



JOHN PAUL THE GREAT CATHOLIC UNIVERSITY

EMPLOYEE HANDBOOK

Effective July 1, 2010

MESSAGE FROM THE PRESIDENT

John Paul the Great Catholic University is a vocation. It is a calling from God to provide students the opportunity to encounter Jesus Christ and to develop a personal relationship with Him. Further, the University educates students to use the tools of Communications Media and Business to impact our culture for Christ.

God has truly blessed John Paul the Great Catholic University. Its Board of Trustees, faculty, staff, students, and alumni are a testament to the generosity of the Lord. As an employee and valued member of the JP Catholic community, you have the opportunity and responsibility to make a significant difference in the lives of our students and your fellow employees on a daily basis – as teachers, role-models, mentors and builders of community. You are the hands of the Lord and you are critical to the institution's success in both the formation and education of our students. You must view your employment at John Paul the Great Catholic University as a vocation and as privilege to contribute to our *community of faith and scholarship*.

John Paul the Great Catholic University is a great place to serve. It is a group of people filled with love and driven by a shared commitment that values the good of the community over personal glory. They strive for excellence in everything they do. We are forming and educating women and men in a *community of faith and scholarship* on-par with the best in the world and we are making a difference. As a community, we transform our young people into value-centered, ethical individuals, who come to know and love Jesus Christ, and will go out and make a difference in the world.

On behalf of John Paul the Great Catholic University, thank you for all you have done and continue to do for our students and to advance our mission. With your support and commitment, *excellence is John Paul the Great Catholic University*.

Sincerely,

A handwritten signature in cursive script that reads "Derry Connolly". The signature is written in black ink and is positioned below the word "Sincerely,".

Derry Connolly, President

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JP Catholic Vision and Mission

Vision

To invent the future of Catholic higher education, graduating students who will boldly proclaim the Gospel of Jesus Christ with faithfulness and understanding, as innovators and creators, leaders and entrepreneurs.

Mission and Core Purpose

JP Catholic will shape innovators and creators, leaders and entrepreneurs at the intersections of business, technology and communications media, guided by the spiritual, moral and social teachings of Jesus Christ.

Core Values and Beliefs

JP Catholic is built on three core values that define its fundamental beliefs:

- **To put into action in our lives the teachings of Jesus Christ, being faithful to his word.**
The Catholic commitment at JP Catholic is organically embedded in a total, active and joyous life of faith. It aspires to dynamically develop the student's personal knowledge of and relationship with God through an ongoing and active prayer life, both personal and communal, and a thorough knowledge of scripture, thus leading to an active living of God's commandments.
- **To develop all students and staff spiritually, personally and intellectually.**
JP Catholic recognizes that the student's vocation is intellectual development with the ultimate purpose of becoming a mature, productive, creative and responsible citizen. JP Catholic's greatest resources are its people, and pledges to treat each person with dignity and respect. JP Catholic welcomes and respect all students, faculty and staff and appreciates diversity among its students with respect to age, intellectual talents, financial resources, creed and ethnic background.
- **To put into practice within the University what we teach, by being innovative with our curriculum development, pioneering in our educational niche, and entrepreneurial in defining our future.**
JP Catholic provides an education that emphasizes the integration of theory with practice, enhances the professional competence and ethical judgment of the student and has a particular focus on innovation and entrepreneurship. JP Catholic, in its internal business processes and procedure, practices the very principles it teaches. JP Catholic recognizes the need to maintain leadership in its niche and will be boldly entrepreneurial in maintaining its position as a leading teaching University.

The JP Catholic Story

On November 2nd, 2000, while visiting Franciscan University in Steubenville, Ohio I saw something that would change my life. I saw a campus full of students on fire for the Lord. I had never seen that level of excitement about Jesus Christ by so many on a University campus. Later that evening, sitting in front of the Blessed Sacrament in the Portiuncula chapel, I felt the Lord tugging at me to build a University like this in San Diego.

I immediately gave the Lord my answer '**Impossible, a University is too big and too expensive.**' During the Summer of 2003, having finished teaching a class looking at the start-up of entrepreneurial high-tech companies to graduate and under-graduate students at the University of California, San Diego (UCSD), I reflected on the passion of the UCSD students to go out and change the world by building successful technology based businesses. Reflecting back on my Steubenville visit 3 years earlier, I imagined the possibilities of combining (1) the spirituality of Franciscan University with (2) the entrepreneurial focus of UCSD and (3) applying it to the culturally influential and morally destructive field of media - particularly new media.

The Catholic influence on the media is near rock bottom, but is enjoying a small but passionate resurgence in Hollywood. New media, which is evolving and maturing daily, is poised to radically change the landscape of the media industry. An orthodox Catholic University can be a critical centerpiece to the resurgence. San Diego is a hub for innovation in new media enabling technology and is geographically very close to the creative center of the industry in Los Angeles.

A handwritten signature in black ink that reads "Derry Connolly". The signature is written in a cursive, flowing style.

Derry Connolly, Founder

A Mandatum School

John Paul the Great Catholic University's identity reflects all the essential elements of the renewal of Catholic identity called for by Pope John Paul II's 1990 apostolic constitution on higher education, *Ex Corde Ecclesiae* (On Catholic Universities), its 2000 Application to the United States, and canon law.

All employees, Catholic and non-Catholic, and the policies that they implement will be guided by the elements of these Church teachings. Below are listed some of the requirements the University has upon various key employees and groups in order to insure that the University remains bound to the key elements of Catholic teaching.

President: *Canon 833:* The president of a Catholic university is personally bound to make a profession of faith in the presence of the diocesan bishop or a delegate at the beginning of the term of office.

Board: *U.S. Application:* "To the extent possible, the majority of the board of trustees should be Catholics committed to the Church."

Faculty: *U.S. Application:* "The university should strive to recruit and appoint Catholics as professors so that, to the extent possible, those committed to the witness of the faith will constitute a majority of the faculty."

The Mandatum: *Canon 812:* It is necessary that Catholic theologians have a mandatum from the diocesan bishop.

Mandatum text: "I hereby declare my role and responsibility as a teacher of a theological discipline within the full communion of the Church. As a teacher of a theological discipline, therefore, I am committed to teach authentic Catholic doctrine and to refrain from putting forth as Catholic teaching anything contrary to the Church's magisterium."

Canon 833: Catholic theologians are personally bound to make a profession of faith in the presence of the university president if he is a priest, or the diocesan bishop or a delegate, at the beginning of their term of office.

Students: Catholic students have a right to receive from a university instruction in authentic Catholic doctrine and practice, especially from theologians.

Ministry: *U.S. Application:* "Catholic students have a right to be provided with opportunities to practice the faith through participation in Mass, the sacraments, religious devotions and other authentic forms of Catholic spirituality." The university "shall make provision for effective campus ministry programs, including the celebration of the sacraments, especially the Eucharist and penance, other liturgical celebrations, and opportunities for prayer and spiritual reflection."

Honorees: *The U.S. Bishops' 2004 Catholics in Political Life:* "Catholic institutions should not honor those who act in defiance of our fundamental moral principles. They should not be given awards, honors or platforms that would suggest support for their actions."

Groups: *U.S. Application:* "It is important for Catholic universities to implement in practical terms their commitment to the essential elements of Catholic identity, including activities of officially recognized student and faculty organizations and associations."

Statement on JP Catholic University Handbooks

The purpose of this handbook is to describe current personnel policies, procedures and expectations of all employees at JP Catholic University; the handbook is intended to provide general guidance only.

The Board of Trustees maintains the discretion to interpret and apply the policies set forth in this and other handbooks and the decisions of the Board shall be final and binding on the faculty and administration. Further, the Board of Trustees and the University reserves the right to change these and other policies and procedures at any time, and without notice.

Copies of this handbook are available from the University Business Office and from the JP Catholic web-site. Employees are responsible to periodically review the JP Catholic web-site for updates and changes.

Nothing contained in this or other handbooks is intended, nor should it be construed, to confer any right on an employee, or to impose any contractual or other obligation on the University. This handbook shall not be modified by any statements contained in other handbooks, employment applications, University recruiting materials, University memorandums, or other materials provided to any employee in connection with their employment. Specifically, this handbook or other documents, in part or total, should not be construed in any fashion or manner to imply, directly or indirectly, an employment contract on the part of the employee and/or the University; nor does this handbook guarantee any fixed terms and conditions of one's employment with the University.

EMPLOYMENT PRACTICES

Nature of Employment

In California, employees are presumed to be "at-will." At-will employees may be terminated for any reason, so long as it's not illegal. All employees at JP Catholic University are considered to be at-will. This means that an employee's job status does not guarantee employment for any specific length of time. The employment relationship between all employees and JP Catholic are entered into voluntarily and both the employee and the University are free to end the employment relationship at any time, for any or no reason, with or without cause or advance notice.

Employment Applications

JP Catholic University relies upon the accuracy of data/information contained and gathered in the employment application process, as well as the accuracy of other data/information presented throughout the hiring process and during employment. Any misrepresentations, falsifications, or material omissions in any of this data/information may result in the exclusion of the individual from further consideration for employment, or if the person has been hired, discipline up to and including separation of service.

Benefits

Eligible employees at JP Catholic are provided a wide range of benefits. A number of benefits including Social Security, worker's compensation, state disability and unemployment insurance cover all employees as prescribed by law.

Benefits eligibility varies by job classification (See **Employee Categories**) and time on the job. The following benefits are currently available to eligible employees:

- Medical Insurance
- Tuition Waiver
- Time Off

Medical Insurance

All full-time employees are eligible to be enrolled in the University's Aetna group health insurance the first day of the month following the month of hire. The policy includes several choices of coverage including both HMO and PPO options. The university covers 75% of the cost of the full time employee and 55% of the cost of the employee's dependents. In regards to medical insurance, neither California nor the federal government has a definition of who qualifies as a dependent. According to Aetna, "Dependent children over age 19 who are not attending school generally are not eligible for coverage."

Employee Tuition Remission

1. General Description

The Tuition Remission Program allows for a tuition-only remission benefit for eligible employees, their spouses and dependent children who attend undergraduate classes at JP Catholic University. All charges and fees other than tuition are the responsibility of the student.

2. Eligibility

Employees deemed eligible are:

- a. Faculty employed at 75% time or more.
- b. Staff employed at 75% time or more.
- c. Academic and Administrative Officers (President, Provost, CFO, VP's and Deans).

The eligible employee, their spouse and dependent children may use this benefit from their start date with the university. The child must be a legal dependent of the eligible employee as defined by the Internal Revenue Service Code. There is **NO** tuition remission for extended family, such as nieces, nephews, grandchildren, grandnieces, or grandnephews.

3. Application Process

The student must meet the conditions of admission to JP Catholic University. The student must complete the financial aid application process for any state, federal or private grants for which they may be eligible. Failure to complete this process will result in the student being responsible for the billed tuition.

4. **Financial Process**

The tuition remission benefit will be applied to any residual tuition, after application of all monies received from any state, federal and/or private grants and scholarships sources. Eligible employees, their spouse and dependent children are **ineligible** for JP Catholic University academic scholarships. All charges and fees other than tuition are the responsibility of the student.

5. **Termination of Eligibility**

a. Resignation or Dismissal

This benefit ends upon termination by dismissal or on the effective date of a resignation from the university. An enrolled eligible employee, spouse and/or dependent child may continue their education at JP Catholic University after their termination date, but would be responsible for the tuition due for quarters after the one in which the termination or resignation occurred.

b. Death, Total Disability, Layoff or Retirement *before* Five Years Total with the University.

In the event of the eligible employee death, total disability, layoff or retirement, prior to the end of their fifth year at JP Catholic University, the benefit would end at the close of the quarter in which the death, total disability, layoff or retirement occurs.

c. Death, Total Disability, Layoff or Retirement *after* Five Years Total with the University.

In the event the death, total disability, layoff or retirement of the eligible employee occurs after the end of their fifth full year at JP Catholic University, the spouse and/or dependent children may use this benefit for a period not to exceed three years from the end of the academic quarter in which the eligible employee's death, total disability, layoff or retirement occurred.

Tuition Remission for Graduate Degree Programs

Limited tuition remission is available for eligible employees for graduate degrees as outlined below. A spouse or dependent of the eligible employee is **not** eligible for graduate tuition remission.

- . This tuition remission policy is limited to tuition charges only. All other fees are the responsibility of the eligible employee.
 - a. The tuition remission is 50% of usual tuition charges.
 - b. The benefit ends at the end of the quarter of the effective date of the termination by dismissal or of resignation.
 - c. The value of tuition remission for graduate education is considered taxable income, unless the eligible employee's primary responsibility is teaching at JP Catholic University. The taxable income will be included in the eligible employee payroll at the end of each academic term for which tuition remission is awarded, and will be subject to federal and state taxes.

Tax Issues

The Internal Revenue Code, Section 117, provides tuition remission for undergraduate courses for active eligible employees, spouses and their dependents as a non-taxable benefit. The Internal Revenue Code, Section 127, provides graduate course tuition assistance to active eligible employees ONLY. That regulation allows tax-free tuition assistance for active eligible employees in an amount up to \$5,250 per year. All other tuition remission and educational assistance is a taxable benefit.

The effective date of this policy is September 25, 2006. JP Catholic University may revise its tuition remission policy should conditions necessitate such action.

Time Off Benefits

Vacation Policy

JP Catholic University provides qualifying administrative employees annual periods of vacation and sick leave. Employees working less than full-time do not receive vacation benefits. Eligibility for this benefit is not available to Faculty and Administrators working less than full-time. Eligible employee's vacation/sick leave will accrue at the rate of 1.25 days per month. New employees will accrue, but will not be eligible for vacation in the first 4-months of employment. Unused vacation benefits do not rollover from one year into the next.

Vacation benefits are calculated at an employee's normal base rate of pay at the time of absence, not including overtime, bonuses, or any other allowances or form of payment. Vacation benefits will not be

counted as time worked for the purpose of the calculation of overtime. In the event a holiday falls within an employee's vacation period, that day will be paid as a holiday and not charged against the employees' vacation accrual.

Supervisors are responsible for the successful operation of their individual departments and will schedule and approve requests for vacation around the needs of their department(s). At the supervisor's discretion, vacation request forms may be a precondition of any approved time-off for vacation benefits. Therefore, employees should direct specific questions regarding scheduling vacation time to their supervisor. No time-off benefits will be paid for unauthorized time-off.

Termination

Employees who terminate employment from the University will be paid for unused accrued vacation leave unless terminated "for cause".

Holidays Policy

JP Catholic University provides *ten (10) holidays per fiscal year (July 1 to June 30)* to qualifying administrative employees. The University annually publishes the actual dates for holidays once approved by the President's Cabinet. Holiday's normally observed include:

New Years Day (normally 2-days)

Good Friday

Memorial Day

Independence Day

Labor Day

Thanksgiving (Thursday and Friday)

Christmas (normally 2-days)

Administrative employees become eligible for holiday benefits immediately. To be eligible for holiday pay, employees must be in a "paid status" the last scheduled day immediately preceding and the first scheduled day immediately following the holiday. An approved vacation day, an approved sick leave day, paid Family and Medical Leave Act time, jury duty, or certain other approved paid leave of absence is considered a "paid status" for holiday pay eligibility.

A recognized holiday that falls on a Saturday is normally observed on the preceding Friday. A recognized holiday that falls on a Sunday is normally observed on the following Monday. If an observed holiday falls on an employee's regularly scheduled workday, then the employee is expected to take the day off as an allowed paid holiday.

If an eligible non-exempt employee works on a recognized holiday, the employee will receive holiday pay plus wages at the employee's normal rate for the hours worked on the holiday. Paid time-off for holidays is not counted as hours worked for determining overtime pay.

An eligible exempt employee under normal conditions will not receive any additional compensation when working on a recognized holiday. However, an exempt employee may be awarded a compensatory day off with Cabinet member pre-approval and only if the day can be taken before the end of the current monthly pay cycle.

New employees receive pro-rated holiday benefits based on their start date and the remaining time left in the fiscal year. Fractional days are rounded to the nearest whole day.

Sick Leave Policy

JP Catholic University provides paid sick leave benefits to eligible administrative employees for periods of temporary absence due to illnesses or injuries. Eligibility for this benefit is not available to Faculty, Coaches, Resident Directors, and Administrators working less than half-time, or Administrators on appointment letters covering less than six (6) months.

Acceptable uses of sick leave benefits are:

- Income protection in the event of an employee's personal illness or injury, or
- Absence due to illness or injury of an immediate family member (as defined below), or
- Necessary medical, dental, or eye appointments during regular work hours that cannot be accommodated by changing an employee's work schedule.

Sick leave benefits are combined with vacation time and may be used for any other absence. For purposes of this policy, an immediate family member of an employee includes: spouse; children (including step-children); parent (including step-parents and in-laws); sibling (including step-siblings and in-laws); grandparents; and grandchildren.

Employees who are unable to report to work due to illness or injury should notify their supervisor (or designated department contact) before the scheduled start of their workday explaining the reason for the absence and when the employee expects to return to work. The supervisor (or designated contact) must also be contacted on each additional day of absence to keep informed of progress unless otherwise directed by the supervisor. Please also refer to **Attendance and Punctuality** in this manual for related information.

It is imperative that employees take full responsibility for reporting absences or making sure that someone else acting on their behalf notifies the supervisor (or the designated department contact). The University may require doctor's statement documenting any absence of three (3) days or more, or anytime an employee is being counseled for excessive absenteeism.

Any employee who fails to report for work or to report a reason for absence for three (3) scheduled work days will be considered to have abandoned their position and will be considered as voluntarily resigning their employment with JP Catholic University.

Paid sick leave may be used in minimum increments of half (1/2) day for non-exempt job classifications. Paid sick leave for exempt job classifications must be deducted from accrued balances in full-day increments. Sick leave benefits will not be counted as time worked for the purpose of the calculation of overtime.

Bereavement Leave

In the event of a death of an eligible employee's immediate family member (as defined below) and upon notice to one's supervisor, employees may be allowed up to three (3) days non-paid bereavement leave. Employees may use vacation/sick time if available.

For purposes of this policy, an immediate family member of an employee includes: spouse; children (including step-children); parent (including step-parents and in-laws); sibling (including step-siblings and in-laws); grandparents; and grandchildren.

If approved, an employee may use accrued vacation time to extend bereavement leave. If all accrued hours have been used, the extended time-off will be unpaid.

Jury and Witness Duty

It is the position of JP Catholic University that as a matter of good citizenship, an employee should serve when called for jury or witness duty, unless in the opinion of the supervisor urgent University business justifies a request to the Court by the University that the employee be excused. Employees are expected to return to work to finish their normal workday when or if released by the court during a time that would fall within the employee's normal work shift unless distance or time remaining in the normal workday makes it impractical.

As soon as a summons has been received, the employee should notify his/her supervisor. A copy of the summons must be forwarded to the Payroll and Benefits Coordinator in the University Business Office. Please refer to also **Summons of the Court** in this manual for related information. All employees must report their time off for Jury or Witness Duty to the University Business Office.

If an eligible employee is absent because of jury duty, the employee shall be paid his/her normal rate of pay for up to ten (10) working days. If an employee's jury duty service extends beyond 10-days, then vacation time may be used for this unpaid time when available.

If an employee is summoned to court for reasons other than jury duty (i.e. witness duty), the time missed from work will be unpaid unless the employee is testifying as a witness on JP Catholic University's behalf. Vacation time may be used for this unpaid time when available.

In consideration of the above paid benefits, any remuneration received from serving in any of these capacities is to be assigned over to the University and forwarded to the University Business Office.

Voting Time-off

California residents who are eligible to vote and who do not have at least two (2) hours at the beginning or end of the workday are entitled to up to two (2) hours of time-off with pay to vote in local, state and national elections.

These rules do not apply to a voter on the day of election if there are two (2) successive hours while the polls are open in which the employee is not in the service of the University. Supervisors may specify the time of day, between the time of opening and the time of closing the polls, during which employees may be absent to vote.

Leave of Absence Overview

The well being of all JP Catholic employees is of utmost importance to the success of the University. Each employee's contribution to the University is highly valued. However, it is recognized that personal illness or family situations may necessitate temporary absences. A leave of absence is a temporary suspension of employment for a period of generally one (1) week or more initiated at the employee's request. Vacation and sick leave benefits will cease to accrue during approved leave periods. Approved holidays will not be paid during unpaid leaves of absence.

The employee has the responsibility to keep both the supervisor or the designated department contact advised of the leave situation and to contact the supervisor well in advance of the expiration of an extended approved leave of absence to discuss return to work. Employees are prohibited from engaging in outside employment while on a leave of absence. Following a leave of absence, the University will make every reasonable effort, consistent with University needs, to reinstate an employee to a same or similar position. A leave of absence generally falls under one of the following categories, and each is described below:

1. Family and Medical Leave under FMLA
2. Unpaid Personal Leave
3. Leave of Absence for Benefits Only
4. Educational Leave and Sabbaticals
5. Military Service Leave

Family and Medical Leave Act (FMLA) Policy

JP Catholic University will comply with the Family and Medical Leave Act implementing Regulations as revised effective January 16, 2009. The University posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act. The University also posts the DOL supplementary information concerning Military Family Leave at the same location.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact the University Business Office in writing.

General Provisions

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

Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- 1) The employee must have worked for the University for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, stating the University's intention to rehire the employee after the service break. For eligibility purposes, an employee is considered employed for an entire week, even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- 2) The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- 3) The employee must work in a worksite where 50 or more employees are employed by the University, within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Director of Human Resources. Within five business days after the employee has provided this notice, the Director of Human Resources will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the University with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the University's usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Director of Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

Intent to Return to Work From FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the University may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

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

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

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

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what this FMLA policy or under the University's sick leave policy should consult with the Director of Human Resources.

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

5) Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.

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

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

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

This leave may extend to up to 26 weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The University will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the University will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

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

If a husband and wife both work for the University and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the University and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Employee Status and Benefits During Leave

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

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

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

If the employee contributes to a life insurance or disability plan, the University will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the University may discontinue coverage during the leave.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The University may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use paid vacation and sick time leaving no more than one (1) week prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employee takes advantage of her six weeks of pregnancy disability leave through the voluntary disability insurance, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all accrued vacation time, leaving no more than one (1) week, prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation, leaving no more than one (1) week prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation and sick leave (as long as the reason for the absence is covered by the University's sick leave policy) prior to being eligible for unpaid leave.

Intermittent Leave or a Reduced Work Schedule

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

The University may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical

treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

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

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

Certification for the Employee's Serious Health Condition

The University will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

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

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

Certification for the Family Member's Serious Health Condition

The University will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

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

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

Certification of Qualifying Exigency for Military Family Leave

The University will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

The University will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

Recertification

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

Unpaid Personal Leave

If an eligible employee wishes to take unpaid time-off work to fulfill personal obligations that are not covered by one of the other leave categories, the University may support such leave of absence and provide time-off without pay to eligible employees. Employees working full time and who have been employed for a minimum of ten (10) years are eligible to request unpaid personal leave. Personal leave requests are reviewed on a case-by-case basis and will be granted at the discretion of the President's Cabinet, based upon:

- Reason for request;
- Length of credited service;
- Operating needs of the employee's department or division; and
- Length of time requested.

As soon as eligible employees become aware of the need for a personal leave of absence, they should request the leave from their supervisor. The Cabinet officer, with department oversight for the requesting employee, will present requests to the President's Cabinet. If approved by the President's Cabinet, employees must meet with the University Business Office prior to the start of the leave period.

Continuation of benefits is available based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Vacation and sick leave benefits will cease to accrue during the approved personal leave period. Approved holidays will not be paid during unpaid leaves of absence.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, JP Catholic University cannot guarantee reinstatement in all cases. If an employee fails to report to work promptly at the expiration of the approved leave period, JP Catholic University will assume the employee has resigned and all benefits provided under the University's benefit programs will immediately cease.

Educational Leave and Sabbaticals

Educational and sabbatical leave of absence may be granted to faculty and eligible members of the University Administration for the sole purpose of professional enrichment and improvement of their service to the University. Such leaves of absence may be granted to applicants who have completed six (6) years of full-time employment at JP Catholic University or at least six (6) years since having taken an earlier educational and sabbatical leave.

Please refer to the section entitled "Sabbaticals" in the most recent Faculty Handbook for the governing policy.

Any vacation and sick leave benefits available to eligible members of the University Administration will cease to accrue during an unpaid leave of absence. Approved holidays will not be paid during an unpaid leave of absence.

If an employee fails to report to work promptly at the expiration of any approved leave period, JP Catholic University will assume the employee has resigned and all benefits provided under the University's benefit programs would immediately cease.

Military Service Leave

JP Catholic University honors and respects the rights and obligation of its employees to serve in the Armed Forces of the United States. The University will allow excused absence for its employees to serve in that capacity, in accordance with the Uniformed Services Employment and Re-employment Rights Act of 1994 ("USERRA"), and state laws where applicable. Military Service leaves of absence and re-employment rights are provided by JP Catholic University based on these laws. JP Catholic University will not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment to an individual on the basis of his/her membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

For purposes of this policy Military Service shall cover all categories of military training and service, including duty performed on a voluntary or involuntary basis, in time of peace or war. It includes, but is not limited to: Active Duty, Active Duty for Training, Initial Act of Duty for Training, Inactive Duty Training, full time National Guard duty, and absence from work to determine fitness for any of the above types of duty. Armed Forces shall mean uniformed services in any of the branches of the Armed Forces; the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty; the commissioned corps of the Public Health Service; and any other category of persons designated by the President in time of war or national emergency. For purposes of USERRA coverage only, service as an intermittent disaster response appointee of the NDMS (National Disaster Medical System) when federally activated or attending authorized training in support of their Federal mission is deemed "service in the uniformed services" although such appointee is not a member of the "uniformed services" as defined by USERRA.

An employee or appropriate officer of the branch in the military in which the employee will be serving must give the employee's supervisor written notice in advance of military service unless military necessity prevents the giving of notice or notice is otherwise impossible or unreasonable. Please note that the employee is not required to ask for or get his/her employer's permission to leave to perform service in the uniformed services. The employee is only required to give the employer notice of pending service. The person, or an appropriate officer of the uniformed service in which such service is performed, has given advance written or verbal notice of such service to such person's employer.

Re-employment is based on the period of military service and other conditions as listed below:

Military Service of less than thirty-one (31) days: the employee must report back to work by the beginning of the first (1st) regularly scheduled work day that would fall eight (8) hours after the employee returns home from the place of military service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible.

Military service of more than thirty (30) days but less than 181 days: the employee must reapply for employment at one of the University's employment offices not later than fourteen (14) days after military service is completed, or the next full calendar day when application becomes possible. The employee must also provide adequate documentation showing eligibility to return to work.

Military service of more than 180 days: the employee must re-apply for employment at the University not later than ninety (90) days after Military Service is completed. The employee must also provide adequate documentation showing eligibility to return to work. The employee's separation from military service was under honorable conditions. A DD214 or similar document is required. The employee may perform service in the uniformed services for a cumulative period of up to five (5) years and retain reemployment rights with the

employer. The 5-year period includes only the time the employee spends actually performing service in the uniformed services. A period of absence from employment before or after performing service in the uniformed services does not count against the five-year limit. For example, after the employee completes a period of service in the uniformed services, he/she is provided a certain amount of time, depending upon the length of service, to report back to work or submit an application for reemployment. The period between completing the uniformed service and reporting back to work or seeking reemployment does not count against the 5-year limit.

The University is not required to reemploy a person if its circumstances have changed so as to make such reemployment impossible or unreasonable such as, but not limited to a reduction-in-force.

The reporting or application deadlines will be extended up to 2-years for employees who are hospitalized or convalescing because of a service-connected illness or injury. This period can be extended to accommodate circumstances beyond an employee's control.

The University and affected department will apply its policies governing unexcused absences in cases where an employee fails to report to work or to apply for reemployment rights within the required time limits.

The University will make reasonable efforts to accommodate an employee's disability so that the employee can be reemployed consistent with the requirements under the USERRA unless such accommodation will be of such difficulty or expense as to cause undue hardship.

Paid Military Leave for duties as outlined above will only be paid by the University for up to 10-work days in a 12-month period, and only for days which the employee would have otherwise been scheduled to work. Employees are not required to use accrued vacation as paid time-off during absences due to Military Service requirements, but may do so at the employee's option.

Employees who follow the procedures described above will accumulate seniority for the period of service in the Armed Forces and retain previously accumulated benefits, subject to rules and regulations that might be imposed in those plans. During any period of paid leave, the University will continue normal contributions towards the cost of benefits. When military service is unpaid, the employee will pay the cost of benefits. In addition, the employee will be eligible for any general increases in pay, or any approved benefits that occur during their absence. Vacation and sick leave benefits will cease to accrue during a military leave of absence. Approved holidays will not be paid during unpaid leaves of absence.

An employee may elect to continue his/her University's health care benefits during the period military service is performed subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. In accordance with USERRA, those employees performing service of less than 31-days will pay no more than their current employee premium. Employees performing military service of 31-days or more will pay no more than 102% of the full employee premium. The maximum coverage of an employee and the employee's dependents is the lesser of 24-months from the day the absence begins; or the day after the date on which the employee fails to apply for or return to a position of employment.

An employee who is performing military service may elect to make employee contributions or elective deferrals to the University's retirement plans, to the extent allowed by law. The amount may not exceed the amount the employee would have been permitted or required to contribute had he/she remained continuously employed during the period of military service. The employee contribution to the University's retirement plans may be paid either during the period of military service or upon reemployment.

JP Catholic University will take appropriate steps to ensure compliance with the reemployment rights extended to military personnel under the USERRA. Accordingly, employees, who perform more than 180 days of military service before reemployment, may only be discharged for cause for a period of 1-year from the date of reemployment. Employees, who perform military service more than 30-days but less than 181 days before reemployment, may only be discharged for cause for a period of 6-months after the date of reemployment.

Job Openings and Job Transfers

The University recognizes the benefit of developmental experiences and encourages non-faculty employees to discuss career plans with their Supervisors. Employees are encouraged to take advantage of opportunities to indicate interest in open positions within the University. Supervisors are encouraged to support an employee's efforts to gain experience and advance within the University.

In general, notices of openings are posted on the University's website. Each job posting notice will include the job title, job description, essential duties, and required qualifications. JP Catholic University does, however, reserve its discretionary right to fill openings without internal posting and may utilize many other recruiting tools available in order to hire qualified individuals.

To apply for an open position, job applicants (including current employees) should submit a job application, job-related skills and accomplishments (in the form of a resume) to the hiring manager identified in the job posting.

Background Investigations

Applicants who are offered employment will be required to satisfactorily complete a background investigation prior to the first day of employment with the University. A successful and satisfactory completion of this examination is a pre-condition to any offer of employment and subsequent assignment of job duties. Before conducting a background investigation, applicants will be required to sign a Disclosure agreement and will be provided a summary of rights under the Fair Credit Reporting Act.

Drug and Alcohol Screening

JP Catholic University reserves the right to request that all new hires to submit to a pre-employment drug and alcohol screen.

Please note: if a pre-employment drug and alcohol screen is conducted, then a negative test result is a pre-condition of employment. Refusal to take a test, and/or actual or attempted masking of specimens will result in disciplinary action, up to and including separation of service. Please refer to **Substance Abuse** in this handbook for further information.

The University also reserves the right to test or screen any of its existing employees: After a work-related injury or individually if there is cause (i.e., if there has been a positive test result following a work-related injury or if the employee exhibits suspicious, erratic, and/or unsafe behavior).

All testing and/or screening will be conducted in accordance with applicable federal and state laws and regulations.

Hiring of Relatives

The employment of relatives may cause serious conflicts and problems with favoritism. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment may be carried into day-to-day working relationships. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Relatives of persons currently employed by JP Catholic University may be hired only if they will not have a direct reporting or supervisory relationship with the related employee. JP Catholic University employees cannot be transferred into such a reporting relationship. Exceptions to these policies may be granted with unanimous agreement of the President, Provost, Dean of Students, and Chief Financial Officer.

If the relative relationship is established after employment, the individuals involved must meet with the supervisor to decide which employee is to be transferred or which employee may be discharged if a transfer is not available. If that consultation is not conducted within thirty (30) days, the supervisor will decide which employee is to be transferred or discharged in cases where transfer is not available. Transfers of relatives within the University shall not cause the displacement of other current employees.

Student Workers

JP Catholic University student workers are funded by a limited amount of institutional monies. Faculty and administrative departments are allocated a portion of the student wage pool budget as legitimate needs arise and funds are available. Each department determines its own need for student workers for each work period throughout the year within the constraints of departmental budgets.

Student workers may not work more than twenty (20) hours on average in any one week. They must be enrolled in at least six (6) hours during a given academic term to maintain eligibility. Students are not allowed to work during their scheduled class times, but may work during school breaks.

Students are not eligible for a student worker assignment if they have ever had their employment terminated by JP Catholic for misconduct. Students who are no longer enrolled at JP Catholic must be terminated from any student worker assignment, although they may apply for other employment opportunities within the University. Student workers are not eligible for benefits, paid leave time, or holiday pay.

Student workers are exempt from paying FICA taxes (Please see details below). All hourly student workers are non-exempt appointments and accurate hours of work must be maintained. Fair Labor Standards Act (FLSA) prevents a Work Study or Student Worker from holding an hourly non-exempt position while at the same time being retained in any exempt or stipend position with the University.

FICA Taxes Exemption General Standards

Under the Revenue Procedure 2005-11 safe harbor rules, a wage payment made by the University to an individual who (a) is at least a half-time undergraduate student or at least a half-time graduate or professional student, (b) is not a full-time employee of the University, (c) is not a "professional employee," and (d) does not receive certain specified employment benefits will qualify for the student FICA exemption. Each of these elements of the safe harbor rules is described in detail below.

Student Enrollment Status

In determining whether an individual is a "student" of the University, the Business Office will rely on data in the Student Information System (as compiled for the report submitted to the National Student Loan Clearinghouse for student loans) and other relevant facts.

A half-time undergraduate, graduate, or professional student is an enrolled undergraduate, graduate, or professional student who is carrying a half-time academic load as determined by the University. The per-quarter course loads that qualify the student for the FICA tax exemption under these safe harbor rules are as follows:

- Undergraduates eligible for the student FICA exemption: six (6) or more credit hours
- Graduates and professionals eligible for the student FICA exemption: three (3) or more credit hours.

In addition, if a student is enrolled in any of the following programs, the person will qualify for the student FICA exemption:

- Master's Thesis Preparation OR Dissertation Research

Also, the University considers teaching assistants, research assistants, and graduate student assistants to be enrolled as full-time students.

Full-Time Employees

A full-time employee is an employee who is treated as such under the University's standards and practices. Regardless of the University's classification, however, any employee whose normal work schedule is 40 or more hours per week is treated as a full-time employee. The employee's work schedule during academic breaks is not considered in determining whether the employee's normal work schedule is 40 or more hours per week.

Professional Employees

A professional employee is an employee whose work: (a) requires knowledge of an advanced type in a particular field of learning, (b) requires the consistent exercise of discretion and judgment, and (c) is predominantly intellectual and varied in character. While teaching assistants, research assistants, and graduate assistants may qualify as professional employees under this standard and thereby not meet the Revenue Procedure 2005-11 safe harbor test, the University will nevertheless treat such student employees as eligible for the student FICA exemption under the facts and circumstances test, provided that the person's normal work schedule is not 40 or more hours per week.

Employment Benefits

A student employee does not qualify under the Revenue Procedure 2005-11 safe harbor rules if the employee is eligible to receive one or more of the following employment benefits:

- Vacation, paid holiday, and paid sick leave benefits,
- Participation in a section 401(a), or 403(b), or 457(a) retirement plan,
- Reduced tuition (other than qualified tuition reductions for teaching assistants and research assistants under Code section 117(d)(5)), or
- Benefits under section 79 (life insurance), section 127 (qualified educational assistance, section 129 (dependent care assistance program), or section 137 (adoption assistance).

Other Safe Harbor Rules

Revenue Procedure 2005-11 sets forth the following additional rules relating to the application of the safe harbor guidelines.

Graduating Students

A student who is enrolled less than half time will still meet the safe harbor guidelines if the student is graduating. That is, an individual who is in the last quarter or term of a course of study and is enrolled for the number of credit hours needed to complete the degree requirements will still be regarded as at least a half-time student, even if the student is enrolled in less than half the number of credit hours required of full-time students. Students must request and receive written approval from the Provost's office to carry a course under load.

Change in Student Status during the Payroll Period

An individual's status as a student may change during the academic year based on his/her academic pursuits. For example, if an individual ceased being a "student" on January 10, the person would remain eligible for the student FICA exemption until the end of that payroll period. The FICA tax exemption applies to all payroll periods that are wholly or partially within the academic quarter or term for which the individual has the status of a student. Also, if the individual qualifies as a student for any part of a listed payroll period, but does not qualify as a student for the entire payroll period, the individual will be eligible for the student FICA exemption for the entire payroll period. Payments to individuals with student status during the quarter or term listed will qualify for the student FICA tax exemption for the corresponding pay periods.

School Breaks.

An individual working for the University during school breaks of more than five (5) weeks, but who does not have the status of a student during this period as defined in this policy, is not eligible for the student FICA exemption on wages paid during the period. The student FICA tax exemption does apply to school breaks of five (5) weeks or less provided the individual is a continuing student. That is, in order to be eligible for the FICA tax exemption during school breaks of five (5) weeks or less, the individual must qualify for the FICA tax exemption on the last day of the quarter or term preceding the break and be eligible to enroll for classes in the first quarter or term following the break.

Other Employee Groups

According to Revenue Procedure 2005-11, the safe harbor guidelines are not available for those employees who are postdoctoral students; postdoctoral fellows, medical residents, or medical interns because the services performed by these employees cannot be assumed to be incidental to and for the purpose of pursuing a course of study.

Employment of Minors

The University does not hire minors.

Immigration Law Compliance

JP Catholic University is committed to employing only United States citizens and aliens who are authorized to work in the United States. JP Catholic University does not unlawfully discriminate on the basis of citizenship or national origin. Please refer to the **Non-Discrimination and Harassment** policy in this manual for related information.

In compliance with the Immigration Reform and Control Act of 1986 (IRCA), each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 by the end of the first day of employment. Additionally, each new employee must present required documentation establishing identity and employment eligibility by the end of the third day of employment. Failure to complete the I-9 form on the first day or failure to provide required documentation on the third day will result in suspension of employment. JP Catholic University will hold the position for up to five (5) business days, after which the employment will be terminated if these requirements are not satisfied.

Former employees who are rehired must also complete the form if they have not completed an I-9 form with JP Catholic University within the last three (3) years or if their previous I-9 is no longer retained or is otherwise invalid.

The documents required by this Act must be completed within three (3) business days from his/her date of hire. As mandated by federal regulation, failure to provide the necessary information will result in delayed employment. JP Catholic University will hold the position for up to five (5) business days, after which the offer for employment will be retracted.

Employees or supervisors with questions, complaints, or seeking more information on immigration law issues are encouraged to contact the University Business Office.

Summons of the Court

The University cooperates with appropriate law enforcement officials when an employee is served with a summons from the court. If being served on an employee, the summons must be delivered to the University Business Office or if directed to the University, the summons must be delivered to the President's or Chief Financial Officer's office. Access to this information will be limited to those who have a legitimate business need to know.

Garnishments

Employees should make every effort not to involve the University in their personal affairs. However, if served with a legal instrument for the collection of an employee's debt, the University will withhold the appropriate amount prescribed by law until the debt is paid in full or further legal instruments are served. The University reserves the right to assess a reasonable fee to an employee for garnishment administration, unless prohibited by law. The University, at its discretion, may choose not to administer or participate in non-court ordered voluntary assignment of wage agreements.

Reductions in Workforce

This policy applies to non-faculty personnel only. Certain business or economic conditions may develop necessitating a short or long-term reduction in work hours and/or a reduction of staff. Such business or economic conditions include, but are not limited to financial emergency, lack of work, cost reduction, or reorganization. Affected staff members may apply for transfer opportunities in accordance with standard job posting and transfer policies.

In lieu of layoffs or reduced hours, the University may take other economic measures including but not limited to changing or reassignment of shifts, work schedules, job duties, and/or responsibilities, and/or modifying existing compensation and benefits programs.

The University will make every effort to provide employees with announcements and informational meetings at the time the workforce reductions or reduced hours are pending.

Wage and Salary Administration

JP Catholic University prepares recommendations for wage and salary increases for employees normally on an annual basis. In general, wage and salary increases are effective July 1.

Employees are eligible to receive annual wage and salary adjustments based on several criteria including but not limited to: recognition of individual performance and contributions, current job responsibilities compared to other employees with similar job responsibilities and the budgeted resources available for wage and salary increases in a particular year. Every wage and salary adjustment must be supported by a performance review and be within the budget guidelines for that fiscal year, as issued by the University Business Office.

An employee who is promoted will normally receive a salary increase. The amount of the salary increase will be based on several factors, including, but not limited to the relationship of the current salary to the salary ranges of other employees with similar job responsibilities. Decisions about wage and salary increases may also be affected by internal equity considerations both within a department and across the University.

Employees may occasionally be asked to work on special projects outside their normal work assignments. In these cases, the employee may or may not be paid a stipend for this work. A stipend is not added to the employee's base salary. The amount of the stipend will depend on the nature and duration of the assignment and must have the prior approval of the Chief Financial Officer.

An employee who is assigned by his/her supervisor to perform a significant portion of the responsibilities of another position with more responsibility for a substantial period of time may be eligible for a temporary increase in salary. At the end of the temporary assignment, the employee's salary returns to its former level. All such arrangements must have the prior approval of the Chief Financial Officer.

Performance Expectations

JP Catholic University expects all employees to be successful in meeting their specific job performance standards for work performance and behavioral fit. Work performance encompasses many factors, including, but not limited to attendance, punctuality, personal conduct, job proficiency and general compliance with the University's policies and procedures. Behavioral fit encompasses conduct consistent with the University's Mission, Vision and Values. Questions about performance standards or expectations that are vague or unclear should be brought to the attention of one's direct supervisor at the earliest possible time to allow employees the best opportunity to have a clear understanding of their role, job duties, and achievement of acceptable performance.

Performance Reviews

JP Catholic University shall participate in each employee's success by providing feedback regarding the employee's individual potential and performance. Employees are strongly encouraged to discuss job performance and goals with their direct supervisors on an ongoing and regular basis. These informal "performance coaching" discussions are intended to provide both parties the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches to meeting job expectations.

An initial performance review is normally within six (6) months. Thereafter, periodic performance reviews are held annually. The performance review provides employees a forum to discuss accomplishments, performance standards, opportunities for improvement, and development goals. Employees are encouraged to talk openly to supervisors about problematic areas or unclear expectations. Supervisors may provide performance reviews more frequently than annually as a means of monitoring and improving performance.

In instances when performance standards or behaviors fall short of expectations, supervisors are encouraged to implement a strategic coaching strategy and identify a performance plan and timeline to help the employee reach their potential. If an employee's performance is identified as needing improvement or unacceptable during an employee's performance review, it may result in the employee being placed on a written performance improvement or corrective counseling plan. Please refer to **Corrective Counseling and Disciplinary Action** in this manual for further information.

Performance reviews do not automatically result in wage or salary adjustments. However, wage or salary adjustments may be awarded by JP Catholic University in an effort to recognize employee's contributions and performance. The decision to award such adjustments is dependent upon numerous factors, including the information gathered through a performance review process. Please refer to **Wage and Salary Administration** in this manual for further information.

Original written performance reviews are to be maintained in the employee's permanent file and maintained confidentially. Access to this information will be limited to those who have a legitimate business need to know. These files are under the management of the University Business office.

Corrective Counseling and Disciplinary Action

Employees are expected to comply with all established JP Catholic rules, standards, policies and procedures, however, work-related problems and performance issues occasionally develop. Whenever possible, the University attempts to counsel employees and work toward identification and correction of performance issues.

However, if the situation cannot be successfully resolved, appropriate disciplinary action, up to and including demotion, suspension, or separation of service, may be necessary. Ordinarily, the Corrective Counseling process described below will be followed and documented to an administrative employee's personnel file. However, the University reserves the right to skip or repeat any step(s) depending on the circumstances of the situation. Some situations are deemed so egregious or such a serious violation of policies and/or expected conduct that immediate suspension or separation of service will be deemed necessary.

Corrective Counseling Process:

1. ***Ongoing:*** Informal Coaching with or without a written record to personnel file;
2. ***Corrective Counseling with Written Warning:*** with written record to personnel file and a Performance Improvement Plan prepared and signed and dated by the supervisor and employee;
3. ***Disciplinary Action:*** Up to and including demotion, suspension, reassignment, or separation of service.

Corrective counseling may occur for misconduct, performance problems, and/or performance deficiencies. The receipt of a rating of needs improvement or unacceptable in a periodic performance evaluation will be deemed equivalent to the employee being placed on a step of corrective counseling. The appropriate level of formal corrective counseling will be noted in the performance evaluation. Communications issued to the employee to address performance deficiencies identified between evaluations will also indicate the appropriate level of corrective counseling. If the employee does not improve performance, the employee may advance through the steps of corrective counseling including the possibility of separation of service prior to the issuance of the next performance evaluation. Any combination of performance or misconduct related counseling sessions may also result in separation of service.

The following are some examples, although not intended to be an exhaustive listing, of grounds for possible suspension or immediate dismissal of an employee without warning:

- Theft of any kind (zero tolerance);
- Sexual or other forms of unlawful harassment;
- Willful dishonesty, deceitfulness or other serious breach of trust;
- Fighting, physical altercation, threats to others (in any medium), or any other serious breach of acceptable behavior;
- Absence without notice for three (3) days;
- Willful violation of any established policy or rule;
- Falsification of University records;
- Gross negligence of any kind, particularly any act that causes substantial and grievous injury to University operations or substantial legal action to be filed against the University;
- A serious violation of conflict of interest or confidentiality policies;
- Negligence or improper conduct leading to damage to or loss of property, equipment or facilities;
- Serious violation of safety or health rules;
- Serious violation of the substance abuse or alcohol policies;
- Possession, in the workplace, of dangerous or unauthorized materials (explosives or firearms)
- Public conduct that directly violates or harms the university's Catholic mission.

Mediation Available for Personnel Issues

Employees may seek assistance from the University Business Office if the employee feels he/she has been subjected to unjust and/or severe disagreements with supervisors or other members of the JP Catholic University community or if he/she has experienced or witnessed unfair treatment, harassment, discrimination, or any other suspected violation of University policies. Human resource personnel are available to assist employees in identifying whether mediation is appropriate. Neither policies nor decisions relating to pay or misconduct may be mediated.

Requests for mediation assistance must be filed in writing with the University Business Office within five (5) working days of the specific incident causing concern to the employee. No employee will be retaliated against as a result of seeking guidance from University Business Office personnel or when filing a good faith request for mediation.

Separation of Service

It is the policy of JP Catholic University that all employees who do not have appointment letters covering a definite period of employment are employed at will with the University and either party may terminate the employment relationship with or without cause or notice at any time for any reason. No supervisory or management personnel are authorized to modify or to make representations of this policy, oral or written, which are not consistent with University policies.

An employee who resigns voluntarily is encouraged to give the University a notification of their intent to separate service one month before leaving his/her position. Failure to give adequate notice may be noted in the employee's personnel file and may be considered in any later rehire decisions.

Retirement

JP Catholic University has no required retirement age. Employees separating service for retirement should schedule an appointment to meet individually with the University Business Office well ahead of the last day of work. Retiring employees will need to understand their rights under the University's benefit plans for continuing coverage. The IRS requires withdrawals to commence under tax-deferred retirement, welfare and saving plans by a certain attained age. Please contact your tax advisor for more specifics. Part-time positions may also be available to eligible retiring employees.

Exit Interviews

Employees separating service for any reason should schedule an appointment to meet individually with the University Business Office prior to the last day of work. The exit interview is an opportunity to discuss continuation of employee benefits, repayment of any outstanding debts to JP Catholic University, and return of all University-owned property. Employee comments or suggestions about potential improvements at the University are welcomed and encouraged.

Rehire

Former employees who have left employment with JP Catholic University in good standing may reapply for job openings for which they meet minimum job requirements. Should a former employee be rehired, benefits, benefit eligibility, and credited years of service will be handled in accordance with the various plan provisions and must be discussed with the University Business Office for a clear understanding. All other employment practices and provisions described herein apply.

Privacy in Employment

JP Catholic University regards employee information as confidential and will respect the need for protecting each employee's privacy by providing guidelines for the proper receipt, possession, use, retention, and transmittal of personal information.

Release of Information within the University

Access to any personnel file is restricted to those who have proper authorization and a legitimate business need to know, unless otherwise required by law or court order.

Employee Access to Personnel Files

If an employee wishes to review his/her personnel file, he/she may submit a written request to the University Business Office who will set an appointed time to review the file with the employee. While the employee examines the file, a University representative shall always be present. At that time, employees will be permitted to examine personnel file information with certain exceptions and/or as prohibited by law.

If, upon examination an employee feels information in his/her personnel file is inaccurate, incomplete, or unfair, he/she will be permitted to provide a written statement recording his/her version of the facts. If information

contained in a personnel file is found to be inaccurate or incomplete, it shall be promptly corrected and supplemented. Questions or concerns about this policy should be referred to the University Business Office.

Release of Information Outside of the University

Under no circumstances should any JP Catholic University employee release any information about any current or former employee. All telephone and written inquiries regarding current or former employees of JP Catholic University must be referred to the University Business Office.

Any JP Catholic employee who wishes to issue a reference letter or letter of recommendation to or at the request of any current or former employee must first obtain express approval from the University Business Office before issuing the letter.

In response to outside requests for information regarding a current or former JP Catholic University employee, University Business Office personnel will furnish or verify only an employee's name, dates of employment, job title and department. Employment verifications will not be released until the University has received a signed release for such information from the former employee. No other data or information can or will be released unless required by law or court order.

Access to Employee Medical Information

Information from all medical examinations and inquiries obtained through the employee-employer relationship will be kept apart from the employee's general personnel file as a separate confidential medical record. Results from medical examinations and other information will not be released to any third party (including an employee's personal physician) without an employee's expressed written approval.

If a medical claim is filed by or on the behalf of an employee under the University medical plan, it will be considered as consent by the employee for release of whatever medical information may be appropriate in connection with processing the claim.

What if an Employee gets Sick or Injured on the Job?

If an employee gets sick or injured on the job the University will call your emergency contact information on file in the University Business Office. Please refer to **Workplace Injuries** in this manual for related information. The University must know your current wishes on whom to and who not to contact in an illness or emergency situation. Therefore it is very important that employees advise the University Business Office of any changes in emergency contact information. Please refer to **Change of Address and Other Personal Information** in this manual for further information.

WORKPLACE ENVIRONMENT

JP Catholic University is a Catholic, academic community. All University employment policies, procedures and practices are administered in a manner consistent with our Catholic identity.

Diversity

JP Catholic University is committed to creating an atmosphere that values human diversity. JP Catholic University's commitment to the development of the individual within a nurturing community provides our students with experiences, knowledge, and skills for a life of learning, leadership, and service.

Equal employment opportunities shall be afforded to all individuals with respect to compensation and privileges of employment, benefits, and separation, as well as all other terms and conditions of employment.

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act ("ADA") is a comprehensive federal civil rights law specifically for qualified individuals with physical and mental disabilities.

The ADA broadly defines a person with a disability as an individual who:

- Has a physical or mental impairment that substantially limits one or more of his/her major life activities, i.e., walking, speaking, seeing, hearing, etc.;
- Has a record of such impairment;
- Is regarded as having such impairment.

In compliance with the ADA, JP Catholic University will offer equal employment opportunities for qualified individuals who may have a physical or mental disability but can still perform the essential functions of the job. This may require reasonable accommodation, provided that the accommodation does not create undue hardship on the University. Employees who qualify as disabled should address the need for possible accommodation with their direct supervisor first and may also contact the University Business Office if necessary. Any employee medical information submitted regarding accommodations will be treated confidentially.

Life-Threatening Illnesses in the Workplace

JP Catholic University recognizes and supports qualified employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, who wish to continue their normal life pursuits, including work, to the extent allowed by their condition. JP Catholic University supports these endeavors as long as the employee is able to meet acceptable performance standards. As in the case of other disabilities, the University will make reasonable accommodations in accordance with legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs. Any employee medical information submitted regarding accommodations is treated confidentially.

Non-Discrimination and Harassment

JP Catholic University strives to provide all of its employees with an environment that is free of prohibited discrimination or harassment. JP Catholic University further strives to provide fair treatment to all employees and to create a sense of community, which facilitates their development.

All JP Catholic University employees have a right to work in an environment free from all forms of conduct, which can be considered harassing, coercive, or disruptive. Consistent with this philosophy, all employees of JP Catholic University are expected to treat others with dignity and respect.

It is the policy of JP Catholic University to prohibit discrimination or harassment against any employee or applicant for employment on the basis of race, color, age, sex, national origin, ancestry, citizenship, disability, veteran status as covered under the Vietnam Era Veteran Readjustment Assistance Act (VEVRAA), the Uniformed Services Employment and Re-employment Rights Act (USERRA) and any other appropriate legislation, and/or any other factor prohibited under federal or California law.

In addition, JP Catholic University will not tolerate any form of discrimination or harassment on any such basis by any persons who interact in the workplace, including fellow employees, supervisory employees, Officers of the University, members of the Board of Trustees, agents, or non-employees, such as individuals employed by

service and supply companies, and any other person dealt with in the workplace. Discrimination or harassment is strictly prohibited on University property, in all academic programs and extracurricular activities, and at University-sponsored events and activities, regardless of whether or not the event takes place on University property.

JP Catholic University takes these matters very seriously. Employees engaging in such acts will be subject to discipline up to and including dismissal. Students will be subject to discipline as outlined in the Student Handbook. Regarding other persons, the University will take action appropriate and necessary to prevent recurrence, which may include banning such persons from University property.

Harassment:

Prohibited harassment on the basis of sex, race, color, national origin, ancestry, age, disability, or any other legally protected status may include any verbal, written, graphic or physical conduct that interferes with the person's work or academic performance, has the purpose or effect of interfering with the person's status or participation in a University's course, program, or activity, is used as a basis for educational or employment decisions, or has the purpose or effect of creating an intimidating, hostile, or offensive working or learning environment. For purposes of applying this policy, sexual harassment includes conduct that is of a sexual nature or related to a person's gender and may include persons of the same or opposite gender.

An employee cannot assume that behavior that is not offensive to them is acceptable to others. Harassment is often defined by the person(s) receiving it. Inappropriate conduct may be harassment even if the individual did not intend to harass. The type of conduct, not the intent, is what is important.

While it is not possible to list all conduct or circumstances that can be considered prohibited harassment the following are some examples:

- Any intentional and knowingly unwelcome, unsolicited, and offensive conduct that tends to injure, degrade, disgrace, or show hostility toward a person because of a legally protected status;
- Implied or overt threats of physical violence, physical acts of aggression, threatening or intimidating conduct directed at another person because of any legally protected status;
- Demeaning jokes, taunting, racial slurs and derogatory names, innuendos or other negative or derogatory remarks relating to any legally protected status;
- Graffiti, slogans, markings, or visual displays, such as cartoons, drawings, posters or computer images, which depict slurs or derogatory sentiments or images;
- Unwelcome sexual advances, propositions, requests for sexual favors or other conduct of a sexual nature;
- References to sexual conduct, comments or inquiries about sexual activity or physical features;
- Physical interference with normal work or movement or unwelcome sexual touching;
- Criminal offenses directed at persons because of their legally protected status; and/or
- Promising or providing some favorable action or benefit if a person will submit to or tolerate prohibited harassing behavior (i.e. Quid pro Quo or "This for That").

If JP Catholic University determines that an employee has violated this policy, appropriate disciplinary action will be taken against the offending employee, up to and including dismissal from duties.

No Retaliation:

It is strictly against JP Catholic University policy to retaliate against anyone who reports or assists in making a good faith complaint of prohibited harassment or discrimination and/or who cooperates in any harassment or discrimination investigation.

Prohibited retaliation may include, but is not limited to, withholding pay increases, poor evaluations, onerous work assignments, demotion, discipline or dismissal. Irrespective of whether there is merit to the initial complaint of harassment or discrimination, retaliation is viewed as a major offense and will result in discipline up to and including dismissal from duties.

Other Inappropriate Conduct:

Conduct that does not constitute prohibited discrimination or harassment under the law or under any of the University's policies still may be inappropriate for the University environment or workplace. Even if the University determines an individual's behavior does not rise to the level of prohibited discrimination or harassment under this policy, the University may impose appropriate disciplinary action, up to and including separation of service.

As a general rule, disciplinary action will be imposed under this paragraph if the University believes the behavior or conduct was inappropriate, unprofessional, objectionable, inconsistent with reasonable rules of conduct, inconsistent with the spirit of the University's harassment-free and discrimination-free philosophy or policy, or is not in the best interest of the University or its students.

Reporting a Complaint:

It is an essential responsibility of every employee to bring discrimination or harassment problems to the attention of University administration in a prompt manner. Any person(s) who feels he/she has been a victim of, has witnessed, or otherwise become aware of discrimination or harassment prohibited by this policy is encouraged to report the matter immediately. A written complaint is preferred. Employee concerns should be reported to a supervisor, administrator, or Human Resource personnel in the University Business Office.

On receipt of a complaint, an investigation will be conducted and appropriate actions and corrective measures will be taken in accordance with applicable University disciplinary options. Please refer to

Complaint Procedures for Employment Matters in this manual for further information on how to report any suspected violations.

Investigation:

If discrimination or harassment is discovered or reported, JP Catholic University will investigate promptly and take immediate and appropriate action to stop the discrimination or harassment and deter its recurrence.

In determining whether alleged conduct constitutes a violation of this policy, the University will investigate the matter and consider all relevant factors, including but not necessarily limited to the surrounding circumstances, the nature, frequency, and severity of the behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of the policy requires a determination based on all of the facts and surrounding circumstances. Complaints of discrimination and harassment will be kept confidential to the maximum extent possible. All employees have a duty and are expected to cooperate in any investigations under this policy.

Confidentiality

Employees should treat all JP Catholic University records and information relating to the University or its students as confidential. Employees may be required to sign a Non-Disclosure Agreement as a condition of employment. Regardless of whether an employee signed a Non-Disclosure Agreement, every employee is responsible for protecting confidential and proprietary information. No JP Catholic University documents, whether in written or electronic form, may be removed from University premises, except in the ordinary course of performing duties on behalf of the University, without express permission from a Cabinet member. This includes, but is not limited to: (1) compensation data; (2) employee personnel or medical information; (3) strategic plans; (4) customer lists; (5) donor lists; (6) financial information; and (7) student files.

Additionally, the contents of JP Catholic University's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a legitimate University business purpose. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with an employee's direct supervisor and/or a Cabinet member before any information is disclosed. Please refer to **Privacy in Employment** in this manual for related information.

When an employee terminates employment from the University, the employee must return, on or before an employee's last day of work, all JP Catholic University related information, equipment, and property that the employee has in his/her possession, including without limitation, computers computer peripherals, documents, paper or electronic files, records, manuals, and any information stored on a personal computer or in any other electronic media. Please refer to **Separation of Service** in this manual for further information.

Family Educational Rights and Privacy Act (FERPA)

JP Catholic University is subject to the terms and obligations of the Family Educational Rights and Privacy Act (“FERPA”). Employees must maintain the confidentiality of all education records.

Under the terms of FERPA, JP Catholic University has established the following as “Directory Information” which may be released to those requesting it unless the student specifically submits written notification to the Registrar’s Office:

- Student’s Name
- Local Address/Phone
- Permanent Address/Phone
- E-mail Address
- Date and Place of Birth
- Hometown
- Degrees and Awards Received and Dates
- Dates of Attendance (Current and Past)
- Full or Part-time Enrollment Status
- Participation in Officially Recognized Sports
- Major Field of Study

All other information may not be released without written consent of the student. Grades, Social Security Numbers, Ethnicity, and Student Schedules may not be released to anyone other than the student, except to other employees in the ordinary course of performing his/her duties on behalf of the University—and NEVER over the phone. Students are given the opportunity to restrict Directory Information each year.

For the safety and privacy of our students, employees should never:

- Use the social security number or student ID number in a public posting of grades or any other information.
- Link the name of a student with that student’s social security number or student ID number in any public manner.
- Leave graded tests, papers, or other student materials for students to pick up in a stack that requires sorting through the papers of all students.
- Discuss the progress of any student with anyone other than the student or the student’s advisor without the written consent of the student. All inquiries from other parties should be referred to the Registrar’s Office.
- Provide anyone with student schedules or assist anyone other than University personnel in finding a student on campus. All inquiries from other parties should be referred to the Registrar’s Office.
- Provide anyone outside of the University with lists or files of student(s) information without express authorization from an Officer of the University.

For more information please refer to the **Student Handbook**. Further questions concerning FERPA may be referred to the Registrar’s Office.

Conflicts of Interest

The purpose of the conflict of interest policy is to protect JP Catholic University (a tax-exempt organization) interests when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or trustee or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Definitions

1. Interested Person

Any trustee, principal officer, or member of a committee with board of trustees delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a.** An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
- b.** A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
- c.** A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the board of trustees or committee decides that a conflict of interest exists.

Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the trustees and members of committees with board of trustees delegated powers considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the board of trustees or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

- a.** An interested person may make a presentation at the board of trustees or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b.** The chairperson of the board of trustees or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c.** After exercising due diligence, the board of trustees or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d.** If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the board of trustees or committee shall determine by a majority vote of the disinterested trustees whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

- a.** If the board of trustees or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b.** If, after hearing the member's response and after making further investigation as warranted by the circumstances, the board of trustees or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Records of Proceedings

The minutes of the board of trustees and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the board of trustees's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Compensation

- a. A voting member of the board of trustees who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- c. No voting member of the board of trustees or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Annual Statements

Each trustee, principal officer and member of a committee with board of trustees delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Periodic Reviews

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in impermissible private benefit or in an excess benefit transaction.

Business Ethics and Conduct

The successful operation and reputation of JP Catholic University is built upon principles of fair dealing and ethical conduct among our entire community. Employees should use professional judgment at all times when representing the University. Our reputation for integrity and excellence requires careful observance through a "culture of compliance" of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity. JP Catholic University will comply with all applicable laws and regulations and expects its trustees, officers, administrative staff, and faculty members to conduct business in

accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. The continued success of JP Catholic University is predicated upon an atmosphere of trust and we are dedicated to preserving that trust. Employees have a duty to JP Catholic University, its current and former students, alumni, friends and donors to act in a way that will merit the continued trust and confidence of those we are called to serve.

In general, the use of good judgment, based on high ethical principles, will guide employees with respect to lines of acceptable conduct. No employee shall, without full disclosure and approval by an Officer of the University, knowingly take any action that involves a potential conflict of interest, as described under **Conflicts of Interest**, or involves a mere appearance of impropriety. If a situation arises where it is difficult to determine the proper course of action, you should discuss it openly with your supervisor.

Compliance with this policy is the responsibility of every JP Catholic employee, including a duty to immediately report any suspected violations, please refer to **Complaint Procedures for Employment Matters** and **Complaint Procedures for Financial and Audit Matters** for further information.

Non-Disclosure

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

- Donor Lists
- Financial Information
- Marketing Strategies
- Pending Projects

Employees may be required to sign a confidentiality agreement as a condition of employment. Employees who improperly disclose confidential information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not benefit from the disclosure.

Compliance Procedures

Complaint Procedures for Employment Matters

JP Catholic University is committed to treating all employees with respect and fairness and every employee is responsible for respecting the rights of their co-workers. Because of that commitment and responsibility, each employee has the right and is encouraged to express concerns regarding any employment matter.

If any employee feels that he or she has experienced or witnessed unfair or unlawful treatment, job-related harassment, discrimination, retaliation, or any other suspected violation of University policies the incident(s) should be immediately reported to your direct supervisor or department chair. If you feel it would be inappropriate to discuss the incident with your direct supervisor or department chair, the incident (s) can be directly reported to any of the following: Supervisor, Officers of the University: Chief Financial Officer, Provost, Dean of Students, President, or the Chair of the Board of Trustees.

The individual to whom you make the report will ensure that the matter is promptly investigated and appropriate actions and corrective measures are taken in accordance with applicable University disciplinary options. Your complaint will be kept confidential to the maximum extent possible. You have a duty to promptly report improper conduct to allow the University to conduct a timely investigation and take appropriate corrective action.

All employees have a duty and are expected to cooperate in any resulting investigations. The University is committed to ensuring that individuals making good faith allegations and those participating in such investigations will not be subjected to retaliation.

Complaint Procedures for Financial and Audit Matters

Any employee of the University may submit a good faith complaint or concern regarding financial, accounting, or auditing matters to the Chief Financial Officer and/or President of the University without fear of retaliation. The University is committed to achieving compliance with all applicable financial and accounting standards, accounting controls and audit practices. The Finance and Audit Committee of the University's Board of Trustees will oversee treatment of any employee complaint or concern in this area.

In order to facilitate the reporting of employee complaints and concerns, the following procedures are established for the receipt, retention and treatment of complaints and concerns regarding accounting, internal accounting controls, or audit matters and the confidential treatment of such complaints and concerns submitted by employees.

Receipt of Employee Complaints and Concerns:

Employees with complaints and concerns regarding Financial and Audit Matters may submit a confidential report to the Chief Financial Officer and/or President of the University in person or via telephone, e-mail, or regular mail.

Employees with complaints and concerns regarding Financial and Audit Matters implicating the Chief Financial Officer or the President of the University may submit a confidential report directly to the chair of the Finance and Audit Committee of the University's Board of Trustees via telephone, e-mail or regular mail.

The University will not discharge, demote, suspend, threaten, harass or take any other adverse employment action against any employees in retaliation for the employee's good faith reporting of complaints and concerns regarding Financial and Audit Matters.

Scope of Financial and Audit Matters Covered by These Procedures:

These procedures relate to employee complaints and concerns relating to any questionable Financial and Audit Matters, including, without limitation, the following:

- Fraud or deliberate error in the preparation, evaluation, review or audit of any financial statements of the University;
- Fraud or deliberate error in the accounting and maintaining of financial records of the University;
- Deficiencies in or noncompliance with the University's internal accounting controls;
- Misrepresentation or false statements to or by a senior administrator regarding a matter contained in the financial records, financial reports or audit reports of the University;
- Deviation from full and fair reporting of the University's financial condition;
- Improper financial transactions, including kick backs or financial conflicts of interests;
- Violations of generally accepted financial aid practices as sanctioned by the Department of Education;
- Employee theft or misuse of University property or assets.

Resolution of Complaints:

Upon receipt of a complaint or concern, the Chief Financial Officer and/or President will determine whether the complaint or concern actually pertains to Financial and Audit Matters and when possible, acknowledge receipt of the complaint or concern to the sender.

Complaints or concerns relating to Financial and Audit Matters will be reviewed by the Chief Financial Officer, President, and the Finance and Audit Committee of the University's Board of Trustee or such other persons as the Finance and Audit Committee determine to be appropriate. Confidentiality will be maintained to the fullest extent possible, consistent with the need to conduct an adequate review.

Prompt and appropriate corrective action will be taken when and as warranted in the judgment of the Chief Financial Officer and/or the President, with input from the Finance and Audit Committee members.

The Chief Financial Officer or his/her designee will maintain a log of all complaints and concerns, tracking their receipt, investigation, and resolution and shall prepare periodic summary reports thereof for the Finance and Audit Committee.

Internal Investigations

JP Catholic University is committed to providing a working environment for all employees that is safe and in compliance with University policies and procedures. JP Catholic University is committed to an atmosphere of mutual trust and respect for privacy; however from time to time the University may be required to conduct

internal investigations pertaining to security, auditing, accounting or financial matters, work-related matters, or retrieval of University property.

Therefore, the University reserves the right, at its discretion, to conduct searches of University premises and equipment including, but not limited to: employee work areas, personal belongings, desks, lockers, containers, parcels, packages, unattended articles on University property, and personal vehicles located on University premises at any time when there is a reasonable suspicion of a violation of University policy or applicable law and/or regulation. Audio recordings and video surveillance may be used in conjunction with the enforcement of this policy.

An effort will be made to conduct the search in as unobtrusive manner as possible and in a nondiscriminatory manner. Employees have a duty to cooperate and assist with the investigation if requested to do so. Any employee who fails to fully cooperate with such a search will be subject to disciplinary action, up to and including separation of service.

Outside and Dual Employment

JP Catholic University respects the right of each employee to seek outside employment. However, employees must continue to meet the performance standards of their job with JP Catholic University. All employees will be judged by the performance standards for their positions and will be subject to JP Catholic University's scheduling demands, regardless of any existing outside work requirements. In times of scheduling conflicts your position with JP Catholic University carries primary consideration.

If an employee's outside work interferes with job performance or the ability to meet the essential functions and requirements of one's job at the University, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with JP Catholic University.

Outside employment that constitutes a conflict of interest is absolutely prohibited. Employees may not receive any income or material gain from individuals, entities, or business enterprises outside JP Catholic University for materials produced or services rendered while performing one's job duties for the University. See also **Employee Use of Campus Facilities** in the Operating Policies and Procedures Manual for related information.

Workplace Behaviors

Professional Appearance

JP Catholic University expects employees to maintain professional dress and appearance that reflects the high standards of a respected institute of higher education. Responsible grooming and appropriate standards of personal cleanliness directly affect the overall image JP Catholic University presents to anyone visiting our campus community and also contributes to the morale of fellow employees. The University is confident each employee can and will use his/her best judgment in following acceptable cleanliness, dress and appearance standards, and employees are encouraged to consult with their supervisor if questions arise.

Some offices and/or departments may be allowed more casual or more formal atmospheres based on job duties and the extent of contact with outside visitors. Each division head is free to implement more restrictive guidelines in his/her department(s) than the general guidelines described herein. General guidelines include, but are not limited to the following:

Safety and health regulations are factors to be considered when determining the appropriateness of an employee's dress including accessories such as, but not limited to, jewelry, head coverings and footwear.

If an employee is requested by their supervisor to return home to change into acceptable attire or to attend to appearance issues, then the employee will not be paid for the time away from the workplace.

Employees who choose to wear fragrances in the workplace are highly encouraged to be aware of the sensitivities or allergies of their co-workers. Many individuals are allergic to cosmetics, perfumes and lotions. Moderation of fragrances is encouraged in all work areas.

Inter-Office Relationships

JP Catholic University recognizes that consensual relationships may develop between employees from time to time. Although such consensual relationships are a matter of personal choice and privacy between the employees involved, JP Catholic University cannot tolerate any adverse effects that such relationships may have in the living/learning/working environment of the University and will impose appropriate disciplinary action if such adverse effects exist.

Anyone who engages in a sexual relationship with a person over whom he or she has any power or authority within the University structure must understand that the validity of the consent may be questioned. The disparity of power between persons involved in such relationships, whether between a teacher and student, supervisor and subordinate, or senior and junior colleagues in the same department or unit, makes these relationships susceptible to exploitation. Those who abuse their power in such a context violate their duty to the University community.

Therefore, any such relationship will be considered to have an adverse effect in the living/learning/working environment of the University if any one or more of the following have occurred:

- The employees involved have a direct, indirect or dotted-line reporting or supervisory relationship;
- It unreasonably interferes with or materially and/or adversely affects either of the employee's work performance, objectivity, judgment, professionalism, business reputation or ability to conduct him/herself in an appropriate manner while at work;
- It unreasonably interferes with or materially and/or adversely affects the working environment of other employees;
- It results in sexual harassment or unfair treatment, please refer to **Non-Discrimination and Harassment** in this manual for more information;
- It involves any student of the University, please also refer to the **Faculty Handbook** and **Student Handbook**.

Personal Calls and Personal Mail

It is important for the efficient operation of the University and the welfare of our employees and students that telephone lines are kept open for University use. Therefore, personal telephone calls should be kept to a minimum. To make the best use of employee's work time, family members and friends should not telephone employees routinely while the employee is working. Personal long distance calls should be limited to only those necessary in an emergency situation; employees may be required to reimburse the University for personal long distance calls charged to the University.

The University's mail services department is charged with processing official University mail and parcels. Employees should have personal mail and parcels delivered to their home address not to work areas. As a service to the University community, the mail services department will process outgoing personal mail of employees if proper postage is affixed. Please refer to **Mail Services** in the Benefits and Privileges Manual for more information.

Smoking and Tobacco Product Use

This policy applies equally to all employees, board members, students, volunteers, vendors, contractors, and visitors. JP Catholic University is committed to providing a safe and healthy living/learning/working environment. The University further recognizes that environmental tobacco smoke has been classified as a potential carcinogen. In light of these health risks, and in support of a safe and healthy living/learning/working environment, the following restrictions shall be placed:

- Smoking, chewing or any other use of any tobacco product is prohibited inside all campus buildings, and vehicles.
- Smoking is permitted only in the parking lots, streets, and drives of campus buildings and property(s) (that is, not on sidewalks, walkways or any green-space unless authorized signage provides for a smoking area).
- Further, smoking is prohibited within 25 feet of any entrance, operable window, ventilation vent, or air intake unit of any building, including outside stairways or passageways to entrances and stairways.
- Smoking and tobacco product materials must be extinguished and disposed of properly. Improper disposal includes but is not limited to:
 - a. Spitting smokeless tobacco products on or around University property,

- b. Littering (i.e. discarded cigarette butts, throwing cigarette butts out of windows, leaving spit containers behind),
 - c. Anything that creates a fire or explosion hazard or possibly can damage sensitive equipment.
- Employees are not authorized to voluntarily break for smoking and tobacco use unless one's supervisor approves the time away from work. Please refer to **Break Periods** in this manual for further details.
 - Where the needs of smokers and nonsmokers conflict, the need to breathe smoke-free air shall have priority.

For purposes of this policy:

Tobacco products shall include: cigarettes, cigars, pipe tobacco, snuff, chewing and/or smokeless tobacco and all other kinds and forms of tobacco or other product prepared or packaged in such a manner as to be suitable for tobacco use.

Use shall mean: lighting, chewing, inhaling or smoking any tobacco product.

Campus buildings and/or University Property shall mean all property owned, leased, rented or otherwise used by JP Catholic University including but not limited to all interior portions or enclosed area of any building or other structure(s) used for instruction, classrooms, laboratories, administration, support services, maintenance or storage, and includes all campus vehicles. Smoking is specifically prohibited inside common areas such as lobbies, lounges, waiting areas, elevators, stairwells, and restrooms.

The ***no smoking policy for residential living*** is governed by the Dean of Students Office. Please refer to the **Student Handbook** for further information.

The ***sale of tobacco products or tobacco related merchandise*** is prohibited on University property including free distribution of tobacco products.

- ***Sponsorship of campus events*** by organizations that promote tobacco use is prohibited.
- ***Advertisement of tobacco products*** at campus events or in University publications is prohibited regardless of the type of direct or indirect sponsorship.

Alcohol Use

On selected social occasions involving University employees, board members and guests, limited use of alcoholic beverages will be permitted with the approval of the President, Provost, CFO or Dean of Students. The use of alcohol during working hours except for the selected occasions is strictly forbidden. Employees are asked not to carry alcoholic beverages across campus from one building to another or into common areas or hallways.

The **Student Handbook** prohibits the use of alcohol on campus, except at events or in locations designated by the University. No open alcoholic beverage containers are permitted on campus grounds, except in designated areas.

Expenditures for the use of alcoholic beverages in any form are normally considered to be personal expenditures and are not to be charged against any University budget without approval and justification of the CFO. Please refer to **Reimbursement of University-paid Expenditures** in for further information.

Drug-Free Workplace

The Drug-Free Workplace Act of 1988 statute requires all grantees receiving grants from any federal agency to certify to the agency that they will maintain a drug-free workplace. For purposes of the Act, allocations under programs such as Perkins Loans, University Work Study and Supplemental Educational Opportunity Grant (SEOG) Program are deemed to be "grants"; and institutions receiving these allocations are deemed to be "grantees". This Act directly affects the federal allocations for JP Catholic University. To comply with the Drug-

Free Workplace Act, JP Catholic University must periodically certify that it will provide a drug-free workplace and must notify its employees of that fact.

This policy then serves to notify all employees that JP Catholic University is committed to providing a safe, efficient, productive, and drug-free work environment. In keeping with this commitment, the University strongly maintains that the effect of drug and alcohol dependency on safety, work quality, increased medical expenses, and lost productivity requires this and other policies regarding the inappropriate use and possession of drugs and alcohol.

Employees who have work activities that are funded by federal grants are required by the government to notify the University of any criminal drug statute violations occurring in the workplace no later than five (5) days after such conviction. The University in turn must take appropriate disciplinary action to remedy the offense and notify the federal government of any conviction within ten (10) days of receipt of such information.

Substance Abuse

The use, manufacture, possession, sale, transfer, offering or furnishing of illegal drugs or illegal use of other controlled substances, as defined under state and federal law, while on duty is prohibited. Reporting for work, returning to work, being or remaining at work while under the influence of alcohol, illegal or un-prescribed drugs or any other controlled substance, or being incapable of safely and/or efficiently performing the job because of drug or alcohol use is prohibited. Employees are prohibited from reporting or returning to work if they may test positive with detectable limits for any illegal or un-prescribed controlled substance. Employees whose behavior is suspicious or who appear to be under the influence may be asked to leave University property and may further be required to submit to a drug and/or alcohol screen before being allowed to return to work. Please refer to **Drug and Alcohol Screening** in this manual for further information.

Workplace Safety

JP Catholic University firmly believes the foundation for a successful safety program requires the constant cooperation and input from the entire University community.

The entire University community is best served if each of us employs preventative attention to any hazards in our daily work, consistently uses safe work practices, and immediately reports any unsafe or hazardous conditions. All employees should review and become familiar with the University's emergency preparedness plan. Please also refer to **Emergency Closings** and **Emergency Contact Network** in this manual for further information.

Damaged or tampered safety equipment such as fire extinguishers and hoses, smoke alarms, exit signs and lights, and blocked doors or exits presents a serious danger to the lives and health of the campus community. Please report these instances immediately to the Business/Operations Department.

We encourage every employee to be vigilant to help keep JP Catholic University a safe learning/living/working environment.

Workplace Injuries

The University makes a concerted effort in the planning, management and performance of all operations to prevent accidents and to provide a safe and healthy work environment.

The state workers' compensation law covers JP Catholic University employees. It is mandatory that all injuries and accidents occurring on the job, regardless of how minor, must be reported immediately to your supervisor who will arrange for proper medical care and complete the injury report forms required by State of California regulations.

Should you sustain an injury, experience an accident, or become ill while performing your job, or while on campus for any reason, and your supervisor is not available to immediately assist you, please feel free to contact the University Business Office. Please also refer to **What if an Employee gets Sick or Injured on the Job** in this manual for related information.

The University reserves the right to select a treating physician for all injuries and accidents occurring on the job (The provider list is included below.); however, employees are free to seek the medical opinion of their personal physician. Employees not wishing to receive medical treatment from a University selected physician may

become responsible for the medical expense associated with the injury. Employees are encouraged to contact the University Business Office with questions and for further information.

If an employee is unable to return to work due to a work-related injury/illness, a physician will be required to provide a certificate of fitness stating that the employee is unable to work. The employee should provide his/her supervisor with the certificate as soon as possible. In addition, the employee should immediately notify the University Business Office to discuss payments under the University's workers' compensation coverage, continuation of benefits, and time-off benefits.

If it is determined that the employee was under the influence of drugs and/or alcohol at the time a work-related injury occurred and if the cause of the accident was directly related to the use of drugs and/or alcohol, the employee may not be eligible to receive workers' compensation benefits. Further, if an employee willfully fails to use a required safety device, the employee's workers' compensation benefits may be reduced or determined to be non-compensable. Please contact the University Business Office with any specific questions.

Blood Borne Pathogen Standards

The Occupational Safety and Health Administration (OSHA) has issued standards to protect workers from blood borne pathogens, which are microorganisms in human blood that can cause disease in humans. They include the hepatitis B virus (HBV) and the human immunodeficiency virus (HIV), which causes AIDS.

The standards mandate engineering controls, work practices, and personal protective equipment that, coupled with employee training will reduce on-the-job risks for all employees exposed to blood and other body fluids; all body fluids must be viewed as infectious. The standards also require employers to offer, at their expense, voluntary hepatitis B vaccinations to all employees that are deemed by a physician to have a high risk of exposure. The University must maintain a record of these vaccinations, training, and any exposure. The University Business Office keeps these records.

Workplace Violence and Threats Prevention

JP Catholic University intends to provide a work environment that is safe and free from all forms of conduct, which can be considered hostile, harassing, coercive, or disruptive. Therefore, the possession of weapons and/or other dangerous unauthorized materials such as knives, firearms, explosives, and other items that could be used with the intent of injuring another person is prohibited on University premises, including University parking lots and vehicles parked adjacent to University premises.

Employees are urged to report any suspicious individuals, activities, weapons, or other dangerous and unauthorized materials in the workplace to your supervisor, Supervisor, or any member of the President's Cabinet so that University administration will be aware of the situation and may conduct an immediate investigation. Confidentiality will be maintained, wherever practical.

Additionally, threats to harm others or destroy University property will not be tolerated whether they are made in person, by mail, over the phone, on computer systems or any other form of technology or means of communication. JP Catholic University owns the telephone, computer, electronic-mail and voice-mail systems, including all hardware and software; all messages that are created, transmitted, stored, or received using these systems remain the property and records of the University. The University reserves the right to review, access, and disclose all messages created, received, stored, or sent using the University's system(s) when there is a reasonable suspicion of a violation of University policy or applicable law and/or regulation.

NOTICE TO ALL EMPLOYEES

Please call the following toll-free number to receive a list of healthcare providers in your geographic area: 1-877-536-2872.

If you become injured on the job, take the following steps:

- **Notify a member of Management of your injury immediately.**
- **If you feel that you need medical attention, the providers listed are available for treatment.**
- **Please call the provider to schedule an appointment.**
- **For urgent care needs OR after clinic hours, you may seek treatment from the hospital Emergency Department listed OR the nearest qualified facility or provider.**

To Report A New Claim,
Please Call (800) 441-5338

**John Paul The Great Catholic Uni
10174 Old Grove Rd Ste 200
San Diego, CA 92131**

US Healthworks Medical Group of CA
5575 Ruffin Rd Ste 100
San Diego, CA 92123
(323) 277-2744
Approx. Distance: 5.5 miles(s)
Urgent Care Center

US Healthworks Medical Group of CA
7590 Miramar Rd Ste C
San Diego, CA 92126
(858) 549-4255
Approx. Distance: 3.6 miles(s)
Urgent Care Center

Scripps Memorial Hospital-La Jolla
9888 Genesee Ave
La Jolla, CA 92037
(858) 457-4123
Approx. Distance: 7.6 miles(s)
Acute Care Hospital

GENERAL EMPLOYMENT POLICIES

Hours of Work

The University maintains a regular schedule of office hours for the academic year and the summer season that all employees are expected to follow. In general, hours of operation for administrative offices are 8 a.m. to 5 p.m. Monday through Friday; however, work schedules for some jobs and positions vary throughout the University. Staffing needs, special events, and other service and operational demands may necessitate variations in start and end times, as well as variations in the total hours that may be scheduled each day or workweek. Supervisors will advise employees about required work schedules.

Emergency Closings

Employees should expect and plan that all classes and meetings will be held as regularly scheduled throughout the year. At times, emergencies such as severe weather or wild fires can disrupt University operations. Circumstances may require closing the University. In the event that such an emergency occurs outside regular working hours, you will be notified by University administration concerning expectations to report to work or whether an absence may be appropriate. However, employees are expected to observe local conditions to determine if they can safely reach campus or their work destination and provide appropriate notification to their supervisor if they cannot report to work on time.

In the event of full campus closure, the President, Dean of Students or the Chief Financial Officer will notify the campus community of the cancellation of classes and the closing of offices, as described below in **Emergency Contact Network**, by phone, email or other electronic communication when possible, by voice messages on main campus phone lines. However in the absence of notification, attendance should be confirmed with your immediate supervisor, as in cases where an emergency closing is not authorized, employees will not be paid for the time-off if they fail to report for work or fail to confirm the absence with their supervisor or University administration.

When University operations are officially closed due to emergency conditions, the time-off from scheduled work may or may not be paid as determined by the officers of the university after careful consideration of the circumstances surrounding the closure. If an eligible administrative employee is unable to work, comes in late, or leaves early on a day the University is open during an emergency, he/she can make up the time in that workweek or use vacation time, or time without pay.

Employees in essential positions may be required to work when campus operations are officially closed.

Emergency Contact Network

In the event that an emergency situation has disrupted University operations to the extent that an area of campus or the entire University may be closed, then the following network contact list should be used to inform the members of the University community.

The President, Provost or the CFO will call or otherwise make contact with the Network Contacts listed below. Each Network Contact is expected to have an up-to-date call tree and contact list.	Primary Responsibilities
Marketing/Student Recruitment Office	Compose and send emails, contact the area media, and provide updates throughout the day
Head of each Academic Department	Contact the faculty members in their department
Resident Director	Contact all students in campus residence facilities

Employment Categories

For purposes of salary and benefits administration, jobs at JP Catholic University are categorized as either “exempt” or “non-exempt” under regulations established by the federal Fair Labor Standards Act (“FLSA”). FLSA establishes minimum wage and salary guidelines that determine whether or not a job is entitled to overtime compensation.

Non-exempt positions

Non-exempt positions are subject to guidelines under FLSA and receive pay, at not less than minimum wage, calculated on an hourly basis. These positions are required to maintain a record of time worked, and are entitled to overtime pay at 1½ times the regular hourly rate for all hours worked beyond forty (40) hours in a work week.

Exempt positions

Exempt positions are those employees defined under FLSA as either executive, administrative, professional or outside sales. These employees are normally considered exempt from the minimum wage and overtime requirements set forth in FLSA guidelines, provided they meet certain tests regarding job duties and responsibilities and are compensated on a salary basis. Exempt employees are expected to give full attention to their job responsibilities. These responsibilities may upon occasion extend beyond stated office hours or weekly schedule with no additional compensation to be expected or given.

An exempt administrative employee under normal conditions will not receive any additional compensation for any special services, such as teaching or coaching, if those activities occur within the normal working day unless covered by an appointment letter. Compensation may be given for services for the University outside of normal responsibilities with the approval of the President or Chief Financial Officer. Please refer to **Wage and Salary Administration** in this manual for related information.

Deductions from an exempt employee’s salary are permissible and may be made under certain limited circumstances, including, but not limited to deductions under a bona fide sick or disability plan, when an exempt employee is absent from work for one (1) or more full days for personal reasons other than sick or disability, unpaid disciplinary suspensions of one (1) or more full day imposed in good faith for workplace conduct or policy infractions. The University is not required to pay the full salary when an exempt employee takes unpaid leave under the Family and Medical Leave Act (FLMA). Please refer to **Tax Withholding and Paycheck Deductions** in this manual for further information.

Additional categorizations are considered in eligibility for benefits and include the categories of full time, ¾ time, half-time and less than half-time:

- Full time for non-exempt positions is considered to be at least 40 hours per week,
- ¾ time for non-exempt positions is considered to be 32 to 39 hours per week,
- Half-time for non-exempt positions is considered to be 20 to 31 hours per week,
- Less than half-time for non-exempt positions is considered to be less than 20 hours per week.

Full time, ¾ time, half-time and less than half-time designations as they relate to exempt positions are not as specifically related to hours worked per week but rather more generally measured against job responsibilities and the duration of those job responsibilities in a given fiscal year; 12-month, 10-month and 9-month are all common job responsibility durations for exempt administrative staff.

Specific categorization of full or part-time, non-exempt or exempt, etc. will be communicated to employees at the time of hire. Please refer specific questions regarding job categories to personnel in the University Business Office.

Tax Withholding and Paycheck Deductions

The University is required to withhold tax and to report taxable income according to the requirements of federal, state, and local government agencies and the Social Security Administration. All employees are required to complete proper tax information forms prior to inclusion in the payroll system. Revised tax forms are required

whenever the employee's tax status, geographical location of employment or number of allowable exemptions changes. Please refer to **Change of Address and Other Personal Information** in this manual for further information. Forms are available from the Payroll and Benefits Coordinator in the University Business Office. Current and year-to-date tax and voluntary deductions totals are shown on employee's pay-stubs. Calendar year totals are provided on Form W-2 in January of the subsequent year. Please refer specific questions regarding tax withholding and paycheck deductions to the University Business Office.

Employees may elect to have voluntary deductions from their paycheck for many purposes including, but not limited to, health insurance contributions and retirement plan contributions. The University prohibits any improper deductions from employee paychecks. The Fair Labor Standards Act (FLSA) provides a safe harbor for an employer who: (a) has a communicated policy prohibiting improper deductions, including a complaint mechanism, (b) reimburse employees for improper deductions, and (c) make a good faith commitment to comply in the future. Please refer to **Complaint Procedures for Employment Matters** and **Pay Corrections**, both in this manual, for further information.

Attendance and Punctuality

JP Catholic University expects employees to conform to required office hours under normal circumstances and to provide information on where they may be reached when absent from campus. Employees are also expected to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness places an undue burden on other employees and severely affects the University's ability to provide quality service.

In instances when employees cannot avoid being tardy or absent, they must notify their supervisor or designee at least thirty (30) minutes in advance of the anticipated tardiness or absence or by a designated time as directed by the supervisor. Good attendance is a required job standard for all positions, an important part of performance reviews, and critical when considering employees for promotions, pay adjustments, and transfers. In general, unplanned absences or instances of tardiness of more than three (3) occurrences a year is considered excessive. However, Supervisors are free to set more stringent requirements than these general guidelines, and requirements may vary by job and/or position. Employees are encouraged to discuss specific requirements with their supervisor.

The University recognizes illnesses, injuries and unexpected emergencies may occur and have established sick leave and disability benefits to help compensate eligible employees for time lost due to medical reasons; accrued vacation time are also available to use for pre-approved absences and as authorized by your supervisor, please refer to the **Time-off Benefits** section in this manual for details. No time-off benefits will be paid for unauthorized time-off.

If an employee works in more than one division or department, the employee must abide by the guidelines of each department or division. Failure to abide by the guidelines set forth by each department and/or division may subject the employee to corrective counseling. Corrective counseling action from any one department or division may negatively affect the employee's eligibility and standing with other departments or divisions of the University.

Timekeeping

Federal and state laws require JP Catholic University to keep an accurate record of time worked in order to calculate employee pay and benefits. The University is required to pay for all authorized hours worked and for all hours worked by which the University has accepted the benefit of employee's work. Time records will be kept as a permanent record of time worked. Storage of time records and attendance deductions are under the supervision of the University Business Office. Please note: falsification or fraudulent alteration of time records is a serious breach of conduct.

Administrative employees in non-exempt positions are required to accurately complete time records daily. Employees must accurately record hours worked and leave time taken. Employees must not ask or allow fellow employees to mark or clock-in their time records. Time cards must be completed and signed by the employee as well as authorized by the supervisor prior to submission for payroll processing.

Administrative employees in exempt positions must notify the Payroll and Benefits Coordinator in the Business Office monthly of absences requiring a deduction of accrued vacation or sick leave, or for any leave of

absence. It is the individual employee's responsibility to ensure all time-off is approved by their direct supervisor and submitted in writing to the University Business Office.

Overtime and Extra Hours of Work

When operating requirements or other needs cannot be met during regular working hours, non-faculty employees may be scheduled to work extra hours. When possible, advance notification of these mandatory assignments will be provided. Work assignments outside normal work hours will be distributed and assigned at the discretion of Supervisors.

No additional compensation is to be expected or given when responsibilities extend beyond stated office hours or weekly schedules for exempt employees.

As required by California wage and hour restrictions, overtime compensation is paid to all non-exempt employees for time worked in excess of forty (40) hours within a workweek or eight (8) hours worked in a day. All extra hours of work for non-exempt employees must receive the supervisor's prior authorization. Non-exempt employees who work more than forty (40) hours in a workweek or eight (8) hours cannot waive their right to overtime pay. Time-off work for holiday, sick leave, vacation leave, or any unpaid leave of absence is not considered time worked in the calculation of overtime pay. Overtime pay will be paid to non-exempt employees at 1½ times the regular hourly rate of pay. The workweek for calculating overtime pay is 12:01 a.m. Sunday to Midnight Saturday.

Compensatory time-off will not be allowed except in circumstances where the time-off can be taken or exchanged during the same workweek and has been pre-approved by the supervisor. Please refer any specific questions to the University Business Office.

Break Periods

In California, the [Industrial Welfare Commission Wage Orders](#) require that employers must authorize and permit non-exempt employees to take a rest period that must, insofar as practicable, be taken in the middle of each work period. The rest period is based on the total hours worked daily and must be at the minimum rate of a net ten consecutive minutes for each four hour work period, or major fraction thereof. The Division of Labor Standards Enforcement (DLSE) considers anything more than two hours to be a "major fraction" of four." A rest period is not required for employees whose total daily work time is less than three and one-half hours. The rest period is counted as time worked and therefore, the employer must pay for such periods. Since employees are paid for their rest periods, they can be required to remain on the employer's premises during such periods.

Meal Periods

In California, an employer may not employ an employee for a work period of more than five hours per day without providing the employee with a meal period of not less than thirty minutes, except that if the total work period per day of the employee is no more than six hours. The meal period, however, may be waived by mutual consent of both the employer and employee. A second meal period of not less than thirty minutes is required if an employee works more than ten hours per day, except that if the total hours worked is no more than 12 hours, the second meal period may be waived by mutual consent of the employer and employee only if the first meal period was not waived.

Assuming the employee is relieved of all duty during his or her thirty minute meal period, the meal period shall be considered an "off duty" meal period that is not counted as [hours worked](#). An "on duty" meal period shall be permitted only when the nature of the work prevents an employee from being relieved of all duty and when by written agreement between the employer and employee an on-the-job paid meal period is agreed to.

All offices are to remain open over lunch periods. Supervisors will schedule the time and length of meal periods to accommodate department operating and service requirements.

Change of Address and Other Personal Information

It is very important that employees advise the University Business Office of any changes of name, marital status, address, W-4 elections, emergency contact information, home and cell telephone number and/or dependents so that you continue to receive important mailings and information and do not risk loss of benefit coverage(s). It is the responsibility of the employee to notify the University, submit any changes to this information, and complete appropriate forms available in the University Business Office.

Pay Advances

It is the policy of JP Catholic to prohibit pay advances to employees at any time and/or for any reason.

Paydays

Non-exempt and Exempt employees are paid monthly on the last working day of the month. For non-exempt employees their paychecks will include the ending half of the previous month and the beginning half of the current month. For exempt employees, each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. Copies of pay schedules are available from the University Business Office.

Paychecks

The Registrar handles distribution of paychecks and pay stubs. During an employee's vacation or any absence from work, the paycheck or pay stub distribution will be handled in the usual manner unless the employee notifies University Business Office that he/she would like special distribution during the period of absence; this includes employees away for any extended leave periods.

Direct Deposit

The University encourages all employees to take advantage of direct deposit. This is a safe, efficient and cost-effective method to have your pay immediately available to you on payday whether or not you are on campus for any pay date. Direct deposit bank information must be provided to the University Business Office at least five (5) days prior to a payday in order to be effective with the next pay date. Employees using direct deposit will receive an itemized statement of wages in the same distribution method as paychecks.

Pay Corrections

JP Catholic University takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the event there is an error in the amount of pay or deductions, the employee should promptly bring the discrepancy to the attention of the University Business Office. Errors will be verified with the supervisor. If errors are discovered after completion of the payroll processing timeline, corrections will be made as soon as possible but no later than on the next regularly scheduled pay date.

FEDERAL EMPLOYMENT LAW

Federal Consolidated Omnibus Budget Reconciliation Act (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue benefit coverage under the employer's medical plans, dental plans, vision plan, and flexible spending accounts when a "qualifying event" would normally result in the loss of eligibility.

Qualifying Events

Following are common examples of qualifying events:

- Termination of employment
- Death of the employee
- Reduction in work hours
- Divorce
- Retirement (if not eligible for retiree medical insurance)
- Loss of eligibility by a dependent child

Length of Coverage

Coverage may continue for differing lengths of time depending upon the reason for eligibility. The time limitations are:

- Up to 18 months if loss of coverage is due to termination of employment or reduction in work hours
- Up to 36 months for dependents if loss of coverage is due to death, divorce, or a dependent child's loss of eligibility
- Up to 29 months if the individual is disabled at the time of eligibility for continued coverage or is disabled within 60 days of eligibility for continued coverage

Cost of Coverage

Under extended coverage, the eligible individual pays full cost of coverage at the employer's group rate plus an administrative fee of two (2) percent.

Termination of Continued Coverage

Continued coverage may terminate if:

- The individual becomes covered by another group plan (including Medicare),
- The individual fails to pay the required premium within the established grace period, or
- The employer no longer offers the plan(s) to its active employees.

Employee Responsibility

The University makes every effort to comply with the guidelines regarding an employee's and qualified dependent's rights under COBRA. Under certain circumstances such as divorce and dependent eligibility, it is the employee's responsibility to advise the University Business Office so the extended coverage may be offered to the employee's dependents.

Notification of Employee COBRA Rights

Upon initial enrollment in the plan, the employee receives the "Initial Notification of COBRA Rights" so that they and their dependent(s) are aware of their continuation rights.

Notifying Human Resources of a Qualifying Event

When an employee experiences a qualifying event as described above in this policy, notification must be provided as soon as possible to the Business Office as follows:

Employee

Notify the Business Office immediately when:

- a divorce is final
- a dependent child no longer meets age and/or dependency eligibility requirements as outlined in each specific plan

Supervisor

Notify the Business Office of the following events within the timeframe noted:

Event	Necessary Document	Timeframe
Termination, death, retirement	Termination Form	Immediately
Reduction of hours	Employee Status Form	Immediately

Upon notification of the qualifying event, the University Business Office will initiate the appropriate correspondence within 14 days to the employee and/or the qualified dependent providing pertinent information on application procedures and time limitations for continuation of coverage.

Health Insurance Portability and Accountability Act (HIPAA)

The Health Insurance Portability and Accountability Act (“HIPAA”) was established in part to assist employees in the transition to a new health plan. Further, Privacy Rules under HIPAA provides the first comprehensive federal standards to protect an individual’s Personal Health Information (PHI) in any form – electronic, written or oral. As a general rule, protected Personal Health Information (PHI) cannot be disclosed to third parties without authorization. This regulation is designed to prevent possible discrimination in employment or health insurance coverage due to the increased use of electronic transactions of employee’s or patient medical information, and the need for limited access to these records. JP Catholic University is dedicated to adherence to regulations and standards under HIPAA

Employees automatically receive certificates of creditable coverage from the insurance carrier at points designated under the regulations: Loss of Coverage or Continuing Coverage Termination for up to twenty-four (24) months following Loss of Coverage as requested.

FACILITIES AND TECHNOLOGY

Acceptable Use of University Property and Equipment

JP Catholic University provides equipment and property to facilitate employees fulfilling their responsibilities, but the equipment and property remains the sole property of the University. Employees should use University property and equipment for University business only.

Each employee is expected to take proper care of any furniture, equipment, tools, vehicles, and any other University property assigned to him/her. It is important that any damaged, broken, lost or stolen University property be immediately reported to one's supervisor so that repairs or any other necessary action may be taken.

University property and equipment should not be used in a manner that is disruptive or offensive to others, in ways that could be harmful to workplace morale, or in any way that could harass, disparage, degrade, injure or frighten others.

The use of property and equipment in violation of the University's **Non-Discrimination and Harassment** policy and/or **Workplace Violence and Threats Prevention** policy is prohibited.

The University reserves its right to monitor all technology systems to ensure compliance with policies.

University property and equipment may not be temporarily removed from University premises without authorization. Permanent removal requires the prior approval from the Chief Financial Officer.

Laptops and related mobile technology may be issued to certain employees as a working condition benefit. Such equipment must be carefully secured at all times to assure security of stored information. Employees are held accountable to protect such equipment from loss, damage or theft.

When an employee terminates employment from the University, the employee must return, on or before an employee's last day of work, all JP Catholic University related information, furniture, equipment, and property that the employee has in his/her possession, including without limitation: tools, computers, computer peripherals, documents, files, records, manuals, keys, access cards, and any information stored on a personal computer or in any other electronic media that the employee has in his/her possession.

Employees may be held responsible for all damage that is beyond the expected normal wear of equipment and furnishings.

Electronic-mail and Voice-mail Usage

JP Catholic University owns the telephone, electronic mail and voice-mail systems, hardware and software; all messages that are created, transmitted, stored, or received using the system remain the property and records of the University. The University reserves the right to review, access, and disclose all messages created, received, stored, or sent using the University's system(s) when there is a reasonable suspicion of a violation of University policy or applicable law and/or regulation. Please note that e-mail and voice-mail records are subject to disclosure to law enforcement, or government officials or to third parties through subpoena or other legal processes.

Incoming e-mail must be treated with the utmost care due to its inherent security risks. E-mail with file attachments should not be opened unless such attachments have been scanned for possible viruses or other malicious code. E-mails received from unknown senders should be deleted without being opened.

E-mail and voice-mail messages should only be accessed and retrieved by the intended recipient unless prior permission is obtained. Additionally, employees must ensure that information forwarded by e-mail, especially those e-mails with attachments, is correctly addressed and only sent to intended recipients. Due to the chance that messages may get forwarded improperly or opened by an unintended party, no employee should send highly confidential materials or messages over these systems. The use of passwords does not guarantee confidentiality.

Transmission or reception of any material in violation of any law, governmental regulation, or University policy is prohibited. This includes, but is not limited to copyrighted material or material protected as a trade secret. Employees may not use the e-mail or voice-mail system in ways that are disruptive or offensive to others, or harmful to workplace morale. There should be no display or transmission of sexually explicit images, messages,

or cartoons. The University also prohibits any transmission or use of e-mail or voice-mail communications containing ethnic slurs, racial epithets, or other content that can be construed as harassing or disparaging or in any way a violation of the University's **Non-Discrimination and Harassment** policy and/or **Workplace Violence and Threats Prevention** policy.

Employees should retrieve their messages and regularly purge their e-mail and voice-mail messages to enable the system to operate properly.

Cell Phone Usage

JP Catholic University provides cell phone equipment and services to administrators and staff as University business needs dictate. The University-provided cell phone services is intended solely for the business needs of the University, but is not intended to replace regular University telephone service.

Cell phones must be used responsibly and safely in the course of employee's work activities. The University encourages all employees to exercise discretion in answering or talking on a cell phone in the course of your job duties. Please use your cell phone responsibly.

California law states that a person cannot talk on a cell phone without a hands-free device while driving. JP Catholic requires that their employees follow the law.

Personal and University-provided cell phones should not be used in a manner that is disruptive to other employees, clients, guests and visitors. Employees should attempt to keep their personal and University-provided cell phones on vibrate or silent mode while in the office.

JP Catholic University cannot and does not imply, extend, or guarantee any right to privacy for voice calls and electronic communications placed over University-provided cell phones, including but not limited to call detail records, logs, voice mail messages, data storage, text messages, e-mails, and address books. Employees are reminded and cautioned that call detail records generated from assigned cell phones are considered business records of the University. The Internal Revenue Service considers personal use of a business-provided cell phone as a taxable fringe benefit. Employees who anticipate making or receiving personal calls are strongly encouraged to obtain their own personal cell phone service.

Cell phones and accessories may not be transferred to another employee without prior notification to the Director of Information Technology. Cell phone numbers are provided and owned by the University and are subject to change. It may be necessary to reassign cell phones in emergencies. When notified, employees will be responsible for promptly delivering the assigned cell phone to the Director of Information Technology.

Confidentiality – Technology Resources

All information stored in University-owned computers, computer systems, data files, databases, spreadsheets, word processing documents, etc. must be treated as confidential and proprietary information of the University.

Further, JP Catholic University is committed to protection of personal data and information pertaining to its employees and students. The Gramm Leach Bliley Act (GLBA) requires that the University take steps to secure personal data and personally identifiable information obtained in connection with financial transactions. Such information must be secured in order to minimize the risk of identity theft, protect the privacy interests of the University community and promote confidence in its business practices.

Personally identifiable information for employees, alumni, students, and other individuals includes but is not be limited to, names, addresses and phone numbers; bank, credit card and debit card account numbers; income and credit history; details regarding disability, retirement, life insurance and similar benefit plans including beneficiaries, dependents and account numbers; accounts payable and accounts receivable; passwords and security codes; and social security numbers.

Adequate safeguards must be maintained to protect covered data and information. These safeguards are intended to:

- Insure the security and confidentiality of covered data and information;
- Protect against anticipated threats or hazards to the security or integrity of such information; and

- Protect against unauthorized access or use of covered data and information that could result in substantial harm or inconvenience to any current or former University employee or student.
- Ensure plans are maintained and regularly tested to ensure that any damage done by possible external cyber crime attacks can be minimized and that restoration takes place as quickly as possible.
- Ensure the University takes reasonable steps when entering into contractual arrangements to select and retain financial service providers who maintain appropriate safeguards for covered data and information.

The University and authorized parties in possession of covered data and information shall only allow access or disclose such information to persons who have a bona fide business reason to know, upon receipt of adequate proof of valid written consent, or to comply with legal process.

Accordingly, employees should not:

- Disclose this information, except on a “need-to-know” basis to persons outside of JP Catholic University;
- Use this information for their own benefit, or for the profit or benefit of persons outside of JP Catholic University;
- Copy any of this information, except where necessary in order to perform essential job duties while employed at the University;
- Retain any of this information upon leaving JP Catholic University’s employment;
- Maintain any personal information on University computers; as such, this information is considered the property of the University;
- Access disks, hard drives, files, data, or file folders not related to the performance of one's essential job duties or work-related assignments.

The Information Technology department is responsible for protecting the security and integrity of the University’s computer network and its data. The IT department has developed and maintains a system and registry of assigned users, names and passwords to insure that only persons with a business reason to know have access to covered data and information. IT will take reasonable and appropriate steps to make sure that covered data and information is secure and to safeguard the integrity of records in storage and transmission. This includes, but is not limited, to maintaining the operating system and applications, including application of appropriate patches and updates, appropriate firewalls encryption technology for storage and transmission of covered data, implementation of an intrusion detection system to guard against external threats, and an appropriate incident response policy to promptly address intrusions when they incur.

Supervisors are charged with ensuring access to covered data and information is limited to only those employees or authorized providers who have a legitimate business reason to access and use such information. Covered data and information should be kept in files cabinets and rooms that are locked each night. Only authorized employees should know combinations and locations of keys. Computer screens containing covered data and information should be turned off when monitoring physical security is not possible. Similarly, paper documents containing covered data and information should not be left in the open. Documents containing covered data and information should be shredded at the time of disposal.

Acceptable Use of Technology Resources and Equipment

Access to and use of technology resources and equipment is provided to employees for the purpose of furthering the mission of JP Catholic University. Use of technology resources must be primarily restricted to employee’s academic, research, service, operational, or management activities within the University. As such, use of telephones, facsimile machines, computers, and other electronic equipment or media for solicitation or distribution of information not related to University business is strictly prohibited.

Brief and occasional personal use of technology resources and equipment may occur; however, personal use should be kept to a minimum and should not in any way impede the conduct of daily University business. The use of the desktop computing resources and equipment for personal efforts must occur outside of business hours, and any files created should either be deleted or saved on an employee’s personal storage medium. Personal consumption of University printing resources are not to be charged to any University budget. In order to use JP Catholic University’s computer network-based facilities or storage for personal use, approval must be given by

the Director of Information Technology and the use should be kept to a reasonable level. Personal and outside projects will not receive priority over late evening academic or operational requirements, system maintenance, or file back-ups and restores.

The following are some examples, although not intended to be an exhaustive listing of actions and activities that are prohibited and may result in disciplinary action:

- Using the University's technology resources for personal gain;
- Using, or disclosing a student's or another employee's password without authorization;
- Failing to observe licensing agreements by copying or downloading software and/or electronic files without permission from the owner;
- Violating copyright law or by sending or posting confidential material, trade secrets, or proprietary information outside of the University;
- Engaging in unauthorized transactions that may incur a cost to the University or initiate unwanted or unreasonable Internet-based services and transmissions. Great care must be taken when downloading information and files from the Internet to safeguard against both malicious code and also inappropriate material;
- Initiating, sending or posting messages or material that could damage the University's image or reputation;
- Sending or posting messages that defame or slander another individual or messages that disparage another organization's products or services;
- Using University technology resources while attempting to break into the computer system of another organization or person;
- Sending or posting chain letters, solicitations, or advertisements not related to University business purposes or activities;
- Using University technology resources for political causes or activities;
- Using University technology resources for any sort of illegal gambling;
- Jeopardizing the security of the University's electronic communications systems, databases, or networks, including disengaging local or network-based anti-virus software;
- Sending electronic messages or e-mail that pass off personal views as representing those of the University in an official capacity;
- Writing blog messages or entries to online journals that represent the views and/or opinions of the University in any manner not expressly required as a part of your position with the University;
- Using University technology resources to write blog messages or entries to online journals in a manner that results in personal attacks, discrimination, harassment or similar inappropriate acts directed toward co-workers, customers, vendors or any other party connected with the University;
- Sending anonymous e-mail messages using University technology resources;
- Engaging in any other unlawful activity while using University technology resources.

Retention and Destruction of Records

Purpose

In accordance with the Sarbanes-Oxley Act, which makes it a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding, this policy provides for the systematic review, retention and destruction of documents received or created by JP Catholic University in connection with the transaction of organization business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept and how records should be destroyed. The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate JP Catholic University's operations by promoting efficiency and freeing up valuable storage space.

Document Retention

Documents that are not listed, but are substantially similar to those listed in the schedule will be retained for the appropriate length of time.

Corporate Records

Annual Reports to Secretary of State/Attorney General	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
By-laws	Permanent
Construction Documents	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status (Form 1023)	Permanent
IRS Determination Letter	Permanent
State Sales Tax Exemption Letter	Permanent
Contracts (after expiration)	7 years
Correspondence (general)	3 years

Accounting and Corporate Tax Records

Annual Audits and Financial Statements	Permanent
Depreciation Schedules	Permanent
General Ledgers	Permanent
IRS 990 Tax Returns	Permanent
Business Expense Records	7 years
IRS 1099s	7 years
Journal Entries	7 years
Invoices	7 years
Tuition Records	7 years
Credit Card Receipts	7 years
Petty Cash Vouchers	5 years
Cash Receipts	5 years

Bank Records

Check Registers	Permanent
Bank Deposit Slips	7 years
Bank Statements and Reconciliation	7 years
Electronic Fund Transfer Documents	7 years

Payroll and Employment Tax Records

Payroll Registers	Permanent
State Unemployment Tax Records	Permanent
Earnings Records	7 years
Garnishment Records	7 years
Payroll Tax returns	7 years
W-2 Statements	7 years

Employee/Donor Records

Employment and Termination Agreements	Permanent
Retirement and Pension Plan Documents	Permanent
Records Relating to Promotion, Demotion or Discharge	7 years after termination
Accident Reports and Worker's Compensation Records	7 years

Salary Schedules	7 years
Time Cards	7 years
Employment Applications	3 years
I-9 Forms	3 years after termination
Donor Records and Acknowledgement Letters	7 years
Grant Applications and Contracts	7 years after completion

Legal, Insurance and Safety Records

Appraisals	Permanent
Copyright Registrations	Permanent
Environmental Studies	Permanent
Insurance Policies	Permanent
Real Estate Documents	Permanent
Stock and Bond Records	Permanent
Trademark Registrations	Permanent
Leases	7 years after expiration
OSHA Documents	7 years
General Contracts	3 years after termination

Electronic Documents and Records

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file or moved to an “archive” computer file folder. Backup and recovery methods will be tested on a regular basis.

Emergency Planning

JP Catholic’s records will be stored in a safe, secure and accessible manner. Documents and financial files that are essential to keeping JP Catholic University operating in an emergency will be duplicated or backed up at least every week and maintained off site.

Document Destruction

JP Catholic CFO is responsible for the ongoing process of identifying its records, which have met the required retention period and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding. Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed. Destruction will be reinstated upon conclusion of the investigation.

Compliance

Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against JP Catholic and its employees and possible disciplinary action against responsible individuals. The chief financial officer and finance committee chair will periodically review these procedures with legal counsel or the organization’s certified public accountant to ensure that they are in compliance with new or revised regulations.

General Vehicle Policies

All employees who operate a privately owned or University-owned vehicle during the course of employment with the University are required to abide by the terms and conditions of the separate **Vehicle Policy** and acknowledge receipt of such policy.

Employees are not authorized to transport other employees or students for official University business unless the University CFO approves the driver. Employees intending to operate non University-owned vehicles for official business may do so “at their own risk” and carry sufficient personal auto insurance.

University-owned and Rental Vehicles must only be operated by employees or current students of JP Catholic University who have a valid United States driver's license, be at least twenty-one (21) years of age, and appear on the University approved driver’s list. The complete **Vehicle Policy** is available through the JP Catholic web site or upon request from the University Business Office.

EMPLOYEE HANDBOOK ACKNOWLEDGMENT FORM

This is to acknowledge that I have been given a copy of the Employee Handbook to read in order to fully understand my privileges and obligations as an employee of John Paul the Great Catholic University. I also understand that the Handbook is not a contract and if I am a faculty member I am employed under the terms of my annual appointment letter, and if I am a non-faculty employee, I am employed at-will as explained in the Handbook

Print Full Name: _____ Date: _____

Employee Signature: _____

Please detach this page after signing and return it within one (1) week to the Payroll and Benefits Coordinator in the University Business Office