### **Covered employees**

All employees are covered by the paid sick leave law, including full-time, part-time, per diem, temporary, hourly and salaried exempt employees, except:

- Seasonal employees – those employees who work only 120 days or less per year.
- Employees who are members of construction-related tradesperson employee organizations that are part of a multiemployer health plan maintained pursuant to one or more collective bargaining agreements between a construction-related tradesperson employee organization(s) and employer.

### **Basics**

- Current employees - paid sick leave begins accruing on January 1, 2025
- Employees hired after January 1, 2025 – accrual begins on first day of work
- The accrual is at a rate of 1 hour of paid sick leave for every 30 hours worked, up to a maximum of 40 hours per benefit year
- The “benefit year” is the period from January 1<sup>st</sup> through December 31<sup>st</sup>
- Per CT PSL, employees may use CT PSL on or after 120 calendar days of employment, however, the University will allow employees to use CT PSL immediately upon accruing.
- Employees may use accrued paid sick leave in 0.25 hour increments.
- If an employee has not used all of their accrued paid sick leave in the current benefit year, they may carry over up to 40 unused accrued hours from the current benefit year to the following benefit year; OR
- Each employee will be provided the forthcoming year’s entitlement at the beginning of the benefit year.

### **Use of Leave**

(1) An employee may use paid sick leave for his or her own:

- illness, injury or health condition;
- the medical diagnosis, care or treatment of his or her mental or physical illness, injury or health condition;
- preventative medical care; or
- mental health wellness day

(2) An employee may use paid sick leave for a family member’s:

- illness, injury or health condition;
- the medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or

- preventative medical care

(3) An employee may use paid sick leave for closure by order of a public official, due to a public health emergency, of either:

- an employer's place of business; or
- a family member's school or place of care

(4) An employee may use paid sick leave when a health authority, the employer of the employee or the employee's family member, or a health care provider determines that the employee or the employee's family member poses a risk to the health of others because of exposure to a communicable disease.

(5) An employee may use paid sick leave if the employee or the employee's family member is a victim of family violence or sexual assault:

- for medical care or psychological or other counseling for physical or psychological injury or disability;
- to obtain services from a victim services organization;
- to relocate due to such family violence or sexual assault;
- to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

*"Family member"* - means a spouse, sibling, child, grandparent, grandchild, or parent of an employee, or an individual who is related to the employee by blood or by an affinity whose close association the employee can show to be equivalent to those family relationships.

## **Pay**

Employees will be paid for the use of sick leave at a pay rate equal to the greater of either:

- the normal hourly wage for that employee, or
- the minimum fair wage rate under Connecticut General Statutes sec. 31-58 in effect for the pay period during which the employee used paid sick leave.

## **Notice and Documentation**

Employees are not required to provide advance notice before using paid sick leave. The employer is prohibited from requiring an employee to provide any documentation that paid sick leave is being taken for a reason covered by the paid sick leave law.

There are times when notice and documentation will be required if the employee's absence(s) are due to a qualifying reason under an applicable state or federal law, including the CT Family and Medical Leave Act (CTFMLA). Paid sick leave and CTFMLA may run concurrently, and if so, the requirements of the CTFMLA must be adhered to by both the employee and employer.

## **Separation**

If an employee has unused accrued paid sick leave at the time of separation, the employer will follow its regular policy regarding pay out of paid time off.

**Recordkeeping**

Employers must track and keep records of hours worked and paid sick leave accrued and used for every employee as part of its normal record-keeping obligations.

**Prohibition of Retaliation or Discrimination**

Retaliatory personnel actions or discrimination are prohibited because the employee:

- requests or uses paid sick leave either in accordance with the law; or
- in accordance with the employer's own paid sick leave policy, as the case may be; or
- files a complaint with the CT Department of Labor alleging the employer has violation of the law.

**Complaint**

Any employee aggrieved by a violation of the provisions of the law may file a complaint with the CT Department of Labor. Employees may file a complaint on the CT Department of Labor website: [https://portal.ct.gov/dol/divisions/wage-and-workplace-standards/wagecomplaint?language=en\\_US](https://portal.ct.gov/dol/divisions/wage-and-workplace-standards/wagecomplaint?language=en_US)