

## **8.0**

# **EMPLOYEE BENEFITS**



## **8.0 AMENDMENTS TO PLAN**

Clarkson reserves the right to amend or terminate with respect to all participating classes, retired or otherwise, any benefit plan or insurance coverage described in this section. This includes the right to change the terms of participation and coverage, the cost of any coverage and the percentage of the cost that the University pays. Subject to applicable bargaining agreement, the termination of any benefit plan or insurance coverage described in this section does not require prior notice to consult with or consent from you, your dependents or beneficiaries.

This is a summary of Benefits and is intended to be accurate. However, insurance policies may serve as the plan documents which contain all specific provisions. In the event of discrepancies, official documents will govern. Copies of plan documents may be obtained on the on-line benefits site, SMARTBEN.com, or from the Human Resources Department.

May 2008

## **8.1 FRINGE BENEFITS - GENERAL**

### **8.1.1 Statutory**

#### **1. Social Security**

All employees are covered by the old age and survivors feature as well as Medicare. The University matches the legally required employee contribution. Every employee must contribute by payroll deduction to Social Security while employed.

#### **2. Worker's Compensation**

The University pays full cost of Worker's Compensation as required by New York State Law. This insurance provides benefits to employees sustaining work-connected injuries or occupational illness.

#### **3. Non-Occupational Disability Benefits**

Permanent, seasonal, and part-time employees are provided at University cost weekly benefits to replace, in part, earnings lost because of accident or sickness resulting from causes not related to their jobs.

Other temporary employees (those working more than twenty-five days per year) receive benefits in accordance with the New York State Disability Law, but no wage payment will be made by the University. Faculty members are not covered under New York State Disability Law.

#### **4. Unemployment Insurance**

All employees are covered under the New York State Unemployment Insurance Law. Eligibility for unemployment benefits requires that former employees are unemployed through no fault of their own, are ready, willing and able to work, but cannot find work.

Revised November 1986  
Revised September 1993  
Revised May 2008

### **8.1.2 Comprehensive Medical Plan - POMCO**

The University offers a medical plan that covers part of the cost of hospitalization, surgical fees, prescriptions and certain other items. Basic preventative and diagnostic care is covered at 100%.

For a summary and plan description outlining eligibility, coverage, exclusions, deductibles, and required employee premium contributions please go to [SMARTBEN.com](http://SMARTBEN.com).

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Revised January 1991  
Revised July 1994  
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Revised May 2008  
Revised July 2011

**8.1.3 Dental Plan – Delta Dental**

The University offers a dental plan that covers part of the cost of dental services. Preventative and diagnostic care is covered at 100%.

For a summary and plan description outlining eligibility, coverage, exclusions, deductibles, and required employee premium contributions please go to [SMARTBEN.com](http://SMARTBEN.com).

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#### **8.1.4 Annuity-Option Plan - TIAA-CREF**

This plan permits employees to reduce their regular contract salaries in return for the University's purchase of tax-deferred annuities on their behalf. Maximum reduction amounts must be within the limits imposed by the Internal Revenue Code. Annuity premiums under this "optional" plan are in addition to any contributions which may be made under the University's mandatory retirement plans (see Section 8.1.9) and are paid to TIAA-CREF.

Employees who may be interested in the annuity-option plan should consult the Human Resources Office for details or consult with a representative from TIAA-CREF.

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**8.1.5 Pension Plan - TIAA-CREF**

Mandatory participation is required after completion of two years of full-time service at an institution of higher education. Verification of previous higher education employment is required. Employees are required to contribute 4.8% of regular salary, while the University contribution will equal 9.6% of their regular salary.

Employees will be notified by the Human Resources Office when they are pension eligible. It is then their responsibility to complete any required forms needed by TIAA-CREF. Representatives from TIAA-CREF visit the campus on a regular basis for enrollment of newly eligible participants and investment strategies for current participants.

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Revised December 1986  
Editorial Revision July 1989  
Editorial Revision August 1996  
Revised July 1997  
Editorial Revision May 2008  
Section Renumbered & Revised July 2011  
Section Renumbered July 2012



### 8.1.6 Group Total Long Term Disability Benefits Plan – Cigna

This voluntary plan provides each insured employee who qualifies for total disability with the following benefit(s), which begin on the first day of the month following six consecutive months of total disability and continues until such disability has ended or until the maximum period as defined in the plan document.

1. A monthly income benefit equal to 60% of covered base salary not to exceed benefits payable of \$5,400 monthly. This benefit will be reduced by any other sources of income as defined in the group long-term policy.
2. A monthly contribution to the individual's retirement annuity contract equal 9.6% of covered base salary as of the date the disability began. This benefit does not apply to any voluntary contributions.

The cost of the Group Total Disability Benefits plan is paid in part by the University and in part by the employee. Participation in this plan is optional and a one-year waiting period is required. Employees who do not join the plan within thirty days after the required one-year waiting period will be required to submit a statement of health and their participation in the plan will be subject to approval by **Cigna**.

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Policy Revised October 1989  
Policy Revised October 1989  
Policy Revised July 2003  
Section Renumbered & Editorial Revision July 2011  
Section Renumbered July 2012  
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### **8.1.7 Group Travel Accident Insurance - Cigna**

The University provides travel accident insurance to all employees at no cost to the individual. This insurance is designed to provide maximum protection for employees whose University duties expose them to the hazards of travel. Benefits of \$200,000.00 are provided for accidental death or dismemberment suffered only while the insured are on authorized trips which require them to travel away from the premises of the University.

The death benefit is payable to the estate of the insured unless an individual Designation of Beneficiary Form is filed with the University. Dismemberment benefits are payable to the insured employee.

The Human Resources Office will counsel, distribute the necessary information and enroll all eligible employees for this insurance coverage.

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Section Renumbered July 2012  
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### 8.1.8 Tuition Programs

These tuition programs are designed to assist and encourage full-time employees to further their children's education to the associate or baccalaureate level.

Children of all full-time employees are eligible for the following two tuition assistance programs, i.e., the Clarkson University Program and the Tuition Exchange Program.

Children of retired full-time employees who qualify are eligible for this benefit.

**Clarkson University Program-** Free tuition in any of Clarkson University's bachelor's level degree programs.

**Summer Session Tuition for Dependent Children.** Dependent children of members of the faculty and administrative, supervisory, and general staff may enroll in courses at Clarkson during summer session for credit at a tuition charge which is one-third the normal tuition charge. Use of this summer session tuition charge does not count against eligibility under this Clarkson University Program.

**Tuition Exchange Program-** Full tuition may be granted if the necessary reciprocal arrangement can be completed among other member institutions in the program.

**Tuition Grant Program.** Eligibility for this Tuition Grant Program is limited to children of full-time employees on the working payroll and with three years of service to the University prior to July 1, 1972. The Tuition Grant Program is as follows : If the Tuition Exchange Program is not available for the college or university that the employee's child wants to attend, then for those who are eligible as defined above a maximum of \$1,200 per academic year will be allowed toward the tuition for undergraduate study provided the college or university is accredited.

#### **Rules and Requirements for All Tuition Programs**

The following rules and requirements pertain to all tuition programs:

1. These tuition programs will be available only to those children who plan to attend on a full-time basis a two or four year program in an accredited junior or community college, college, or university for the purpose of completing undergraduate work leading to a degree.
2. Summer scholastic work is not covered by these tuition programs unless such work is part of the standard curricular requirements for the program in which the student is enrolled.
3. Graduate work is not covered by these tuition programs.

4. Eligibility under these tuition programs is limited to a maximum of eight semesters of study for each child.
5. All University work under these programs shall have been completed within ten years after the student's graduation from high school.
6. Students participating in this program will become ineligible in any academic period (semester, quarter, or trimester) in which they are on either an academic or disciplinary probation status or are considered not in good standing by the institution in which they are enrolled. This status will not be altered by transfer from one institution to another.
7. Eligibility of employees will not be affected by a leave of absence of one calendar year or less. Children of employees who have a leave of absence greater than one year will not be eligible under these programs.
8. In the event of death or total disability (the Social Security Board) of an employee who has been in the employ of Clarkson for at least ten consecutive years at the time of death or when total disability is determined, all then existing and otherwise eligible children of the employee will continue to be eligible for participation in the tuition benefit programs as long as they are sponsored by Clarkson University.
9. Only dependent, unmarried children are eligible for assistance under these programs.
10. This benefit is not retroactive. An employee must be hired prior to the beginning of a semester in order to receive the benefit for that semester.

Eligible employees interested in applying for assistance under these programs outlined above should consult with Human Resources.

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### 8.1.9 Spouse/Partner Tuition Assistance Program

#### *Policy Purpose*

Clarkson University provides a tuition discount for spouses and partners of regular full-time administrative, supervisory, faculty, general staff and researchers on at least a 2 year contract to attend classes taken at Clarkson University.

#### *Policy Summary*

Spouses and partners of the administrative, supervisory, faculty and general staff who are regular full time employees and of researchers on at least a 2 year contract are entitled to enroll for credit in, courses taught at Clarkson University at a one third (1/3) discount rate.

#### *Definition of Terms*

Eligible Employees: All regular full- time exempt and non-exempt employees who work 37.5 or more hours per week. Research employees who are at least on a two year contract and work 37.5 or more hours per week.

Academic Year: Fall, Spring and Summer terms.

Domestic Partner: For purposes of ensuring consistent implementation of the President's memorandum, a "domestic partner" is defined in OPM regulations (e.g. 5 C.F.R. § 875.213) as a person in a domestic partnership with an employee or annuitant of the same sex. The term "domestic partnership" is defined as a committed relationship between two adults, of the same sex, in which the partners—

1. are each other's sole domestic partner and intend to remain so indefinitely;
2. maintain a common residence, and intend to continue to do so (or would maintain a common residence but for an assignment abroad or other employment-related, financial, or similar obstacle);
3. are at least 18 years of age and mentally competent to consent to contract;
4. share responsibility for a significant measure of each other's financial obligations;
5. are not married or joined in a civil union to anyone else;
6. are not the domestic partner of anyone else;
7. are not related in a way that, if they were of opposite sex, would prohibit legal marriage in the U.S. jurisdiction in which the partnership was formed;
8. are willing to certify, if required by the agency, that they understand that willful falsification of any documentation required to establish that an individual is in a domestic partnership may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification, as well as constitute a criminal violation under 18 U.S.C. § 1001, and that the method for securing such certification, if required, shall be determined by the agency; and
9. are willing promptly to disclose, if required by the agency, any dissolution or material change in the status of the domestic partnership.

***Policy Statement***

Spouses/partners of the administrative, supervisory, faculty and general staff who are regular full time and of researchers on at least a 2 year contract are entitled to enroll in courses taught at Clarkson University for credit at a tuition charge which is one-third (1/3) the normal tuition charge.

Spouses/partners may take undergraduate and graduate level courses at the reduced tuition rate. To enroll, a Spousal/Partner Tuition Assistance Program form must be completed and submitted to HR prior to the start of the course.

Spousal benefit cannot be combined with other award programs in relation to aid. Recipients enrolled in graduate level courses should be aware there may be federal and state tax implications, and are encouraged to consult their tax advisor.

***Procedures***

Prior to the start of a semester, the employee spouse/partner must fill out the Spousal/Partner Tuition Assistance Program form. Human Resources must sign before the start of the class. Once the form is approved by Human Resources, the form will be submitted to Student Administrative Services for processing with Human Resources retaining responsibility for eligibility records.

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### 8.1.10 Group Life Insurance – Cigna

These plans provide faculty and administrative, supervisory, and general staff with basic life insurance plus the option of buying additional coverage.

1. **Basic Coverage – Cigna.** All active employees are covered for an amount of life insurance equal to their annual salary rounded to the next \$500.00. The minimum benefit is \$17,500 and the maximum benefit is \$70,000. There is no charge to the employee for this basic amount of insurance. Benefits are reduced at age seventy according to plan provisions.
2. **Accidental Death and Dismemberment - Cigna.** All active employees are covered for an amount of accidental death and dismemberment benefit equal to their annual salary rounded to the next \$500. The maximum benefit is \$70,000. There is no charge to the employee for this benefit. Benefits are reduced at age seventy-five according to plan provisions.
3. **Voluntary Life Insurance Coverage – Cigna.** All active employees are eligible to purchase additional life insurance up to 3x's their annual salary up to \$500,000. Upon hire employees have 30 days to elect up to \$150,000 without providing medical history form. After the 30 days have passed, employees will be required to submit a medical history form for any voluntary amount elected. Payment is through payroll deduction. The Human Resources Office will provide information on this optional coverage upon request.

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### 8.1.11 Accident and Injury

In cases of serious injury on campus, call the Potsdam Rescue Squad at 265-2121 or call 911.

1. **Worker's Compensation Report.** For each work-related injury, an employee must complete and forward to the Human Resources Office an Employer's Report of Injury Form, C-2, as required by law. Before the employee returns to work, a return to work slip from the doctor must be forwarded to the Human Resources Office.
2. **Non-Occupational Disability Report.** When an employee or supervisor learns of any injury or sickness, from causes **not** connected with their jobs, they should notify the Human Resources Office so that the notice and proof of claim for disability benefits can be forwarded to the employee for completion and claim for benefits processed.

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### 8.1.12 Death Benefit

In the event of the death of a full time employee, the Human Resources Office should be informed promptly so that the processing of the group life insurance claim can be started without delay, and arrangements be made for payment of other benefits which might be due. The University will pay the following death benefits to a named beneficiary.

1. **General Staff Death Benefit.** Wages due to day of death, one additional normal pay period's wages, unused vacation time, and accumulated sick leave balance as of June 30, 2011, will be included in the final payment.
2. **Administrative Staff Death Benefit.** Wages due to day of death, one additional month's salary, and unused vacation time will be included in the final payment.
3. **Faculty Death Benefit.** Refer to Paragraph 2 of Section 4.2.2 on Salary Continuance Faculty.

Temporary employees are not eligible for the death benefits defined above.

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### 8.1.13 Family, Medical and Military Leave Act

#### **Policy Purpose and Background:**

The University is committed to providing leave to assist employees with balancing the demands of the workplace, their individual needs, and the needs of their family in ways that accommodate the legitimate interests of the University's schools and departments.

This policy assists the University in complying with the Family and Medical Leave Act (FMLA) of 1993 (29 U.S.C. 2601 et seq., and Regulations 29 C.F.R Part 825).

Effective January 16, 2009, the U.S. Department of Labor (DOL) issued its new rules for interpreting the Family and Medical Leave Act (FMLA). The new rules serve two primary purposes: 1) to provide greater clarity on several regulations and 2) to implement new FMLA leave available to military family members.

Effective February 2013, the U.S. Department of Labor (DOL) issued new rules for family members of current service members and veterans and providing far greater abilities to attend to personal matters and medical needs related to their family members' service.

#### **Policy Summary:**

The Federal Family and Medical Leave Act 1993(FMLA) provides eligible employees with the right to take job-protected leave with continued medical benefits when you need time off from work to care for yourself or a family member who is seriously ill, to care for a newborn or newly adopted child or to attend to the affairs of a family member who is called to active duty in the military.

#### **Definition of Terms in Statement:**

**Eligible employees:** All faculty and staff employed by Clarkson who have been employed by the University for: (1) at least 12 months within the last seven years; and (2) at least 1,250 hours during the 12 months before the start of the leave. (NOTE: The required 1,250 hours do not have to be worked during consecutive months. However, the 1,250 hours of work requirement applies to the 12 months immediately preceding the start of the leave.)

**Employment Benefits:** All benefits provided by the University to employees including group life insurance, disability insurance, health insurance, vacation and sick leave, special days, educational benefits, and retirement contributions.

**Family and Medical Leave Act(FMLA):** A job-protected leave without pay (or use of an employee's accrued leave with pay) for up to 12 workweeks (or up to 26 weeks for qualified Military leave) during rolling 12 month period for the reasons specified in this policy in conformance with the Federal Family and Medical Leave Act of 1993.

**Healthcare Provider:** Healthcare providers include: (1) doctors of medicine or osteopathy who are authorized to practice medicine or surgery (as appropriate) by the state in which the doctors practice; (2) any other person determined by the Secretary of the Department of Labor to be capable of providing health care services; and (3) others capable of providing health care services to include only podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse practitioners and nurse-midwives authorized to practice in the state and performing within the scope of their practice as defined under state law.

**Key Position:** A position within the highest paid 10 percent of all the University's employees, working within 75 miles of the University's facility.

**Leave Plan Year:** A rolling 12-month period, each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

**Parent:** Biological parent or individual who stood in place of the parent of the employee and was charged with the duties and responsibilities of the parent.

**Qualified Exigency Leave:** Military leave which may be used for such pressing or urgent situations as:

- short-notice deployment (defined as notice of an impending call or order to active duty within seven days of the date of deployment);
- Veterans, or one who “was a member of the Armed Forces ( including a member of National Guard or Reserves) at any time during the five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy;
- military events and related activities, such as informational briefings, family assistance programs, or official ceremonies and events;
- childcare and school activities, including arranging alternative childcare, caring for children on an immediate, urgent basis, and attending school meetings;
- making financial and legal arrangements, such as executing powers of attorney, obtaining military identification cards, or preparing a will or trust;
- counseling;
- rest and recuperation (that is, to spend time with a military family member who is on short term rest and recuperation leave);
- post-deployment activities, including arrival ceremonies, reintegration events, and issues relating to the death of a military family member; and
- other events arising out of a family member's service that may qualify, as long as the employer and employee agree that it qualifies, and agree on the timing and length of leave to be taken.

**Spouse:** Husband or wife as recognized under the laws for the purpose of marriage.

**Serious Health Condition/Illness:** A period of incapacity of more than three consecutive days that involves: (1) Treatment 2 or more times; or (2) Treatment by a Health Care Professional (HCP) on at least one occasion which results in continuing treatment. The first visit must occur within 7 days. The second visit must occur within 30 days, unless there are extenuating circumstances. If the condition is “chronic”, there must be at least 2 visits to the HCP per year in connection with the chronic medical condition.

**Policy Statement:**

The University provides an eligible employee with up to 12 weeks (60 workdays; 480 work hours) of unpaid family or medical leave (up to 26 weeks in the case of qualified Military Leave) in a Leave Plan Year for the following reasons:

- the birth of a child (to be taken within 12 months of the child’s birth);
- the placement of a child with the employee for adoption or foster care (to be taken within 12 months of the child’s placement);
- care of an employee’s spouse, son, daughter, parent, or next of kin, who is a covered service member with a serious injury or illness; or;
- the employee's own serious health condition makes them unable to do his or her job; or
- the qualifying exigencies of a spouse, son, daughter, or parent who is on active duty or call to active duty status in the National Guard or Reserves.

Qualifying Exigency Leave

An eligible employee may take up to **12 workweeks** of unpaid, job-protected leave during any 12-month period for qualifying exigencies that arise when the employee’s spouse, son, daughter, or parent is on covered active duty or has been notified of an impending call or order to covered active duty.

Covered active duty means:

- for members of the **Regular** Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country; or
- for members of the **Reserve** components of the Armed Forces (members of the National Guard and Reserves), duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.

Deployment to a foreign country includes deployment to international waters.

Qualifying exigencies for which an employee may take FMLA leave include making alternative child care arrangements for a child of the deployed military member, attending certain military ceremonies and briefings, or making financial or legal arrangements to address the military member’s absence. *See [Fact Sheet 28M\(c\), Qualifying Exigency Leave](#)*, for additional information about qualifying exigencies under the FMLA.

### Military Caregiver Leave

An eligible employee may take up to a total of **26 workweeks** of unpaid, job-protected leave during a “single 12-month period” to care for a covered service member with a serious injury or illness. The employee must be the spouse, son, daughter, parent, or next of kin of the covered service member.

A covered service member is either:

- a **current** member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness, or
- a **veteran** of the Armed Forces (including the National Guard or Reserves) discharged within the five-year period before the family member first takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered service member.

For a current service member, a serious injury or illness is one that may render the service member medically unfit to perform his or her military duties. For a veteran, a serious injury or illness is one that rendered the veteran medically unfit to perform his or her military duties or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran’s ability to work. For veterans, it includes injuries or illnesses that were incurred or aggravated during military service but that did not manifest until after the veteran left active duty.

See [Fact Sheets 28M\(a\), Military Caregiver Leave for a Current Servicemember under the FMLA](#), and [28M\(b\), Military Caregiver Leave for Veteran under the FMLA](#), for additional information on these provisions, including the definition of a serious injury or illness for a covered service member, and certification requirements. See also the “[Employee’s Guide to the Family and Medical Leave Act](#)” and the “[Employee’s Guide to Military Family Leave](#)” for additional information, including the employee’s requirement to provide notice of their need for leave .

For an eligible part-time employee – actual hours taken will be counted on a prorated basis corresponding to the percentage of hours the employee normally is scheduled to work during a FLMA Leave Plan year.

For an hourly wage employee – actual hours taken will be counted on a prorated basis corresponding to the percentage of hours the employee normally is scheduled to work during the 365-day period prior to the date family and medical leave is scheduled to begin.

An employee does not accrue vacation, special days or sick time when on leave in an un-paid status or during caregiver leave.

Family and Medical leave may not be used for short-term (a period of incapacity requiring absence of less than three calendar days) conditions for which treatment and recovery are brief, such as minor illnesses and out-patient surgical procedures with expected brief recuperating periods. It does not provide for the intermittent care of a child for such commonplace illnesses as colds and flu.

When both parents of a child work for the University, the full amount of leave is limited to a combined total of 12 workweeks in a 12-month period when the leave is for the birth, adoption, or foster care placement of a child.

**1. Intermittent Leave or Leave on Reduced Schedule:**

An employee may take intermittent leave or work a reduced schedule when medically necessary because of an eligible employee's own serious health condition or the serious health condition of a child, spouse or parent. Under this circumstance, the University may temporarily transfer the employee to another position that better accommodates the intermittent leave or reduced schedule as long as the new position carries equivalent pay and benefits.

An employee may take family or medical leave on an intermittent leave basis or a reduced schedule as indicated:

- a. Intermittent Leave Schedule – A leave schedule permitting the employee to take leave periodically for a few hours a day (fewer than eight hours), or for a few days, on an as-needed basis.  
Note: Employees may be required to provide medical certification that intermittent leave is necessary.
- b. Reduced Schedule – A leave schedule permitting the employee to reduce his/her usual number of hours worked per workweek/day.

An employee who must take intermittent leave or work a reduced schedule or out of work completely may either use available **special days, sick days, and/or vacation days** as permitted by each specific leave policy or take unpaid family medical leave.

**2. Request for and Certification of Need for Leave:**

An employee should submit a written request for family and medical leave or military leave (whether for a "qualified exigency" or to care for a seriously ill or injured covered service member) at least 30 days before the anticipated beginning of the leave, unless emergencies or unforeseen events preclude such advance notice. Prior to granting the leave, the University may require certification for leave that is requested for:

- an employee's serious health condition;
- his or her family member's serious health condition;
- military leave for a qualified exigency; or
- military leave that is requested for a covered service member's serious health condition.

The certification should include the date when the serious condition began, the probable duration of the condition, and other appropriate facts.

When possible, the employee should provide certification in advance of, or at the commencement of, the requested leave. When that is not possible, certification must be provided reasonably soon after the leave begins.

The University may require an employee to report periodically during the leave period on his or her leave status and intention to return to work and to provide subsequent re-certifications on a reasonable basis (every four to six weeks is considered reasonable).

**3. Second and Third Opinions:**

The University may require, at its own expense, a second opinion from its designated or approved healthcare providers. (This healthcare provider cannot be one who is employed by the University on a regular basis.) When the second opinion differs from the first, the University may, at its own expense, require a third opinion. The opinion of the third healthcare provider shall be considered final and binding upon the University and the employee.

**4. Restoration to Position:**

At the end of family and medical leave (FMLA), an employee normally is reinstated to his or her original position – the position held when the leave began unless the employee held a key position which needed to be filled during the absence. If the original position has been filled, an employee is entitled to restoration to an equivalent position (requires comparability and correspondence to duties, terms, conditions, and privileges of the employee’s previous position.) The University can require certification from a healthcare provider that the employee is able to return to work.

If an employee’s position is determined to be key, he or she may be denied restoration when the:

- University shows that denying restoration “is necessary to prevent substantial and grievous economic injury” to the University’s operations;
- University notifies the employee that restoration will be denied at the time the University determines that grievous economic injury would occur; and
- Employee already has begun the leave and elects not to return to employment within a reasonable time after receiving the University’s notice.

The University will provide notification of its intent to deny restoration for a reason noted above in a timely manner.

## 5. Status of Employment Benefits during Family, Medical, and Military Leave

The University will continue to:

- a. Contribute to the health insurance premium of an employee who has been approved for FMLA leave as noted:
  - i. Sick leave, Special Personal and Vacation - the payroll deduction of the employee's portion of the premium continues.
  - ii. Leave without pay – employee is responsible for premium payments.
- b. Pay life insurance premiums while an employee is on FMLA.
- c. Make retirement contributions for any pay period in which qualifying compensation has been received by the employee.

## 6. Responsibilities:

The **employee** is responsible for:

- Submitting a written *Request for Family and Medical Leave* at least 30 days before the anticipated start of the family and medical leave, unless emergencies or unforeseen events preclude such advance notice to Human Resources Department(HR); and
- Providing the required certification within 15 calendar days if one is requested by the Office of Leave and Benefits.

**HR** is responsible for:

Acknowledging the employee's *Request for Family and Medical Leave* by signing the leave request form; and

- Providing the required certification within 15 calendar days if one is requested by the Office of Leave and Benefits.
- Providing the employee with a summary of their rights under FMLA in the form of an *Eligibility and Rights and Responsibilities Notice* within 5 business days of receipt of the *Request for Family and Medical Leave*;
- Determining if there is a need for certification and requesting one if necessary; and
- Providing the employee with notice of approval or disapproval of the leave in the form of a *Designation Notice* within 5 business days of receiving sufficient information to render a decision on whether or not the leave will be designated FMLA.

To encourage employees to return to work and to give employees who need extended leave for reasons of illness and /or injury a reasonable time to recuperate and recover, the University may extend leave an additional 12 weeks after FMLA is exhausted.



**Procedures:**

**Leave Requests** - eligible employees interested in FMLA Leave should:

1. Inform the Human Resources department immediately when an employee requests FMLA leave.
2. Request a FMLA Information Packet from the Human Resources department. Supervisors must notify the Human Resources of any employee requesting FMLA leave immediately.
3. The Human Resources department will send the FMLA Information Packet to the employee by U.S. Mail.
4. Employees must complete, along with a physician, the FMLA Leave Certification of Health Care Provider portion of the FMLA Leave Information Packet, and have their physician forward the completed form to the FMLA Administrator by U.S. Mail or in person.

**Requirements-**

1. Employees have worked (a) at least 12 months within the last seven years and (b) at least 1,250 hours during the 12 months before the start of the leave. (NOTE: The required 1,250 hours do not have to be worked during consecutive months. However, the 1,250 hours of work requirement applies to the 12 months immediately preceding the start of the leave.)
2. **All employees have the option to use vacation, sick leave and special personal days during their FMLA leave period.** For an employee's own serious health condition, the employee must apply for Short Term Disability in conjunction with FMLA. Also, under workers compensation, FLMA is in conjunction with the time off for a work related injury..

**Response to Leave Requests** - Human Resources department will:

1. Send the employee a FMLA Information Packet by U.S. Mail within two days of being informed by them or their supervisor.
2. Notify the employee and their supervisors in writing, upon receipt of their Certification of Health Care Provider form, of whether or not their leave request has been approved.
3. Maintain all documentation regarding an employee's FMLA leave in a separate health file.

**Employees will:**

1. Complete the Certification of Health Care Provider form along with their physician and have their physician send the form directly to Human Resources Office.
2. The employee and their physician will complete a Short Term Disability Form.
3. Provide the required form "**Return to Work**".

8.1.13(9)

The Family and Medical Leave Act and Clarkson's procedures for implementing the Act as detailed in this Section (8.1.13) will not change the University's current policy as defined in Section 8.1.14 for Caregiver Leave (Birth or Adoption)• Staff and Non-Continuing Faculty, Section 8.1.15 for Temporary Parental Leaves• Continuing Faculty, and in Sections 8.3.2.1 and 8.3.3.1 for Maternity Leaves.

**Related Information:**

Department of Labor at [www.dol.gov](http://www.dol.gov) for regulations and forms.

August 1993  
Section Renumbered & Revised July 2011  
Revised February 2012  
Revised Effective July 2012  
Revised Effective July 2014

### 8.1.14 Caregiver Leave (Birth or Adoption)—Staff and Non-Continuing Faculty

This policy is limited to staff (exempt and non-exempt) and faculty who do not have a continuing appointment. For faculty with a continuing appointment, see OM Section 8.1.15.

#### Policy Purpose

The University is committed to employment practices that promote employee health and well-being and support employee work life/family harmony.

#### Policy Summary

The University is committed to employment practices that promote the health and well-being of its' employees. The University understands that supporting employees, as they balance career, childbirth and family life, benefit both the employee and the University.

#### Definition of Terms

**Eligible employees:** Staff (full-time exempt and full-time non-exempt) who have been employed by the University for: (a) at least twelve (12) months and (b) work at least 1,250 hours during the twelve (12) months before the start of the leave; and faculty not on a continuing appointment who have been employed by the University for: (a) at least two (2) successive regular terms before the start of the leave on a three fourths (3/4) time appointment and (b) who are employed post the leave.

**Employment Benefits:** All benefits provided by the University to employees including: group life insurance, disability insurance, health insurance, dental insurance, vacation, sick leave, special personal days, educational benefits, employee assistance, health advocacy and retirement contributions.

**Family and Medical Leave Act:** A job-protected leave without pay (or use of an employee's accrued leave with pay) for up to twelve (12) workweeks (or up to 26 weeks for qualified Military leave) during a rolling 12 month period for the reasons specified in this policy in conformance with the Federal Family and Medical Leave Act (FMLA) of 1993.

**Maternity/Primary Caregiver Paid Leave:** A period of paid leave for up to eight (8) regularly scheduled work weeks following the birth or adoption of a child.

**Paternity/Secondary Caregiver Paid Leave:** A period of paid leave for up to four (4) regularly scheduled work weeks of paid leave for a biological father, domestic partner or adoptive parent. This leave may be available on an intermittent basis with the approval of the supervisor and the Director of Human Resources Operations.

**Primary Caregiver:** A person who provides care for more than half of the care for the newborn child or the adopted child.

**Secondary Caregiver:** A person who provides care for less than half of the care for the newborn child or the adopted child.

### **Policy Statement**

All eligible employees are entitled to paid maternity/primary care or paternity/secondary caregiver leave. In addition, eligible employees may continue their leave under Family Medical Leave Act of 1993(FMLA). While out on FMLA, employees may choose to use their vacation; sick and special personal days; if they do not have available time or choose not to use their accrued time, the employee may take the time unpaid.

The employee must return to work for a minimum of eight weeks after the completion of the leave.

### **Procedures**

Employees will follow procedures outlined in policy OM Sect 8.1.13. Employees must contact the Human Resources department as soon as possible to review leave options, paperwork and process.

To access the University's Caregiver Leave, the employee must contact Human Resources. The University will provide up to eight (8) weeks at full pay for maternity/primary caregiver leave at the time of birth or adoption. In a case where the attending physician deems the maternity disability to be greater than 8 weeks, the employee may access Short Term Disability as provided in the terms of the short term disability plan. The employee may also elect additional time off beyond the eight (8) weeks for maternity/primary caregiver leave, up to four (4) weeks under FMLA by accessing vacation, sick and special personal days. If the employee elects not to use their accrued time off, they may continue their leave unpaid under FMLA.

To access the University's Paternity/Secondary Caregiver Leave, the employee must contact Human Resources. The University will provide four (4) weeks at full pay for leave at the time of the birth or adoption or within six (6) months of the birth or adoption. The employee may also elect additional time off beyond the four (4) weeks for up to eight (8) weeks under FMLA by accessing vacation, sick and special personal days. If the employee elects not to use their accrued time off, they may continue their leave unpaid under FMLA.

FMLA will run concurrent with the University's Caregiver Leave (maternity and paternity) policy. Employees may take up to a total of 12 weeks. If both parents work at Clarkson, FMLA is a combined 12 weeks of leave. While on caregiver leave, vacation time will not be not be accrued. In addition, if you are out on any unpaid leave, vacation time will not accrue.

Upon request and approval from the Chief Financial Officer, employees may request an unpaid leave of absence for up to six(months) which includes the Clarkson caregiver time and the FMLA time.

Adopted June 2012  
Revised Effective July 2014  
Editorial Revision (position title) December 2016

### **8.1.15 Temporary Parental Leaves – Continuing Faculty**

This policy is limited to faculty with a continuing appointment. For faculty who do not have a continuing appointment, see OM Section 8.1.14.

A faculty member with a continuing appointment shall be granted a one-semester leave with pay in the event of the birth of his or her child or the adoption of a child. The leave must be taken within the first nine months of the birth or adoption and the employee must be the primary caregiver to qualify for the leave. For purposes of this leave, a primary caregiver is defined as a person who provides care for at least 20 working hours each week. A letter requesting parental leave must be submitted to the appropriate department chair and dean. The dean will send a letter to the provost indicating whether the leave will necessitate replacement of instructional time. The university will continue to pay the employer's share of the cost of fringe benefits such as health care insurance, group life insurance, and the pension plan for a faculty member on temporary leave. Time away under this policy is counted as leave time under the Family and Medical Leave Act. While consistent language is used concerning one child being born or adopted, it is recognized that multiple births or multiple adoptions will occur in some cases.

Approved by Faculty Senate, Administrative Council, and President, March 2008  
Editorial Revision July 2011  
Section Renumbered & Editorial Revision July 2012

### 8.1.16 Flexible Benefit Plan - POMCO

This plan provides employees the opportunity to pay for certain benefits with a portion of their pay before Federal, State, and Social Security taxes are withheld. Those employees meeting the criteria for eligibility on the group medical plan are eligible to participate in the flexible benefit plan. Participation is established by completing an annual election form provided by Human Resources. The election form must be completed for each plan year regardless whether the employee wants to change their election in any way or not.

There are two options in the flexible benefit plan. Employees may elect to participate in any or all of these options. The options are as follows:

**Option 1 - Election of Health Care Reimbursement Account.** This option allows employees the opportunity to pay unreimbursed health care expenses incurred by the employee and their dependents.

**Option 2 - Election of Dependent Care Reimbursement Account.** This option allows employees the opportunity to pay out of pocket dependent day care expenses incurred by the employee.

For additional information go to [SMARTBEN.com](http://SMARTBEN.com).

July 1992  
Section Renumbered & Revised July 2011  
Section Renumbered July 2012

### 8.1.17 Years of Service Award

**Applies To:**

Faculty, exempt and non-exempt employees .

**Policy Purpose:**

To recognize faculty and staff for their years of service with the University.

**Policy Summary:**

The Years of Service Award is part of a plan that recognizes length of service and expresses the University's appreciation for the long-term service of regular employees, both full-time and part-time (regularly scheduled to work at least 17.5 hours or more each work week) who have completed at least 5 years of total service.

**Definition of Terms:**

Regular Position: Faculty, exempt and non-exempt employees who are employee in a permanent position. Temporary positions are excluded.

**Policy Statement:**

The Years of Service Award is an annual lump sum payment based on an employee's years of service to the University. The Years of Service Award is paid to employees with at least 5 years of regular employment and every 5 years going forward.

Employment with the University does not have to be continuous as long as employment was in a full/part-time regular position. Time in a temporary position will not count toward years of service.

Employees in part-time positions will receive a years of service award one half (1/2) the dollar amount as full time employees.

Human Resources is responsible for monitoring when employees are eligible for a years of service award and for paying out such years of service award. Employee will receive payment by the second pay period of the month following their anniversary. Payment will be made in conjunction with employee's regular pay.

**Procedures:**

On a monthly basis, Human Resources will review a list of eligible employees who are celebrating their anniversary and notify them through email that they will be receiving their Years of Service Award. The email will include the month and date of the award.

Adopted July 2014

## **8.2 FRINGE BENEFITS - FACULTY**

### **8.2.1 Military Officers**

The salary plan, tenure provisions, and other fringe benefits of the University do not apply to officers of the armed services who are assigned to the University by such services.

Military personnel and their family members may access the tuition benefit programs as defined in Sections 8.1.8, 8.1.9, and 8.3.1. Military personnel are not subject to the credit hour limits in Section of 8.3.1.

Recipients of this benefit should be aware that there may be federal and state tax implications, and they are encouraged to consult their tax advisor.

August 1962  
August 1974  
Revised September 1993  
Editorial Revision March 2008  
Editorial Revision July 2011  
Section Renumbered & Editorial Revision July 2012  
Editorial Revision July 2013



## **8.2.2 Fringe Benefits for Part-Time, Adjunct, Visiting, and Research Faculty and Research Associates**

**Policy Type:** University

**Contact Office:** Human Resources

**Oversight Executive:** Executive Director of Human Resources

**Applies To:** Exempt and non-exempt employees

### **Table of Contents:**

1. Purpose
2. Summary
3. Definitions
4. Procedure

### **Policy Purpose**

The purpose of this policy is to identify categories of employment and define the terms benefits and conditions of each.

### **Policy Summary**

This policy applies to Faculty and research funded positions.

### **Policy Statement**

To ensure faculty members' and research funded positions hours and benefits are defined.

#### Part-Time Faculty

Part-time faculty with one of the faculty ranks and titles listed in Section 5.1 who (a) have at least a three month appointment and (b) have a minimum teaching load of two courses per semester are eligible for statutory benefits required by New York State and Federal Law and fringe benefits as outlined below. Section 4.2.2, "Salary Continuance – Faculty," and Section 5.9.2, "Periods of Duty – Faculty," describe the faculty sick leave and vacation policies, also apply.

Employee Type	Employee Hours Worked	Employees Included	Benefits
Regular Part Time Faculty Continuing Appointment (9 to 12 month appointment)	Teaches 2 or more classes. Each 3 credit course taught equates to 9hrs of work each week.	<ul style="list-style-type: none"> <li>• Professor</li> <li>• Associate Professor</li> <li>• Assistant Professor</li> <li>• Instructor</li> <li>• Lecturer</li> <li>• Research Faculty</li> <li>• Clinical</li> </ul>	<ul style="list-style-type: none"> <li>• Medical</li> <li>• Dental</li> <li>• Vision</li> <li>• Mandatory Pension</li> <li>• Voluntary Pension (dependent on hours worked - &gt;1000/year)</li> <li>• Voluntary Life</li> </ul>

### Full-Time Adjunct and Visiting Faculty

Faculty members who have a full-time “Adjunct” or “Visiting” appointment as these are defined in Section 5.1 are eligible for benefits required by New York State and Federal Law and fringe benefits as outlined below. Section 4.2.2, “Salary Continuance – Faculty,” and Section 5.9.2, “Periods of Duty – Faculty,” describe the faculty sick leave and vacation policies, also apply.

Employee Type	Employee Hours Worked	Employees Included	Benefits
Contract Full Time Faculty 9 months Appointment-Not Continuing	30 hrs. or more. Greater than 3 courses/Sections per semester	<ul style="list-style-type: none"> <li>• Visitors</li> <li>• Adjuncts</li> </ul>	<ul style="list-style-type: none"> <li>• Health</li> <li>• Dental</li> <li>• Vision</li> <li>• Statutory (FICA)</li> </ul>
Contract Part-Time Faculty 9 months Appointment-Not Continuing	Less than 30 hrs.	<ul style="list-style-type: none"> <li>• Visitors</li> <li>• Adjuncts</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory (FICA)</li> </ul>
Contract Full-Time Faculty less than 9 month Appointment	30 hrs. or more. Greater than 3 courses/ Sections per semester	<ul style="list-style-type: none"> <li>• Visitors</li> <li>• Adjuncts</li> </ul>	<ul style="list-style-type: none"> <li>• Medical</li> <li>• Dental</li> <li>• Statutory(FICA)</li> </ul> <p>*Effective July 1, 2015 Employee cost will be double that of a full time employee. Statutory (FICA)</p>
Contract Part-Time Faculty less than 9 month Appointment	Less than 30 hrs.	<ul style="list-style-type: none"> <li>• Visitors</li> <li>• Adjuncts</li> </ul>	<ul style="list-style-type: none"> <li>• Statutory (FICA)</li> </ul>

### Full-Time Research Faculty

Faculty members who have a full-time “Research” appointment as this is defined in Section 5.1 are eligible for all of the fringe benefits listed in Section 8.1 that are available to faculty, including group disability and retirement. Section 4.2.2, “Salary Continuance – Faculty,” and Section 5.9.2, “Periods of Duty – Faculty,” describe the faculty sick leave and vacation policies also apply.

Employee Type	Employee Hours Worked	Employees Included	Benefits
Regular Full Time Faculty Continuing Appointment (9 to 12 month appointment)	30 or more hours per week	<ul style="list-style-type: none"> <li>• Professor</li> <li>• Associate Professor</li> <li>• Assistant Professor</li> <li>• Instructor</li> <li>• Lecturer</li> <li>• Research Faculty</li> <li>• Clinical</li> </ul>	<ul style="list-style-type: none"> <li>• Health</li> <li>• Dental</li> <li>• Vision</li> <li>• Mandatory Pension</li> <li>• Voluntary Pension</li> <li>• Life/ AD&amp;D</li> <li>• Voluntary Life</li> <li>• LTD</li> <li>• Employee, Spouse/Partner, Children Tuition Program</li> </ul>

### Research Associates

• Employees	Employee Hours Worked	Employee Included	Benefits
Full Time 12mos Contract	30hrs or more who are on contract equal to or greater than 12 mos.	<b>Researchers –Grant Funded</b>	<ul style="list-style-type: none"> <li>• Health</li> <li>• Dental</li> <li>• Vision</li> <li>• Mandatory Pension</li> <li>• Voluntary Pension</li> <li>• Voluntary Life</li> <li>• Employee, Spouse/Partner Tuition Program</li> <li>* Must work <b>2 consecutive years)</b></li> <li>*</li> <li>• Special Personal Days</li> <li>• Statutory (State Disability and FICA)</li> </ul>
Contract Part Time	At least 20hours a week but less than 30 hours who are on contract equal to or greater than 12 mos.	Researchers –Grant Funded	<ul style="list-style-type: none"> <li>• Mandatory Pension</li> <li>• Voluntary Pension</li> <li>• Prorated Special Personal Days</li> </ul>

Approved September 1986, Revised May 1990, Revised September 1993, Revised January 2007  
Editorial Revision July 2011, Section Renumbered July 2012, Revised October 2015

**8.2.2.1. Funding of Fringe Benefits for Research Faculty and Research Associates**

As stated in Section 3.1.1.2, all fringe benefits for research appointees must be paid by the external funding source(s) that support the positions.

**8.2.2.2. Social Security for Foreign Nationals with Research Faculty and Research Associate Appointments**

Foreign nationals appointed to Research Faculty and Research Associate positions may be exempt from participation in the Social Security Insurance Program depending on the type of visa they hold; their country's tax treaties with the United States; etc. Individual questions concerning the possible exemption from Social Security Insurance Coverage should be addressed to the Payroll Department.

Approved September 1986  
Revised May 1990  
Revised September 1993  
Revised January 2007  
Editorial Revision July 2011  
Section Renumbered July 2012

### **8.3 FRINGE BENEFITS - ADMINISTRATIVE, SUPERVISORY, AND GENERAL STAFF**

#### **8.3.1 Auditing Courses and Academic Study by Administrative, Supervisory, and General Staff**

##### *Policy Purpose*

Academic study for credit and auditing courses by regular full time administrative, supervisory, and general staff is a benefit that allows employees to take educational courses at Clarkson University.

##### *Policy Summary*

Members of the administrative, supervisory, and general staff who are regular full time employees are entitled to enroll for credit in, or audit, courses taught at Clarkson University without charge.

##### *Definition of Terms*

Eligible Employees: All regular full- time exempt and non-exempt employees, excluding faculty, who work 37.5 or more hours per week. Research employees who are at least on a two year contract and work 37.5 or more hours per week.

Academic Year: Fall, Spring, and Summer Terms.

##### *Policy Statement*

Members of the administrative, supervisory, and general staff who are regular full time are entitled to enroll for credit in, or audit, courses taught at Clarkson University without charge. To enroll in a course, an employee must be meeting performance expectations of at least “Right On Track”.

Regular, full Employees may take up to 12 credit hours during an academic year. Employees must make up the time they are away from their work during their normal scheduled work day hours. Hourly employees must clock out while attending classes. Exempt employees must work with their manager to determine how time will be made up. Managers may use discretion or adjust schedules to accommodate class attendance.

Recipients enrolled in graduate level courses should be aware there may be federal and state tax implications, and are encouraged to consult their tax advisor.

For specific restrictions and additional procedures for auditing a course please see Section II-F of the Clarkson Regulations.

For employees interested in taking courses offered by the other member institutions of the Associated Colleges of the St. Lawrence Valley, cross-registration regulations apply with a limit of to two (2) academic courses per year. Winter term courses are **not** eligible for cross registration. Classes taken as part of the Associated Colleges cross-registration program apply towards the total 12 credit hour limit per academic year.

***Procedures***

Prior to the start of a semester, the employee must fill out the “Authorization for Employee to Enroll” form. The employee must have their supervisor, the next level supervisor and Human Resources signatures before the start of the class. Based in organizational needs or performance related issues, authorization is not automatic. After all signatures are obtained, the form will be submitted to Student Administrative Services for processing with Human Resources retaining responsibility for eligibility records.

If an employee drops a class after the drop/add period( two weeks), it will count as part of the 12 credit hours for that year.

July 1987  
Revised September 1991  
Revised January 1992  
Editorial revision May 2008  
Revised July 2013  
Revised July 2014

### **8.3.2 Professional Development by Administrative, Supervisory, and General Staff**

#### ***Policy Purpose***

This Policy stems from the view that professional development and continuous learning are necessary for University Staff and long term researchers to maintain quality and their continued readiness and ability to contribute effectively to the mission and goals of the University.

#### ***Definitions***

Eligible employees: All regular full- time administrative, supervisory, and general staff and researchers on at least a two (2) year contract. Full time employees must work 37.5 or more hours per week.

Professional Development: Maintain or improve skills required in the employee's present work. Professional development is specifically job related as determined by the manager.

#### ***Policy Statement***

It is the Policy of the University to provide assistance and support to permanent full time employees to increase the effectiveness of their performance in their present University position.

#### **Eligibility**

An employee is eligible for professional development at the discretion of their manager after completion of their new hire probationary period, if applicable. A permanent full time employee is eligible for performance development to maintain or improve their skills that are required in doing the employee's present work.

#### **Scope**

For purposes of this Policy, professional development programs and activities may include but are not limited to: opportunities for on-the-job training, cross-training, coaching, internships, attendance at courses, seminars, conferences, institutes, lectures, meetings, workshops, and participation in professional and technical associations.

Professional development is position or job related based on the judgment of the department head and supervisor in consultation with Human Resources.

Position- or job-related programs are directly related to the work assignments or conditions of the employee's current position. For example, training in quality service

skills is a position-related program for an employee whose current position includes customer service responsibilities.

#### Guidelines for Time Spent in Professional Development

The amount of time spent on professional development will vary with the individual employee. The amount of time granted depends upon the specific developmental activity.

#### General Provisions

*Criteria for Determining Departmental Support.* The department head, in consultation with the supervisor shall determine whether, and the degree to which, an employee's participation in a professional development activity shall be supported by the department. In making this determination, the department head shall consider: the employee's need for development as reflected in the employee's performance evaluation, developmental potential and the needs and resources of the department and the University. When participation in a professional development activity requires attendance during the employee's normal work schedule, prior approval by the department head is required.

#### ***Procedures***

The employee and supervisor should jointly discuss professional development goals, review available opportunities, and determine applicable benefits identified by the Human Resources.

Discussions about professional development goals may occur at any time during the performance review cycle and should occur as part of the annual performance appraisal. The supervisor and employee may jointly formulate an Individual Development Plan (IDP) and work collaboratively to build on the employee's effectiveness in performing their current University position and, in some cases prepare the employee for future positions.

### RESPONSIBILITIES

#### Employee:

1. Owns primary responsibility for their professional development.
2. Makes professional development interests known to their supervisor.
3. Initiates requests to participate in programs or activities relevant to the development goals identified jointly with their supervisor.
4. Attends and participates in development activities as approved or required by their supervisor/department head.

#### Department Management:

1. In consultation with Human Resources, assess employee professional development needs.



2. Approve/deny development requests of employees in consultation with supervisors and Human Resources as appropriate.
3. Considers employee development in budget planning.
4. Ensures performance appraisals of employees include a discussion of educational and development objectives as appropriate.

Human Resources:

1. Assess campus wide development needs and recommends to appropriate departments.
2. Supports the development of employees through providing suggestion on appropriate developmental opportunities and experiences based on availability of resources.

Approved July 2014

### 8.3.3 Leaves of Absence - Administrative and Supervisory Staff

#### 8.3.3.1 Without Pay

A leave of absence without pay may be granted upon recommendation of the administrative or supervisory staff member's immediate superior. A written request should be provided to the Human Resources Office for review. Final approval will be made by the Chief Financial Officer. A leave of absence without pay may be requested for:

1. **Leave of Absence for Disability.** A leave of absence for disability will normally be limited to one year from the original date of absence from work. This leave would provide for the possible continuation of the staff member's other fringe benefits.
2. **Leave of Absence for Personal Reasons.** A leave of absence for personal reasons will normally be limited to one year from the original date of absence from work and inherent in any such recommendation is the assumption that the individual intends to return to Clarkson for at least one year. This leave would provide for the possible continuation of the staff member's other fringe benefits.
3. **Maternity Leave.** An employee must file a disability form with the Human Resources Office to begin a maternity leave. Once Family Medical leave is exhausted you may request leave without pay with approval from the Chief Financial Officer. Under normal circumstances, the unpaid leave of absence will not extend the employee's absence from work beyond six months from the first day of disability due to the pregnancy. Contact the Human Resources Office for additional information regarding maternity leave.

Employees on formal leaves of absence without pay will not accrue vacations, sick leave, or other fringe benefits, but may continue their group medical plan and group life insurance.

July 1987  
Revised July 1989  
Revised September 1993  
Revised August 1996  
Editorial Revision May 2008  
Revised July 2011  
Section Renumbered 2014

**8.3.3.2 With Pay**

1. **Military Reserve Training Leave.** Leave time with full pay, less the amount of military pay, will be granted to staff members who are officers or enlisted personnel in the National Guard or the reserve components of the Armed Forces for limited service in field training. The length of such leave shall not exceed the standards established by federal and state agencies for training activities. Such leave will normally be limited to a maximum of fifteen calendar days in each year.

The University will require a certificate or voucher of base pay from the military service to determine the adjusted pay for this leave. Military pay received for travel, per diem and similar expenses will not be included in the calculation.

2. **Jury Duty.** Jury duty is recognized as a civic responsibility, and staff members are encouraged to fulfill the obligation as citizens of the community. Staff members will be granted time off with pay to serve on a jury.

Active staff employees will be granted time off with pay to serve on a jury. Employees must inform their supervisors as soon as they know what days they will be serving. If the jury duty does not require the full work day, employees are expected to report to their supervisor when free from such service.

3. **Funeral Leave.** Reasonable (normally three days) time off with pay will be granted to staff members when death occurs in the immediate family. Immediate family shall include: mother, father, mother-in-law, father-in-law, grandmother, grandfather, grandchildren, husband, wife, brother, sister, brother-in-law, sister-in-law, son, daughter, or in some cases another relative who is a member of the immediate household.

Time off (one day) will also be granted for the employee to serve as a pallbearer for any other family member not listed above or any other acquaintance.

July 1987  
Revised July 1989  
Revised September 1993  
Revised August 1996  
Section Renumbered 2014

## 8.3.4 Leaves of Absence - General Staff

### 8.3.4.1 Without Pay

A leave of absence without pay may be granted upon recommendation of the administrative or supervisory staff member's immediate superior. A written request should be provided to the Human Resources Office for review. Final approval will be made by the Chief Financial Officer. A leave of absence without pay may be requested for:

1. **Leave of Absence for Disability.** A leave of absence for disability will normally be limited to one year from the original date of absence from work. This leave would provide for the possible continuation of the staff member's other fringe benefits.
2. **Leave of Absence for Personal Reasons.** A leave of absence for personal reasons will normally be limited to one year from the original date of absence from work and inherent in any such recommendation is the assumption that the individual intends to return to Clarkson for at least one year. This leave would provide for the possible continuation of the staff member's other fringe benefits.
3. **Maternity Leave.** An employee must file a disability form with the Human Resources Office to begin a maternity leave. Once Family Medical Leave is exhausted you may request leave without pay with approval from the Chief Financial Officer. Under normal circumstances, the unpaid leave of absence will not extend the employee's absence from work beyond six months from the first day of disability due to the pregnancy. Contact the Human Resources Office for additional information regarding maternity leave.

Employees on formal leaves of absence without pay will not accrue vacations, sick leave, or other fringe benefits, but may continue their group medical plan and group life insurance.

July 1987  
Editorial Revision July 1989  
Editorial Revision September 1993  
Editorial Revision August 1996  
Editorial Revision May 2008  
Revised July 2011  
Section Renumbered 2014

### 8.3.4.2 With Pay

1. **Military Reserve Training Leave.** Time off with full pay, less the amount of military pay, will be granted to active employees who are officers or enlisted personnel in The National Guard or the reserve components of the armed forces for limited service in field training. The length of such leave shall not exceed the standards established by federal and state agencies for training activities. Such leave will normally be limited to a maximum of fifteen calendar days in each year.

The University will require a certificate or voucher of base pay from the military service to determine the adjusted pay for this leave. Military pay received for travel, per diem, and similar expenses will not be included in the calculation.

2. **Jury Duty.** Jury duty is recognized as a civic responsibility and employees are encouraged to fulfill this obligation as citizens of the community.

Active general staff employees will be granted time off with pay to serve on a jury. Employees must inform their supervisors as soon as they know what days they will be serving. If the jury duty does not require the full work day, employees are expected to report to their supervisor when free from such service.

3. **Funeral Leave.** Time off with pay will be granted when a death occurs in the employee's immediate family. The time will be limited to that reasonably necessary to make funeral arrangements and pay may be granted for up to three working days. Immediate family shall include: mother, father, mother-in-law, father-in-law, grandmother, grandfather, grandchildren, husband, wife, brother, sister, brother-in-law, sister-in-law, son, daughter, or in some cases another relative who is a member of the immediate household.

Time off (one day) will also be granted for the employee to serve as a pallbearer for any other family member not listed above or any other acquaintance.

Revised December 1986  
Editorial Revision September 1993  
Section Renumbered 2014

### 8.3.5 Sick Leave – Administrative, Supervisory, and General Staff

Clarkson's overall goal is to improve the health and well-being of employees' lives through health education and activities that support positive lifestyle changes thereby reinforcing that Clarkson is a great place to live, learn and work. The University recognizes that, at times, employees may be unable to work due to personal illness or injury, or an illness of a family member. During such circumstances, sick leave may be used by eligible employees

The University provides employees with paid time off in the event of: personal illness or injury, an illness of a member of his/her household family, or appointments with health care providers for the employee or a family member. This policy describes the mechanism for eligible employees to access sick leave and the procedures for calling in sick and for providing medical certification.

**Eligible employees:** Staff- exempt and non-exempt employees employed by the University on a full/part time basis. Part time employees are eligible for paid sick leave when they have a work schedule of 17.5 or more hours per week.

**Employment Benefits:** All benefits provided by the University to eligible employees, which includes: group life insurance, disability insurance, health insurance, dental insurance, vision insurance, vacation, sick leave, special personal days, educational benefits, and retirement contributions.

The University provides a paid sick leave allotment for regular full-time and part-time employees who are scheduled to work at least 17.5 hours per week. Unused sick leave does not carry over from one fiscal year to the next.

Exempt and non-exempt employees will receive 12 days per fiscal year beginning July 1.

Active part-time staff will accumulate prorated sick leave based on hours worked.

Seasonal and Temporary employees are not entitled to paid sick leave. They will be unpaid for time off due to illness.

During the first year of employment, sick leave will be prorated from an annual base allocation of 12 days based on hire date.

Sick leave has no cash value and will not be paid out upon separation from the University.

All staff with scheduled work hours will notify their manager or designee each absent day at least one hour prior to their start time. Sick time will be tracked by department managers. Depending on University needs, departments may establish notification requirements for up to three hours prior to start time. Managers will communicate the appropriate time periods and methods of notification to employees at the beginning of each fiscal year.

Any sick leave beyond three consecutive work days requires a note from a licensed physician. Please contact the Human Resources Office when any leave is beyond 3 work days. This will be considered an extended medical leave of absence, and if you are eligible you may receive short-term disability benefits during a medical leave of absence.

If a holiday occurs while on sick leave, sick time will not be deducted from your sick bank, you will receive holiday pay.

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Revised September 1993  
Revised August 1996  
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### **8.3.6 Short Term Disability Benefits Program for Administrative, Supervisory, and General Staff – The Standard**

#### **Purpose**

Clarkson's overall goal is to improve the health and well-being of employees' lives through health education and activities that support positive lifestyle change thereby reinforcing that Clarkson is a great place to work. The University recognizes that, at times, employees may be unable to work due to personal illness or injury. During such circumstances, the employee may be able to access the University's Short Term Disability program through our carrier "The Standard".

#### **Summary**

The University provides employees with a Short Term Disability program that provides 60% of their salary with the option to buy up to 80% of their salary if they are unable to work due to a personal illness or injury. This policy describes the mechanism for eligible employees to access the Short Term Disability program and the procedures to be followed.

#### **Definition of Terms**

**Eligible employees:** Staff- exempt and non-exempt employees (Non-Faculty) employed by the University on a full/part time basis (17.5 hours or greater).

**Employment Benefits:** All benefits provided by the University to eligible employees including: group life insurance, disability insurance, dental insurance, health insurance, vacation, sick leave, special days, educational benefits, and retirement contributions.

#### **Program Statement**

The University provides a short term disability program to full-time and part-time employees who are scheduled to work at least 17.5 hours per week.

The short term disability program provides employees with the option of electing either 60% or 80% of their gross weekly salary while they are out on leave up to \$2300.00/week.

If the disability is caused by an accidental injury the benefits under short term disability will begin immediately. If the disability is caused by physical disease, pregnancy or mental disorder, the benefits under short term disability will begin after the two (2) day waiting period. If available, the employee must use sick time to cover the two (2) day waiting period. If the employee does not have sick days to cover, SP or vacation may be used or the employee may take the time unpaid.



The maximum benefit period in which the employee will be covered under the short term disability program is 180 days. However, short term disability benefits will end on the date long term disability benefits start even if that occurs before the end of the maximum benefit period.

### Procedures

If the employee is unable to perform their work duties due to an accident or illness and expect to be out of work for three or more days the employee should:

1. Inform the Human Resources department immediately.
2. Request a short term disability information packet from the Human Resources department. Supervisors must notify the Human Resources of any employee requesting short term disability leave immediately.
3. The Human Resources department will send the short term disability and Family Medical Leave information packet to the employee by email, mail or deliver in person.
4. Employees must complete, along with a physician, the short term disability paperwork in conjunction with the Family Medical Leave certification portion of the FMLA Leave Information Packet, and have the physician forward the completed form to the Human Resources office by mail, fax or in person or directly to the vendor, Cigna.

Employees are required to use sick time if they have it available to cover the Short Term Disability waiting period; if the employee does not have sick time available they may choose to use vacation or special personal time to cover any part of their illness or disability, but it is not required. If the employees do not have time available and have a two (2) day waiting period to cover, those days will be unpaid.

For more information regarding Clarkson University's Short Term Disability policy with Cigna please access [www.smartben.com](http://www.smartben.com).

Clarkson University also offers Leave of Absence policies to continue to assist you in balancing and maintaining a work/ balance, Section 8.1.14 for Caregiver Leave (Birth and Adoption)—Staff & Non-Continuing Faculty and Sections 8.3.3 and 8.3.4 for covered Leave of Absence programs.

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**8.3.7 Holidays - Administrative and Supervisory Staff**

The following holiday schedules are observed by the University for administrative and supervisory staff:

New Year's Day	1 January
Memorial Day	
Independence Day	4 July
Thanksgiving Weekend	Thursday and Friday
Christmas	3 Day Break

Whenever a holiday falls on a Sunday, the following Monday is observed as the holiday; whenever a holiday falls on a Saturday, the preceding Friday is observed as the holiday.

If a University holiday falls during an employee's authorized vacation period, the holiday will not be charged as a day of vacation time.

To receive pay for a holiday, the employee must be in a pay status (see 8.3.7) the work day preceding and the work day following the holiday.

Holiday time will not be paid upon termination or resignation.

**8.3.7.1 Special Personal Days - Administrative and Supervisory Staff**

Full-time administrative and supervisory staff are entitled to six special personal days off during the year (July-June). The six special personal days will be prorated during the first fiscal year of employment (July 1 - June 30) as follows:

Hired between July 1 - September 30	6 days
Hired between October 1 - December 31	5 days
Hired between January 1 - March 31	3 days
Hired between April 1 - June 30	none

Special personal days are not payable upon termination or resignation.

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 Revised January 1992  
 Revised September 1993  
 July 1994  
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 Section Renumbered July 2012  
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### 8.3.8 Holidays - General Staff

The following holiday schedules are observed by the University for all general staff:

New Year's Day	1 January
Memorial Day	
Independence Day	4 July
Thanksgiving Weekend	Thursday & Friday
Christmas	3 Day Break

Whenever a holiday falls on a Sunday, the following Monday is observed as the holiday, and whenever a holiday falls on a Saturday, the preceding Friday is observed as the holiday.

When an employee is required to work on any of these holidays, compensatory time off will be granted on another scheduled work day. Employees have until the end of the fiscal year to use the day.

When a holiday falls on a day that is normally a day off, another day will be given as the holiday.

If a University holiday falls during an employee's authorized vacation period, the holiday will not be charged as a day of vacation time.

To receive pay for a holiday the employee must be in a pay status (see 8.3.7) the full work day preceding and the full work day following the holiday.

Holiday time will not be paid upon termination or resignation.

**8.3.8.1 Special Personal Days - General Staff**

Full-time general staff are entitled to six special personal days off during the year (July - June) agreed upon by the employee and supervisor.

During the first year of employment, the six special personal days will be prorated as follows:

Hired between July 1 and September 30	6 days
Hired between October 1 and December 31	5 days
Hired between January 1 and March 31	3 days
Hired between April 1 and June 30	none

Special Personal days are not payable upon termination or resignation.

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**8.3.9 Pay Status for Holiday Pay - Administrative, Supervisory, and General Staff**

To receive pay for a holiday, the employee must be in a pay status (at work, vacation, sick leave) the full work day preceding and the full work day following the holiday.

For employees out on non-occupational disability benefits or Worker's Compensation the following applies:

1. If the employee has chosen to use sick leave (therefore, in a pay status) and has sick leave accrued to cover the day before and day after the holiday, then the employee will receive holiday pay. No sick leave deduction shall be made on the day of the holiday.
2. If the employee has run out of sick leave, then no holiday pay will be due the employee. In this case, the employee is no longer in a pay status from the University.

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### 8.3.10 Vacation - Administrative and Supervisory Staff

Vacation periods will be scheduled at times mutually agreeable to the staff members and their supervisors. Staff members will make arrangements whereby their responsibilities are covered during their absence. Department and administrative offices are to be staffed adequately during the summer months. Vacations may be taken continuously or at intervals, though the latter is preferred for adequate coverage.

All administrative and supervisory staff vacations are scheduled on a fiscal year basis (July-June). Administrative and supervisory staff accumulate twenty days of vacation during each fiscal year. All vacation earned during the current fiscal year should be completely used during the following fiscal year as vacations are not cumulative. During the fiscal year where an employee has reached their twentieth anniversary of employment, administrative and supervisory staff will accumulate twenty-five days of vacation for use during the next fiscal year.

Vacation for a new employee shall be prorated during the first fiscal year worked. During that first fiscal year, the employee shall earn vacation at the rate of one and two-third day for each month of employment. No vacation should be taken from the date of hire until July 1 of the next fiscal year as a new employee is accumulating vacation during this period. The following example illustrates the vacation accumulation for an administrative and supervisory staff member:

Employee A is hired on December 1. Employee A is not eligible for any vacation until the following July 1. At that time, Employee A will have accumulated the following vacation: one and two-thirds (days) times seven months (December - June) or twelve days of vacation. All twelve days of this accumulation should be taken during the period July 1 - June 30.

Assuming there are no breaks in service, Employee A will also be accumulating the full twenty days of vacation during that period July 1 - June 30. Employee A will then have twenty days of accumulated vacation to take during the next fiscal year July 1 - June 30.

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### 8.3.11 Vacation - General Staff

#### I. Vacation Accumulation

The University vacation policy allows active general staff employees to earn vacation with pay. This vacation allowance is considered an earned right and not a privilege.

All hourly general staff vacations are scheduled on a fiscal year basis (July-June). Vacation for a new employee shall be prorated during the first fiscal year worked to be taken in the following year.

The following details the vacation accumulations and guidelines for general staff members.

<u>Completion of Years of Service</u>	<u>Vacation Allowance</u>
1 - 4	10 days
5 - 10	15 days
11	16 days
12	17 days
13	18 days
14	19 days
15 - 19	20 days
20 or more	25 days

There will be no accumulation of vacation for an employee if they are not physically at work for at least one full day during a calendar month.

No vacation for general staff employees should be taken prior to completion of six months of employment. Vacations are not cumulative. Earned vacation must be taken in the year after which it was earned.



**II. Guidelines for Administering the University Vacation Policy**

- A. The University reserves the right to approve vacation periods.
- B. In order for the initial month to be counted for vacation accruals, employment must begin on or before the tenth day of the month.
- C. Vacation cannot be taken before it is earned.
- D. Pay in lieu of vacation is not permitted.
- E. Transfer of employees from one department to another will include transfer of their vacation credit.
- F. Vacations normally should be scheduled on a calendar week basis. Vacations of more than two consecutive weeks will not be scheduled without special approval.
- G. If a recognized University holiday occurs during an authorized vacation period, the holiday will not be charged as a day of vacation time.
- H. Active part-time will earn vacation allowance on a pro-rata basis.
- I. Temporary employees will not earn vacation allowance.
- J. Active full-time and active part-time employees who resign in good standing and give proper notice will receive their unused vacation pay.

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