



# **EMPLOYEE HANDBOOK**

## **IMPORTANT MESSAGE**

The University is in the process of reviewing and revising the Employee Handbook to better serve you.

# **TABLE OF CONTENTS**

## **Contents**

<b>Introduction.....</b>	<b>9</b>
<b>Employment- At-Will Statement.....</b>	<b>10</b>
<b>Equal Employment Opportunity.....</b>	<b>10</b>
<b>Affirmative Action Policy.....</b>	<b>11</b>
<b>SEXUAL HARRASSMENT.....</b>	<b>11</b>
<b>PROTECTION FOR EMPLOYEES WITH DISABILITIES.....</b>	<b>12</b>
<b>EMPLOYMENT.....</b>	<b>14</b>
<b>Immigration Reform Control Act.....</b>	<b>14</b>
<b>Employment Categories.....</b>	<b>14</b>
<b>Background Checks.....</b>	<b>16</b>
<b>Employment of Relatives.....</b>	<b>16</b>
<b>Employment of Minors.....</b>	<b>17</b>
<b>Identification Card and University Property.....</b>	<b>18</b>
<b>Orientation.....</b>	<b>18</b>
<b>Trial Period.....</b>	<b>18</b>
<b>Performance Development Program.....</b>	<b>19</b>
<b>Tuition Remission/tuition Reimbursement.....</b>	<b>19</b>
<b>Job Movement within the University.....</b>	<b>20</b>
<b>Job Abandonment.....</b>	<b>21</b>
<b>Outside Employment.....</b>	<b>21</b>
<b>Personnel File/Updating Your Personal Information.....</b>	<b>22</b>
<b>Professional Reference/Verification of Employment.....</b>	<b>22</b>
<b>PROGRESSIVE DISCIPLINE.....</b>	<b>22</b>
<b>GRIEVANCE AND DISPUTE RESOLUTION PROCEDURE.....</b>	<b>23</b>
<b>Re-Employment.....</b>	<b>25</b>
<b>COMPENSATION.....</b>	<b>27</b>
<b>Salary and Pay Policies.....</b>	<b>27</b>
<b>Work Hours.....</b>	<b>28</b>
<b>Alternative Work Arrangements.....</b>	<b>31</b>

Telecommuting.....	32
Job Sharing.....	32
Early Release .....	33
Emergency Closings.....	33
<b>WORKPLACE EXPECTATIONS .....</b>	<b>35</b>
Business Conduct Policy .....	35
Fraud Investigations .....	35
Alcohol, Drugs, and Other Dangerous Substances .....	36
Hostile Work Environment/Workplace violence .....	37
Public Safety .....	38
Conflict of Interest .....	38
Use of University Systems, Resources, and Information .....	39
Attendance and Punctuality .....	40
NO Smoking Policy .....	40
Accident or Injury at Work .....	40
<b>WORKER’S COMPENSATION .....</b>	<b>41</b>
Policy on Political Activities.....	41
<b>SOLICITATION AND DISTRIBUTION POLICY .....</b>	<b>42</b>
Travel on University Business.....	43
<b>TIME OFF .....</b>	<b>44</b>
Bonus Days .....	44
Holidays .....	44
Holiday Pay.....	45
Personal Days .....	45
Sympathy Days.....	46
Vacation .....	46
<b>EARNED SICK Time .....</b>	<b>47</b>
<b>LEAVES OF ABSENCE .....</b>	<b>53</b>
<b>SECTION I: GENERAL INFORMATION .....</b>	<b>53</b>
Applying for a Leave.....	53
University Job Protection.....	54
Returning to Work.....	54
<b>SECTION II: FAMILY MEDICAL LEAVE ACT (FMLA) .....</b>	<b>55</b>
Eligibility for the Family Medical Leave Act (FMLA) .....	55
Basic Leave Entitlement Under FMLA .....	55

<b>Definition of Serious Health Condition</b> .....	<b>55</b>
<b>Military Family Leave Under the FMLA</b> .....	<b>55</b>
<b>FMLA Process</b> .....	<b>56</b>
<b>Intermittent FMLA Leave</b> .....	<b>57</b>
<b>Benefits</b> .....	<b>57</b>
<b>Returning to Work</b> .....	<b>57</b>
<b>Duration of FMLA Leave</b> .....	<b>58</b>
<b>Limitations on FMLA Leave</b> .....	<b>58</b>
<b>Key Employees</b> .....	<b>58</b>
<b>Additional Leave</b> .....	<b>58</b>
<b>Retaliation and Discrimination is Prohibited</b> .....	<b>58</b>
<b>Enforcement of the FMLA</b> .....	<b>58</b>
<b>Overlap between FMLA and Other Leaves</b> .....	<b>59</b>
<b>SECTION III: UNIVERSITY LEAVES OF ABSENCE</b> .....	<b>59</b>
<b>MEDICAL LEAVE</b> .....	<b>59</b>
<b>Pay During Medical Leave – Extended Illness Pay:</b> .....	
<b>PARENTAL LEAVE</b> .....	<b>60</b>
Types of Parental Leave / Definitions .....	61
<b>OTHER LEAVES OF ABSENCE</b> .....	<b>61</b>
<b>Personal Leave</b> .....	<b>61</b>
<b>Jury Duty</b> .....	<b>61</b>
<b>Reserve Military Duty</b> .....	<b>62</b>
<b>SECTION IV: MILITARY LEAVE UNDER USERRA</b> .....	<b>62</b>
<b>Returning from Military Service</b> .....	<b>63</b>
<b>SECTION V: SMALL NECESSITIES LEAVE ACT</b> .....	<b>64</b>
<b>LEAVING THE UNIVERSITY</b> .....	<b>65</b>
Reduction in Force .....	65
Separation from the University .....	67
<b>Resignation</b> .....	<b>67</b>
<b>Retirement</b> .....	<b>68</b>
<b>Termination</b> .....	<b>68</b>
<b>Effect of Separation on Benefits</b> .....	<b>68</b>
<b>Exit Interview</b> .....	<b>68</b>
<b>Vacation Pay upon Separation</b> .....	<b>68</b>
Unemployment Benefits .....	69

## **NON-DISCRIMINATION STATEMENT**

Tufts does not discriminate in its educational programs or activities (including employment) on the basis of race, color, national or ethnic origin, ancestry, age, religion or religious creed, disability or handicap, sex or gender (including pregnancy, sexual harassment and other sexual misconduct including acts of sexual violence such as rape, sexual assault, sexual exploitation and coercion), gender identity and/or expression (including a transgender identity), sexual orientation, military or veteran status, genetic information, or any other characteristic protected under applicable federal, state or local law. Retaliation is also prohibited. Tufts will comply with state and federal laws such as M.G.L.c. 151B, Title IX, Title VI and Title VII of the Civil Rights Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, and other similar laws that prohibit discrimination. More detailed Tufts policies and procedures on this topic may be found in the [OEO Policies and Procedures Handbook](#).

Unlawful discrimination has no place at Tufts University and offends the University's core values which include a commitment to equal opportunity and inclusion. All Tufts employees, faculty members, students and community members are expected to join with and uphold this commitment. Any member of the Tufts University community has the right to raise concerns or make a complaint regarding discrimination under this policy without fear of retaliation. Any and all inquiries regarding the application of this statement and related policies may be referred to: Jill Zellmer, MSW, Director of the Office of Equal Opportunity, Title IX and 504 Coordinator, at 617.627.3298 at 196 Boston Avenue, 3<sup>rd</sup> floor, Medford, MA or at [Jill.Zellmer@tufts.edu](mailto:Jill.Zellmer@tufts.edu); [oeo@tufts.edu](mailto:oeo@tufts.edu) (general e-mail) Anonymous complaints may also be made by reporting online at: <http://tufts-oeo.ethicspoint.com/>

As set forth in our policies, individuals may also file complaints with administrative agencies such as the U.S. Department of Education, Office for Civil Rights ("OCR"), the U.S. Equal Employment Opportunity Commission ("EEOC") or the Massachusetts Commission Against Discrimination ("MCAD). The contact information for these agencies can be found in the University's Non-Discrimination Policy at: <http://oeo.tufts.edu/wp-content/uploads/Non-Discrimination-Policy-0506141.pdf>

Please note that Tufts also has a [Non-Discrimination Policy](#) which prevents workplace discrimination and harassment, and associated Discrimination Complaint Processing Guidelines applicable to claims involving employees and third parties. The full text of the University's Non-Discrimination Policy is available at: University's Non-Discrimination Policy at: <http://oeo.tufts.edu/wp-content/uploads/Non-Discrimination-Policy-0506141.pdf> The full text of the Discrimination Complaint Processing Guidelines is available at: <http://oeo.tufts.edu/wp-content/uploads/Complaint-Resolution-Guidelines-050614.pdf>

Dear Colleagues:

Each of you makes a special contribution to Tufts. I appreciate the talent and commitment that you bring to our University in support of teaching, scholarship and service, and I realize that we could not advance Tufts' mission without you. You and I share a common vision – to make Tufts the very best that it can be, and to give back to the world through our efforts. One of the great things about working at a university is knowing that we are part of something larger than our individual task. We touch the lives of many in support of Tufts' academic mission. We serve as mentors, advisors, friends and colleagues to students, parents, alumni, faculty members and staff. We model behaviors for our students to practice in their professional lives by embracing diversity in all of its dimensions, conducting business with integrity, believing in our mission and treating all with respect and understanding. Every employee of Tufts has a responsibility to teach through his or her actions and to serve as an ambassador to our global community. I am proud to work with you to achieve the goals of our university, and I thank you for all that you do – every day – to strengthen Tufts for our students today and those in generations to come.

Sincerely,

Anthony P. Monaco  
President

## **Statement from the Vice President for Human Resources**

Greetings to all new and existing employees. We are pleased you are part of the Tufts community. We hope that this will be a positive, productive, and rewarding experience for you. We pride ourselves on our spirit of teamwork – individuals working together to attain common goals. The values and vision of the University are reflected in the six Tufts Competencies, which are put into action every day we work at Tufts. Competencies are observable and applied knowledge, skills, and behaviors that are critical for achieving an organization's mission, values, and goals. The six Tufts Competencies are Expertise, Interaction with Others, Continuous Improvement, Customer Focus, Resourcefulness and Results, and Leadership.

I hope that you take pride in being associated with the University and take advantage of the opportunity to contribute to the University's success, while enjoying its many benefits. Please remember that this Handbook is a reference tool, and is not a substitute for communication with your manager. If you have any questions or would like more information, your supervisor is your most immediate resource. In addition, if you have questions regarding these and other policies and standards, please feel free to contact Human Resources on your campus.

Once again, I'm happy that you are a Tufts employee, and want to extend my best wishes for your success.

Sincerely,

Julien Carter  
Vice President, Human Resources

## INTRODUCTION

This Handbook provides key information regarding Tufts University's policies and workplace standards for employees. It is intended to be an internal reference tool for University staff and is presented for informational purposes only. The Handbook applies to employees of the University who are not faculty members or covered by collective bargaining. All references to "employee" or "employees" in this Handbook relate expressly to non-academic, non-unionized, staff employees. There may be some policies or procedures unique to your specific work area that will be explained by your supervisor. In certain circumstances, a Handbook supplement for your work group, such as Dining Services, Postdoctoral Fellows, and overseas employees, may supersede some aspects of this Employee Handbook. Some policies are modified for staff employed only during the academic year.

The policies stated herein are subject to change at any time at the sole discretion of the University. Detailed information on these policies is available on the Tufts University website and will reflect ongoing changes. In case of any differences, the online version will supersede any paper version.

Although comprehensive, this Handbook is intended to be a summary guide and cannot address every question that might develop during your employment. Your supervisor and the Human Resources staff welcome the opportunity to answer your questions.

This version of the Employee Handbook supersedes all prior versions issued by the University.



## **EMPLOYMENT- AT-WILL STATEMENT**

This Handbook is not a contract guaranteeing employment for any specific duration. Although we hope that your employment relationship with us will be productive and satisfying, either you or Tufts may terminate this relationship at any time, for any reason, with or without cause or notice.

No one, other than the Vice President of Human Resources, has the authority to enter into any employment agreement with you for any specified period or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by Human Resources shall not be enforceable unless it is in writing.

## **EQUAL EMPLOYMENT OPPORTUNITY**

Tufts University is committed to the fundamental principle of equal opportunity and equal treatment for every prospective and current employee and student. It is the policy of the University not to discriminate on the basis of race, color, national or ethnic origin, age, religion, creed, disability, sex and gender, sexual orientation, gender identity and/or expression, protected veteran status (disabled veterans, recently separated veterans, active duty wartime or campaign badge veterans, and Armed Forces service medal veterans), or any other characteristic protected under applicable federal or state law. Tufts also prohibits retaliation against any individual for filing or making a good faith report of alleged violations of this policy. Tufts does business in and with a number of governments in and outside the U.S., and to the extent applicable, this statement is intended to incorporate the prohibition of any unlawful discrimination covered by applicable laws in such countries, states and municipalities. For instance, consistent with New York City's Executive Order 50 and in addition to the aforementioned policy statements, Tufts also prohibits unlawful discrimination on the basis of citizenship and marital status.

Every member of the Tufts community is responsible for taking positive action to ensure that women, minority group members, and individuals with disabilities are given full opportunity for employment and advancement as well as for participation in University-sponsored programs, events, and social services.

Tufts complies with, among others, Federal Executive Orders 11246 and 11375, Massachusetts Executive Order 74, Sections 503 and 504 of the Rehabilitation Act of 1973, Age Discrimination in Employment Act (of 1967 as amended), Massachusetts General Law Chapter 151B, Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act, Uniformed Services Employment and

Reemployment Rights Act (USSERA), Title IX, Title VI, Title VII, and the Americans With Disabilities Amendments Act.

Tufts encourages its employees to use the services of the Office of Equal Opportunity (OEO) or Human Resources if there are any questions about this policy or if any individual wishes to raise any policy related concerns or complaints. To contact OEO, please contact [oeo@tufts.edu](mailto:oeo@tufts.edu) or call (617) 627-3298 and to contact Human Resources, please contact [tss@tufts.edu](mailto:tss@tufts.edu) or call (617) 627-7000.

### **AFFIRMATIVE ACTION POLICY**

Tufts University maintains an Affirmative Action Program wherein all managers and officials of the University directly bear the responsibility for making every effort to identify and alleviate underutilization of minorities, women, the disabled, and covered veterans so that they receive fair and equal treatment in all University programs.

Tufts University maintains an internal system of audit and reporting that shall assist in the implementation, monitoring, and evaluation of the Affirmative Action Programs to assure the effectiveness of the plan. Specifically, this system shall facilitate the identification and removal of inequities and deficiencies in employment and those policies and practices that could preclude fair and equal treatment.

Tufts University's Affirmative Action Program provides for the prompt and impartial consideration of all complaints of discrimination filed by its staff, faculty members, and students. Retaliation for filing a complaint is prohibited. Procedures for consideration of complaints and grievances are established and circulated throughout the University. Tufts University has an Office of Equal Opportunity, which monitors its Equal Opportunity and Affirmative Action efforts.

Tufts University is committed to Equal Opportunity and Affirmative Action, and as further demonstration of that commitment, Tufts requires that all current or prospective contractors or unions submit a statement in writing of their Equal Opportunity and Affirmative Action commitment; and that all solicitations or advertisements placed by or on behalf of Tufts shall indicate Tufts' policy of Equal Opportunity and Affirmative Action.

### **TUFTS POLICY PROHIBITING SEXUAL MISCONDUCT, STALKING AND RELATIONSHIP VIOLENCE (INCLUDES SEXUAL HARASSMENT, DATING AND DOMESTIC VIOLENCE)**

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Tufts prohibits Sexual Misconduct which includes (1) sex and gender based discrimination; (2) sexual and sex and gender based harassment (including a hostile environment based on sex or gender) (3) sexual assault and (4) sexual exploitation. Tufts also prohibits stalking and relationship violence (including dating and domestic violence) regardless of sex or gender. All of this prohibited conduct is addressed in Tufts' policy prohibiting Sexual Misconduct, Stalking and Relationship Violence, and is addressed through associated procedures applicable to students, employees and third parties.

Employees found to be in violation of this policy will be subject to disciplinary action and/or corrective action, including but not limited to warnings, demotions, suspensions and termination.

Tufts encourages its employees to use the services of the Office of Equal Opportunity (OEO) or Human Resources if there are any questions about this policy or if any individual wishes to raise any policy related concerns or complaints. To contact OEO, please contact [oeo@tufts.edu](mailto:oeo@tufts.edu) or call (617) 627-3298 and to contact Human Resources, please contact [tss@tufts.edu](mailto:tss@tufts.edu) or call (617) 627-7000.

The full text of the University's Policy on Sexual Misconduct, Stalking and Relationship Violence is available at: <http://oeo.tufts.edu/wp-content/uploads/Sexual-Misconduct-Sexual-Assault-Policy-081414.pdf>

The full text of the applicable procedures for complaints against employees and third parties is known as the Discrimination Complaint Processing Guidelines. These Guidelines are available at: <http://oeo.tufts.edu/wp-content/uploads/Complaint-Resolution-Guidelines-050614.pdf>. The full text of the applicable procedures for complaints against students is available at: <http://oeo.tufts.edu/wp-content/uploads/ASE-SMAP-092614.pdf>

## **CONSENSUAL RELATIONS**

Tufts University seeks to maintain a professional work and educational environment. Actions of faculty members, academic administrators, and staff that are unprofessional, or appear to be unprofessional, are inconsistent with the University's educational mission. It is essential that those in a position of authority do not abuse, nor appear to abuse, the power with which they are entrusted. Faculty members, academic administrators, and sometimes staff exercise power over students, whether by teaching, grading, evaluating, or making recommendations for their further studies or their future employment. Amorous, dating, or sexual relationships between faculty members, academic administrators, and staff with students are impermissible when the faculty members, academic administrators, and staff have professional responsibility for the student.

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Voluntary consent by the student in such a relationship is suspect, given the fundamental nature of the relationship. Moreover, other students may be affected by such behavior because it places the faculty member, academic administrator, or staff in a position to favor or advance one student's interest to the potential detriment of others. Therefore, it is a violation of University policy for a faculty member, academic administrator, or staff member to engage in an amorous, dating, or sexual relationship with a student whom s/he instructs, evaluates, supervises, or advises, or over whom s/he is in a position to exercise authority over in any way.

A violation of this policy may result in disciplinary action. Additional information can be found in the [Consensual Relations Policy](#).

### **EQUAL OPPORTUNITY AND REASONABLE ACCOMMODATION FOR EMPLOYEES WITH DISABILITIES**

The Americans with Disabilities Act of 1990, as amended, and applicable state law protects qualified applicants and employees with disabilities from disability discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment. Tufts prohibits discrimination against individuals with disabilities, individuals with a record of a disability and also prohibits discrimination on the basis of perceived disability. Tufts also provides reasonable accommodations for individuals with disabilities to enable individuals to perform the essential functions of the job.

If you are unable to or find it difficult to perform your job because of disability or if you have any concerns about equitable treatment in the workplace based on your disability, please contact the Office of Equal Opportunity at: [oeo@tufts.edu](mailto:oeo@tufts.edu) or by phone at: (617) 627-3298.

The full text of the University's Americans with Disabilities Policy is available at: <http://oeo.tufts.edu/wp-content/uploads/ADA-Policy-July-2014.pdf>

# EMPLOYMENT

## IMMIGRATION REFORM CONTROL ACT

The Immigration Reform and Control Act of 1986 requires all employers to maintain records documenting the identity and eligibility to work of all regular and temporary employees hired after November 6, 1986.

As a condition of employment, all new employees must complete an Employment Eligibility Verification (Form I-9). Section 1 must be completed by the employee in Employee Self Service on or before the employee's first day of work. Section 2 must be completed by an authorized I-9 representative of the University within 3 business days of the employee's first day of work. Authorized I-9 representatives can be found at the following Tufts Support Services locations: Boston (75 Kneeland Street, 6<sup>th</sup> Floor, Room 668), Medford (62R Talbot Avenue), Grafton (7 Jumbo's Path).

Former employees who are rehired must also complete a Form I-9 if they have not completed the form within the past three (3) years or their previous form is no longer retained or valid. All employees must also present evidence of identity and employment eligibility by providing one or more documents as outlined on the I-9 form. It is your obligation as an employee to update your information and visa status as needed.

Under current law, it is unlawful to employ individuals who fail to provide appropriate I-9 verification or whose employment eligibility is revoked or expired.

## EMPLOYMENT CATEGORIES

**Regular Full-Time:** Employees who regularly work thirty-five (35) or more hours per week. Regular full-time employees are eligible for University benefits.

**Regular Part-Time:** Employees who are scheduled to work fewer than thirty-five (35) hours per week. Regular part-time employees who are scheduled to work more than 17.5 hours per week are eligible for full university benefits.

### **Employee moving from benefits eligible to non-benefits eligible status:**

Employees who move from benefits eligible to non-benefits-eligible status are no longer eligible for University benefits. At the time of the status change, the employee will be paid out all accrued but unused vacation time and may carry over up to (forty) 40 hours of unused earned paid sick time. All other accrued sick time and personal time balances will be zeroed out as they cannot be carried over to a non-benefits eligible position. Any employee who is moving or thinking of

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moving to a non-benefits eligible position, should meet with their Human Resources Business Partner for further clarification prior to the change in jobs.

**Job-Sharing Team:** This arrangement permits two individuals to share one full-time position. Hours may be divided in various ways. Both members of a job-sharing team are eligible to receive benefits as long as each is scheduled to work 17.5 hours per week, Benefits for these employees may be pro-rated.

**Academic Year Employees:** These employees may work full or part-time, but only during the months of the academic year (usually September through May). Benefits for these employees may be pro-rated.

**Temporary Employees:** Under certain circumstances, a manager may find it necessary to request temporary help for a specific period of time. Temporary workers are hired directly by a University department or through an outside agency and typically are not eligible for Tufts University benefits unless they work a minimum number of hours in a twelve month period as is outlined by these policies.

**Exempt Employees:** These employees hold positions which fall within certain exempt categories defined by the Fair Labor Standards Act (FLSA), are paid on a salaried basis, and are not eligible for overtime pay.

**Non-Exempt Employees:** These employees hold positions which do not fall into the FLSA's exempt categories and are eligible for overtime pay. There are two types of non-exempt employees at Tufts:

- **Hourly Non-exempt Employees:** These employees are non-exempt typically designated on the basis of the duties they perform and are paid on an hourly basis.
- **Salaried Non-Exempt Employees:** These employees who satisfy the duties tests for exemption from the FLSA but who are designated non-exempt on the basis of the FLSA minimum salary threshold and are paid on a weekly basis.

**Consultants:** These outside vendors are independent contractors, not employees, and are not eligible to receive University benefits. The relationship to the university is by contractual agreement.

## **BACKGROUND CHECKS**

Tufts University is committed to providing a safe working and learning environment for its employees, students, and visitors. It also seeks to protect its assets; preserve its reputation; and comply with laws, regulations, and agreements. Depending upon the position and the duties within the University, employment and/or continued employment may be contingent upon a satisfactory background check.

Tufts University will consider the seriousness and extensiveness of adverse information in making a determination of eligibility for employment. Job applicants and/or current employees who are subject to background checks will be given an opportunity to explain any discrepancies between the job application and the results of the background check. Any material misrepresentation on the job application either by omission or falsification of information may be grounds for denial of employment, withdrawal of an employment offer, or dismissal of an employee.

All background check information will be kept confidential.

[Tufts University Background Check Procedure](#)

## **EMPLOYMENT OF RELATIVES**

The University wishes to ensure that its employees receive fair and equitable treatment. As such, to prevent any possible or perceived conflicts of interest and situations where a manager's judgment could be compromised, Tufts restricts the employment of relatives.

For the purposes of this policy, a "relative" is defined as a spouse, domestic partner, parent, child, sibling, grandparent, or grandchild of the employee or of the employee's spouse. Relatives also include relationships arising out of marriage, such as stepchild or stepparent.

The University welcomes the applications of employee relatives. However, relatives will only be considered for employment based on their job qualifications, and only for positions that are not under the direct supervision of a related employee, including employees not covered by this Handbook, such as faculty members or unionized staff.

If already employed, employees cannot be transferred into such a reporting relationship. If the relative relationship is established after employment, the individuals concerned will decide who will leave. If that decision is not made within thirty (30) working days, the University will decide appropriate action.

It is the obligation of the employees impacted by this policy to identify and bring any real or perceived conflict to the attention of their human resource business partner. The University may in its discretion make exceptions to this policy as appropriate.

## **EMPLOYMENT OF MINORS**

As a general rule, federal and state laws prohibit the University from employing any minor younger than 14 years of age. Minors are restricted in the number of hours and days they may work as follows:

- 14-15 year olds may only work from 7 am to 7 pm during the school year and cannot exceed 18 hours of work per week or exceed 3 hours of work per day during a school day and 8 hours of work on a Saturday, Sunday or holiday, or work more than 6 days per week. In the summer months from July 1 to Labor Day, minors in this age group may not exceed work of 40 hours per week, 8 hours per day and 6 days per week.
- 16-17 year olds may only work from 6 am to 10 pm during the school year on school nights and from 6 am to 11:30 pm on non-school nights. This age group also cannot exceed more than 48 hours of work in one week; 9 hours per day of work and no more than 6 days for work per week.

Broadly speaking, minors age 16 or 17 may perform most non-hazardous jobs, whereas minors age 14 and 15 are subject to greater limitations. Restrictions are further defined according to the minor's age. In particular, minors, regardless of age, are prohibited from working in any occupation declared "hazardous" by the Department of Labor. The Massachusetts Child Labor Law also restricts the types of jobs minors may perform. Of the occupations classified as "hazardous" by the DOL and therefore unavailable to minors, only two are likely to implicate the potential employment of minors at Tufts: work involving driving a motor vehicle or being an outside helper on a motor vehicle and work involving exposure to radioactive substances.

Persons responsible for running University laboratories or other environments containing radioactive materials should ensure that minors, regardless of age or occupational designation, are not improperly exposed to radioactive substances. The University, as a practice, does not encourage the use of minors in research laboratories. However, if a manager is seriously considering such employment, that person should contact his or her human resource business partner, who can provide a more detailed explanation of the federal and state laws and guidelines, and required training. Additionally, the University's Radiation Hazards Control Group has issued a formal [policy](#) about minors which states: "Minors are not

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allowed to be present in laboratories in which radioactive materials are used unless they are in an organized work or training program which has the prior approval of the University Safety Office and Health Physics.”

Please contact a human resource business partner if you have any questions about how to properly manage the employment of a minor.

### **IDENTIFICATION CARD AND UNIVERSITY PROPERTY**

All employees will be issued a University picture identification card from Tufts University Public Safety. Please keep your I.D. with you while you are on University premises, as admittance to some University buildings and departments requires proper University identification.

Depending on the responsibilities of your position, you may also be issued additional resources, such as a mobile phone, laptop, or University credit card (or P-card) or University travel card to facilitate your job duties. You will be required to provide signed acknowledgement of receipt of these materials. You are required to handle these items with care and keep them secure. Any loss must be immediately reported to your supervisor.

These tools are intended for business use and remain University property. Inappropriate operation or use of any such tools is subject to disciplinary action, up to and including termination.

### **ORIENTATION**

At the start of employment, new staff members are expected to participate in Tufts’ New Employee Orientation Program. The intent of the program is to introduce new hires to the mission, culture, and values of the University. University policies and procedures are also presented. During this orientation, employees will also learn more about the numerous benefits available to them.

### **TRIAL PERIOD**

All new hires must successfully complete a trial period before they are eligible for the University’s paid time off programs for vacation, sick, and personal days. During their trial periods, new hires are entitled to paid time off only for University-observed holidays. New hires terminated during their trial periods may not contest their terminations through the University’s internal grievance process.

The trial period normally runs for three (3) months from the date of hire, but a supervisor, in consultation with the Human Resources Department, may extend an employee’s trial period for up to an additional three (3) months. If this occurs, the

supervisor must notify the employee in writing. The total trial period should not exceed six (6) months.

If an employee is promoted or transferred to another position, a new trial period will commence, during which the employee will be eligible for sick, vacation and job protection benefits but may not contest termination through the internal grievance process.

Successful completion of the trial period establishes the employee's rights to certain benefits and other rights under this Handbook but does not otherwise negate the at-will status of the employee.

## **PERFORMANCE DEVELOPMENT PROGRAM**

*@Work*, the Tufts University Performance Development Program, links Tufts strategies and goals to employees' individual jobs.

Ongoing performance-based communication is the key to the Tufts Performance Development Program. There are four (4) major components in this annual cycle to ensure that the employee and manager communicate regularly about job goals and performance: (1) Performance Planning, (2) Checkpoint Review, (3) Annual Performance Review, and (4) Merit Pay Communication. The Tufts University Competencies provide a standard framework for performance discussions. The six (6) competencies are: Expertise, Interaction with Others, Continuous Improvement, Customer Focus, Resourcefulness and Results, and Leadership.

To learn more about the Performance Development and Compensation Program, please visit the [Tufts University Human Resources website](#), or request a [@Work Guidebook](#) from your campus Human Resources Office.

## **TUITION REMISSION/TUITION REIMBURSEMENT**

As an institute of higher learning, Tufts University encourages employees to take advantage of the available opportunities to increase their knowledge through education. Tuition Remission and Tuition Reimbursement assist eligible Tufts employees with management of educational expenses.

The Tuition Remission program allows eligible employees to take classes in a number of Tufts' graduate and undergraduate programs. Regular employees who work at least seventeen and one-half (17.5) hours per week and who have been employed by the University for no less than three (3) months prior to the first day of the semester may participate in the program. Full-time employees may take up to two (2) classes per semester, and part-time employees may take one (1) course per semester. This benefit is also available to eligible dependents which include

spouses, qualified same-sex domestic partners, and dependent children. Under federal and state law, some or all portions of this benefit may be subject to [taxes](#).

Tuition Reimbursement is available for full-time staff. The goal of the program is to support these employees in their efforts to improve skills necessary to perform their jobs. This program allows employees to take job-related courses outside of the University. Eligible employees must complete one (1) year of full-time service before the course begins.

Application forms and complete plan descriptions for these programs are available on the Tufts website. For more information, please visit the [Human Resources website](#).

### **JOB MOVEMENT WITHIN THE UNIVERSITY**

The University encourages employees to make full use of their talents, skills, and potential growth within the University. No employee will be adversely affected as a result of expressing an interest in another job opening. University employees are encouraged to complete one (1) year in their current position before pursuing other job opportunities at Tufts.

**Promotions:** A promotion is a change from one position to an open position at a higher band or pay zone and is normally accompanied by an increase in salary. The major criterion used in the promotion process is the demonstrated ability of the applicant to perform satisfactorily in the new job. The decision to promote will be made after considering factors such as competency, growth and development, demonstrated ability to take on new responsibility, experience, potential for growth, seniority, and affirmative action goals.

In some situations, the result of a promotion may not prove to be satisfactory to either the employee or the University. For this reason, there is a standard trial period, during which time both the employee and the supervisor have the opportunity to evaluate the new situation. If expectations are not met, every reasonable effort will be made to find the employee a more suitable position within the University. Employees within the trial period because of a promotion retain all their benefits including vacation, sick, and personal days.

**Transfers:** A transfer is a change of assignment from one position to another in the same band and pay zone, and may occur within the same department or between departments. A transfer may result from a request made by either the University or an employee and may be initiated for various reasons. Such transfers may occur, for example, in order to develop the career of an employee, or to provide an employee with the opportunity to work in an area where the employee's full potential can be realized. Transfers may also be made when a position or job is to be phased out, as with the end of a sponsored research project.

**Movement to a Job of a Lower Band or Pay Zone:** An employee may be moved to a job at a lower band or zone based on a personal request, reorganization, inability to perform, or reevaluation. In some circumstances an employee's pay may be reduced to coincide with the new responsibilities, internal pay equity, or pay zone. Because the University is committed to fair and equitable treatment, the supervisor and employee must discuss any action of this nature with their human resource business partner.

Tufts encourages employees who are looking to advance their careers to apply for job opportunities within the University by visiting the [Tufts University Career Center](#). Employees should click on one of the two options below “Current Tufts Employees Only” so that employees are identified as internal candidates.

The process for internal applicants at Tufts is as follows:

- If an employee is interested in an internal position, the first step is to apply online at the [Tufts University Career Center](#).
- If the employee meets the basic requirements, the employee may be invited to interview with the hiring manager.
- The employee is encouraged, but not required, to notify his or her current supervisor before interviewing with the hiring supervisor for the new position. If an employee is identified as a finalist for the position, the employee's current supervisor will be contacted for a reference. The employee will be given the opportunity to speak to the current supervisor prior to the reference check.

### **JOB ABANDONMENT**

Failure to notify a supervisor about any unscheduled absence may result in disciplinary action, up to and including termination. Tufts employees who fail to report for work without notifying their supervisor for three (3) or more consecutive workdays will be considered to have voluntarily resigned, and are not ordinarily eligible for rehire.

### **OUTSIDE EMPLOYMENT**

Employees are hired with the express understanding that their principal professional responsibility is to the University. Employees of the University who desire to work outside Tufts may do so as long as there is no conflict of interest, or the appearance of conflict of interest. If there is any possibility of a conflict of interest of working hours, outside employment should be discussed first with the immediate supervisor. Additionally, the second job cannot interfere with the employee's scheduled work hours and work performance.

## **PERSONNEL FILE/UPDATING YOUR PERSONAL INFORMATION**

Tufts University respects the privacy of its employees and strives to keep employee files confidential. Tufts Support Services maintains a personnel file for each employee. If you wish to review your file, submit a written request to Tufts Support Services

Changes to your personal information, benefits, and payroll deductions can be made online through [Employee Self Service](#).

It is your responsibility to notify the Benefits Office when any change occurs in your personal status or of a qualifying event in your family that could impact your benefits.

## **PROFESSIONAL REFERENCE/VERIFICATION OF EMPLOYMENT**

If in the course of your work, you are requested to provide a professional reference on behalf of an employee, you may only do so once you have obtained permission from the employee.

Tufts Support Services often receives calls from third parties regarding employment verification for the purposes of credit references, such as a mortgage. If the request is made by phone, we will verify current employment status, dates of employment, and salary, but only if such information is stated first by the caller. Additional information will not be released without express written permission.

## **PROGRESSIVE DISCIPLINE**

The following steps cover the normal pattern of corrective action for non-exempt employees who have completed the trial period. This policy does not apply to exempt employees. A human resource business partner should always be contacted prior to initiating the corrective action process.

From time to time, problems related to your job may develop. Such problems may include, but are not limited to: violation of or conflict with University policy, job performance, or other job-related situations. It is the University's intention that such issues be discussed openly and candidly, with the objective of improvement and prompt resolution. The University's @Work Program encourages timely, open, and candid discussion about performance, including coaching by supervisors and managers; this coaching should include specific feedback on necessary performance improvements, information on tools available to employees to improve performance, and clear timelines. If performance problems persist, a supervisor or manager may initiate the progressive discipline process. A

human resource business partner will work with employees and supervisors during the progressive discipline process.

### **Suggested Steps in the Progressive Discipline Process:**

Verbal Warning: The supervisor discusses performance problems with the employee, the necessary improvements, and a date by which corrections should occur. The supervisor should document the date and content of the conversation.

First Written Warning: If problems persist, the supervisor should have another discussion with the employee. If warranted at this time, the employee may be issued a written warning. This warning will contain a statement of the problem(s), what corrections are necessary, and a date by which the improvement(s) should occur. The employee will be asked to sign the form indicating that he or she has read it. A copy should be placed in the employee's personnel file in Human Resources, and a copy should be given to the employee.

Second Written Warning: If problems persist, a second written warning may be issued adhering to the format outlined in step two above.

Suspension, Termination, or other Serious Disciplinary Action: If problems persist after the second written warning, disciplinary action, up to and including termination, may occur.

Written warnings should be removed from the employee's file after two years of active employment if there have been no subsequent warnings. Warning from some serious infractions, as determined by the university, may remain in the file indefinitely.

Certain infractions may result in immediate suspension or immediate termination. Such infractions include, but are not limited to, stealing or other acts of dishonesty, intoxication, threatening actions or language, unprofessional behavior, creating or contributing to a hostile work environment, workplace violence, violation of the University's drug and alcohol policies, insubordination, sexual harassment, discrimination, breach of confidentiality, fraud, or clear cases of conflict of interest. In such cases, the decision to terminate an employee must be discussed with the human resource business partner prior to any action being taken. When circumstances warrant it, as determined by the university, the University retains the right to omit steps in the disciplinary process.

### **GRIEVANCE AND DISPUTE RESOLUTION PROCEDURE**

*Effective: July 1, 2015 (rev. 02-21-17)*

The University has established a grievance and dispute resolution policy and procedure to promote fairness and consistency in employee relations and to endeavor to resolve employee concerns in an efficient and effective manner.

As an employee of the University, you are an important member of our team. As such, if you believe you are treated unfairly, inappropriately, or have other concerns regarding your employment, you are encouraged to bring those concerns to the University's attention. Often problems arise out of a lack of understanding or miscommunication. As a result, most difficulties can be resolved by talking to someone. Employees are therefore encouraged to discuss employment-related problems candidly with their supervisor. If you are not comfortable speaking with your direct supervisor, you should contact a human resource business partner. Managerial doors are always open. You are encouraged to work with management to explore all possibilities for resolution before initiating the grievance procedure.

Issues considered appropriate for the grievance procedure include, but are not limited to, matters such as:

- Disciplinary actions against the aggrieved employee, such as written warnings or termination.
- A violation, misinterpretation, or inequitable application of policy or procedure affecting the employee.

If after speaking with your supervisor, you believe your complaint or concern was not adequately addressed, you should submit a written statement of grievance to both your supervisor and a human resource business partner. Such submissions should be undertaken in a reasonable timeframe, generally no later than thirty (30) days following the circumstance giving rise to your grievance. If the grievance includes allegations of discrimination, it should be shared with the Office of Equal Opportunity and OEO may investigate those allegations consistent with its policies and procedures. Statements submitted after thirty (30) days will be reviewed to determine whether they are timely. Consequently, any grievances submitted after thirty (30) days should contain an explanation for the delay in filing.

The grievance statement should include your name and department, what the problem is, when the problem arose, which supervisor you discussed the problem with, when you discussed the problem with that supervisor, an explanation of the supervisor's response, why you do not believe that is an appropriate response, and a suggested resolution(s).

If upon review of this written grievance, your supervisor believes there is a way to resolve the problem, he/she will reach out to you and attempt to resolve the matter. Otherwise human resource business partner will review the grievance statement and endeavor to provide a written response within a reasonable amount of time. If necessary, someone from Human Resources will conduct an investigation into the

matter and may discuss the problem with you, the relevant supervisor(s), and other relevant witness(es).

If a response is not received in a reasonable amount of time and/ or you are not satisfied with the written response, you may ask that the statement be sent to the Vice President for Human Resources, or his or her designee. The Vice President of Human Resources or his/her designee will review the grievance and attempt to resolve the situation. The Vice President of Human Resources or his/her designee may conduct a further investigation and/or schedule a meeting between you, the Chair or Department Head, or other appropriate senior manager and human resource business partner. The decision of the Vice President of Human Resources or his/her designee is final and not subject to appeal.

The University is committed to working with employees to resolve disputes or grievances. Members of the Human Resources staff will assist you in processing a grievance and will answer any questions that you might have.

This is an internal process and while an employee may seek legal advice, his/her counsel may not actively participate in the process.

Tufts understands that these matters can be extremely sensitive and, so far as possible, will endeavor to treat all employee complaints as private personnel matters and share all communications, such as interviews and witness statements, on a need to know basis.

Tufts will not tolerate retaliation against any employee who seeks assistance with a problem and/or avails themselves of this process.

## **RE-EMPLOYMENT**

Re-employment of former University employees who left in good standing is beneficial to both Tufts and the employee. The University not only gains an employee with prior knowledge of Tufts and therefore a shortened learning curve, but also enters re-employment with a clear understanding of the individual's capabilities and prior job performance.

Only those who left the University in good standing are eligible for re-employment. Past performance is considered when a former employee applies for rehire. A re-employed employee is subject to the trial period in his or her new job and will not carry over any sick, vacation, or personal days from prior employment at the University, unless they experienced a qualified break in service under the Massachusetts Earned Sick Time Law and are rehired within one (1) year of their departure date.

Individuals rehired within one (1) year of their departure date will retain the original date of hire for the purpose of vacation accrual, retirement vesting, and other seniority issues, except reduction-in-force benefits. For all other benefits



plans, please contact the Human Resources Benefits Office for the specific policy details.

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# **COMPENSATION**

## **SALARY AND PAY POLICIES**

The @Work compensation and performance development programs link employees' individual jobs and goals to broader university or department goals. These programs facilitate communication between supervisors and employees. They also encourage employees to identify and develop the skills they need to reach their full potential in their position at the University.

The programs are designed to:

- Provide competitive total compensation packages, within defined markets, to attract and retain a high quality, diverse workforce;
- Promote communication between managers and employees to ensure that employees have a clear understanding of the link between their contributions and the mission, values, and goals of the University;
- Encourage development of skills and behaviors (competencies) necessary for success in our work environment; and
- Establish a consistent framework with flexibility in pay delivery and pay programs to recognize individual performance, teamwork, and competency development.

Please refer to your [@Work Guidebook](#) for more detailed information about these programs, or contact your campus Human Resources Office for a copy or additional information.

## **WORK HOURS**

**Customary Hours:** The customary work week at Tufts for full time employees is thirty-five (35) hours, seven (7) hours each day, Monday through Friday. The usual workday starts at 9:00 A.M. and ends at 5:00 P.M. This includes a fifteen (15) minute break during the day for non-exempt staff, and one (1) hour for unpaid lunch. Non-exempt employees who wish to work through a lunch break must seek approval from their manager before doing so. Departments should seek the assistance of Human Resources if there is a need to use a different work week definition for an employee.

Specified work hours and work week may differ for certain employees depending on the needs of their department. Supervisors will inform employees of the hours they are expected to work.

Exempt employees frequently work beyond the confines of a 35-hour workweek, depending on the needs of their position.

For payroll administration purposes, the work week is considered to begin on Sunday at 12:01 A.M. and end Saturday at midnight unless otherwise defined in writing and approved by Human Resources.

**Recording Hours Worked:** The University is required by state and federal law to keep accurate records of hours worked by non-exempt employees. Departments are responsible for maintaining attendance records for non-exempt staff and time off records including sick, personal, and vacation time for all employees.

An authorized department staff member will enter the hours worked for non-exempt employees (staff, student workers, and temporary employees) in that department into the University's Time Entry System. This should be completed weekly for hourly non-exempt employees and for salaried non-exempt employees. Access to the time-entry system is obtained through completion of an application and approval of the supervisor.

All employees are expected to accurately report and/or record their time and must understand that failure to do so may result in problems associated with payroll and/or disciplinary action.

## **OVERTIME**

There are occasions when a temporary workload or other compelling reason may require that you work more than your regularly scheduled number of hours. Non-exempt employees are eligible for overtime pay. Any hours exceeding your

normally scheduled hours must be pre-approved by your supervisor. Exempt employees are not entitled to and do not receive overtime pay.

Non-exempt employees are paid at their regular rate for up to forty (40) hours in one work week. Hours worked beyond forty (40) in one work week must be paid at one and one-half times the regular rate. For hourly nonexempt employees, time paid for, but not actually worked, such as holidays, sick days, paid personal time, or vacation, is counted for the purpose of computing overtime pay. For salaried nonexempt employees, only time actually worked in excess of forty (40) hours in one work week is counted for the purpose of computing overtime pay.

## **PAY PERIODS**

### **Hourly and Salaried Non-Exempt Employees**

Friday is payday for non-exempt employees paid weekly. Weekly pay covers the period Sunday through Saturday of the previous week.

### **Exempt Employees**

Exempt employees are paid semi-monthly on the fifteenth (15<sup>th</sup>) and thirtieth (30<sup>th</sup>) day of each month.

As required by law, the University withholds federal and state income taxes from an employee's earnings. Tax deduction amounts are determined by the exemption schedule filed by each employee on the W-4 form. In addition, the University will make authorized deductions for health/life insurance premiums, parking fees, credit union, etc.

It is the University's policy and practice to accurately compensate employees for all hours worked and to do so in compliance with all applicable state and federal laws, including the Fair Labor Standards Act ("FLSA"). The University will only make deductions from the wages of its exempt employees as permitted by law. As such, all University managers are prohibited from making improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative, or professional capacity as defined under the FLSA, and who are exempt from the FLSA's overtime pay requirements.

Despite the University's best efforts to prevent improper deductions, it is possible that mistakes may be made. Any employee who believes that a deduction was improperly taken from his or her paycheck or that his or her pay does not accurately reflect all hours worked during the pay period should immediately

report this concern to Tufts Support Services. The University will promptly investigate reports of improper deductions and inaccurate pay. If it is determined that a deduction was improperly taken or that a mistake was inadvertently made, the University will take appropriate corrective action. Employees may file complaints or raise concerns regarding deductions from wages without fear of retaliation.

The University is committed to preventing improper deductions and inadvertent pay errors. Managers and supervisors who are uncertain whether a deduction is proper should seek guidance from Human Resources before making or ordering the deduction. Managers and supervisors who knowingly make or authorize improper deductions are subject to disciplinary action, up to and including termination.

## **DIRECT DEPOSIT**

Direct deposit is a condition of hire for regular employees. Accordingly, all employees must maintain a checking or savings account with a banking institution. With direct deposit, the net pay is deposited into a bank of your choice. However, every new hire will receive a check, not direct deposit, for the first week on the payroll. This allows time for the bank to verify the accuracy of the direct deposit information.

## **EMPLOYEE SELF SERVICE WEBSITE**

Tufts University offers paperless transactions for changes to an employee's personal information and deduction elections through Tufts' Employee Self Service Web Site. Through Self Service, employees may view payroll, benefits, personal information, and time off records. Employees can log into the system to view their paychecks and direct deposit, change tax withholdings, or change a beneficiary. Additional services are continually being added.

Employee Self Service is available through any computer with internet access. The site can be accessed through the [Human Resources website](#). You will be required to login with a secure password.

## **ALTERNATIVE WORK ARRANGEMENTS**

An alternative work arrangement is any arrangement that differs from the department norm which is implemented to accommodate the needs of the employee and the department. All alternative work arrangements require the approval of an employee's supervisor and job sharing may require following additional guidelines. Please contact your supervisor or manager and your human resource business partner for further information. There are a variety of options that may work for employees and supervisors. These may include flexible scheduling such as:

1. Working an alternate schedule (e.g., 8 A.M. - 4 P.M., instead of 9 A.M. - 5 P.M.)
2. Participating in job sharing or other special arrangements;
3. Working part-time (shorter daily work schedule, or fewer days a week); or
4. Telecommuting (See next section).

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## **TELECOMMUTING**

Telecommuting can improve employee productivity and performance, enhance employees' work-life balance and support business continuity plans. It can also reduce the university's carbon footprint. When it is appropriate for the person, position, and doesn't adversely affect service or collaboration, the university supports the use of telecommuting. Telecommuting may be used on an on-going or periodic basis.

Eligible employees may only telecommute with prior approval. Despite the suitability of positions or employees to telecommuting arrangements, departments must ensure that sufficient personnel are available on campus to provide service to the campus community during scheduled business hours. As a result, there may be limited opportunities for employees to make use of telecommuting arrangements.

### **The Telecommuting Agreement**

The department and employee should complete a telecommuting agreement. The agreement is intended to capture all of the specifics of telecommuting. Before implemented, the agreement must be approved by the employee's supervisor in addition to the employee's dean, vice president or designee. The [Telecommuting Agreement](#) should be kept on file within the department and also in the employee's personnel file which is maintained by Tufts Support Services.

Ad hoc or infrequent, periodic telecommuting of short durations does not require a Telecommuting Agreement but does require prior supervisor approval.

### **Terminating the Telecommuting Agreement**

The appropriateness of the telecommuting arrangement should be assessed regularly or at least every six (6) months. The [Telecommuting Agreement](#) can be terminated by either the department or the employee with reasonable notice.

See [Telecommuting Guidelines](#) for more information and procedures.

## **JOB SHARING**

Job sharing allows two individual employees to share the responsibilities of one full-time position. If one member of the job-sharing team cannot cover his or her hours, the other member must assume responsibility. The supervisor of the position will determine if a job-sharing arrangement is appropriate for the position. Job sharers will receive a detailed set of guidelines and will be expected to sign a job-sharing agreement at the beginning of the job-sharing arrangement.

## **EARLY RELEASE**

Early releases are rare but may occur, for example, when poor weather creates hazardous traveling conditions or other problems. Early releases are declared by the Vice President for Operations. The decision may be University-wide or campus specific. A decision to announce an early release will be communicated to the appropriate individuals and areas of the University. Generally, even when early releases have been authorized, classes, clinics, scheduled events, and all related activities are expected to continue. Upon supervisory discretion, some employees may be released early from work. Staff members released early will be paid for their usual hours, but employees who are required to work will not be paid any additional wages.

## **EMPLOYEES WORKING IN ESSENTIAL SERVICE AREAS**

The nature of the university's activities and the complexity of operations require that certain services be provided at all times. Essential services include (not exhaustive): animal farms and hospitals, patient care areas, areas conducting critical research, Facility Services, Tufts Technology Services, Tufts Support Services, Dining Services, and Public Safety. Employees performing essential services are excused from work only with the specific authorization of their supervisors, regardless of other announcements. Supervisors shall inform employees:

- (1) If they are in an essential service position; and,
- (2) If the employee will need to:
  - a. Physically report to campus; or,
  - b. Work remotely if there is a closure.

Supervisors should instruct essential employees beforehand regarding their obligations during emergencies and establish procedures to inform them whether they will be needed to work. Employees in essential service areas who do not report to work during emergencies may be subject to disciplinary action.

If a non-exempt employee works during the closure, the employee will receive

*Effective: July 1, 2015 (rev. 02-21-17)*



regular pay in addition to either compensatory time off during the same work week, subject to work requirements, at the rate of 1 ½ hours for each hour worked or be paid at a rate of 1 ½ times regular pay for each hour worked during the closing.

### **EMPLOYEES WORKING IN NON-ESSENTIAL SERVICE AREAS**

In the event of a university closure, exempt employees are encouraged to work remotely in order to maintain unit productivity or to prepare for reopening. Non-exempt personnel may work remotely only with prior supervisor approval.

### **EMERGENCY INFORMATION**

Information concerning an emergency at Tufts will be broadcast over local television and radio stations. Information is updated as early as 6AM. The Tufts Information Line is 617.627.INFO (4636) for Medford and Boston or 508.839.6124 for the Grafton Campus. In addition, campus closing information is available on the [Tufts website](#)

# WORKPLACE EXPECTATIONS

## **BUSINESS CONDUCT POLICY**

In conjunction with the policies set forth in this Handbook, the University has designed a [Business Conduct Policy](#) to serve as a guide to appropriate business behavior. It is the responsibility of each employee to familiarize himself or herself with, and to abide by, the Business Conduct Policy including the confidentiality of personal or business information. All employees are provided with a copy of this policy at the beginning of employment. If you have any questions or need an additional copy of the policy, contact Human Resources or the [Finance Division's website](#).

## **FRAUD INVESTIGATIONS**

It is the responsibility of Audit and Management Advisory Services (AMAS) to investigate financial-related fraud at Tufts University. In addition, AMAS will investigate cases of alleged theft, embezzlement, or misuse of University assets when a violation of policies or procedures may have occurred in order to determine how internal controls can be improved to reduce risk. Where appropriate, such investigations will be coordinated with University Counsel, the Department of Public Safety, and Human Resources.

As a member of the Tufts community, you are expected to report suspected fraud to the Director of AMAS. If the suspected fraud is initially reported to a supervisor, chairperson, director, dean, vice president, or other responsible person, that person must report the instance to the Director of AMAS.

It is the policy of Tufts University that any person is free to lawfully disclose whatever information supports a reasonable belief of suspected employee misconduct. The University is committed to protecting employees from interference when they make such disclosures.

Situations may exist where members of our community feel uncomfortable discussing these matters with their colleagues or supervisors. To assist with these particular situations, the University has an agreement with a third party reporting service, EthicsPoint, Inc., that allows employees to make anonymous complaints. This service maintains a Tufts University internet application and call center for individuals to report any concerns related to financial, regulatory, compliance, environmental health, and campus safety matters. You may access this service by clicking on the [Tufts University Anonymous Reporting Hotline](#) link. You may also access this reporting option by visiting the Finance Division, Office of Equal Opportunity, Environmental Health and Safety, or Audit & Management

*Effective: July 1, 2015 (rev. 02-21-17)*

Advisory Services websites and locating the links for anonymous reporting. Access is also available by dialing toll-free 1-866-384-4277.

Suspected research misconduct should be reported to the Associate Provost for Research. Any theft of physical assets should be reported to Tufts Police at 617.627.6911.

## **ALCOHOL, DRUGS, AND OTHER DANGEROUS SUBSTANCES**

Tufts University recognizes that the abuse of drugs and/or alcohol severely impairs the ability of employees to support our mission of providing the highest quality academic programs. The University supports constructive measures to deal with these problems, and strongly encourages employees with drug and alcohol problems to seek appropriate treatment. However, Tufts cannot and will not tolerate drug or alcohol abuse in the workplace.

In order to assure a safe and efficient work environment, Tufts University has adopted a formal policy. As a condition of employment with Tufts, employees must abide by the terms of this policy.

### [Drug-Free Campus and Drug-Free Workplace Policy](#)

Tufts University prohibits the unlawful manufacture, dispensation, distribution, sale, possession, and use of controlled substances, as well as reporting to work or conducting University business under the influence of a controlled substance. This policy applies on Tufts University property or to university activities off-campus, including university-sponsored field trips and study abroad programs. All faculty members, staff, and students are required to abide by the terms of this policy. In addition, Federal law requires that any employee notify the University if he or she is convicted of any criminal drug statute for a violation occurring in the workplace, no later than five (5) days after such a conviction. Tufts is required to notify the relevant funding agency, within the ten (10) days of receiving such notice, of any applicable conviction involving employees engaged in work on a federal grant or contract.

As a recipient of Federal program funding, the University must certify under the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The foregoing policy is one part of that program. Federal regulations implementing these statutes also require that this policy and information about the related program be distributed annually to all campus constituencies. A notice will be sent annually in the fall to all faculty members, students and staff of the internet location of the current version of the program. Paper copies can also be obtained at any Public Safety or Human Resources Department Office on each campus.

*Effective: July 1, 2015 (rev. 02-21-17)*

This policy is hereby deemed incorporated into the Faculty Handbook and Student Handbook of each of the respective schools of the University, as well as the Employee Handbook of the University. Further changes to or clarifications of this policy may be made to all constituencies by electronic or paper notification.

Employees in need of assistance in dealing with substance abuse issues are strongly encouraged to utilize the confidential assistance and services offered through Tufts' Employee Assistance Program (EAP) provider. They can be reached at 1-800-451-1834.

### **WORKING WITH ONE ANOTHER**

Tufts University strives to provide all staff and faculty members with a work environment that is free of harassment or other unreasonable interference with the performance of their University duties. We aspire to be a community of colleagues in which mutual respect guides our day-to-day interactions. While the University respects an individual's right to self-expression, it expects that the rights and concerns of others who work at Tufts are respected as well. At Tufts, there is no place in the work environment for conduct that demeans or belittles another person. For these reasons, harassment of any kind is unacceptable.

For the complete policy please refer to the [Business Conduct Policy](#).

### **HOSTILE WORK ENVIRONMENT/WORKPLACE VIOLENCE**

Racial or ethnic slurs; offensive swearing or use of profanity; sexually harassing remarks; threats of violence; and any other offensive comments, language, actions, or violent physical behavior will not be tolerated. This includes acts such as, but not limited to, intimidating, threatening, or hostile behaviors; harassment (including sexual harassment); vandalism; arson; sabotage; the use of weapons; carrying of weapons onto University property; violent events; or any act that in management's opinion is inappropriate in the workplace. E-misconduct, conduct occurring on the Internet or through other electronic means, is subject to the same disciplinary action as conduct occurring in person or print.

These rules apply to all employees, students, contractors, and guests on University property. Every employee is required to report incidents, threats, or acts creating a dangerous or hostile work environment to his or her human resource business partner, his or her supervisor (or to another supervisory employee if his or her immediate supervisor is not available), and/or to the Tufts Police Department. As necessary, managers and supervisors will receive special training on violence prevention techniques to help them spot potential problems and minimize the occurrence of violent incidents.

Tufts University will promptly investigate any physical or verbal attack, threats of violence, or other conduct by employees that threatens the health or safety of other employees or the public. All incidents of physical or verbal attacks are treated as misconduct and may result in disciplinary action, up to and including termination of employment. Pending the results of an investigation, the University may suspend employees who are involved in physical or verbal altercations that result in injuries; create a significant risk of injury; or have an impact on productivity, safety, or morale.

## **PUBLIC SAFETY**

The Department of Public Safety represents a comprehensive approach to increased safety and security awareness by combining the University Police Department, the Office of Environmental Health and Safety, and the Office of Risk Management and Insurance.

Individuals on the Boston, Medford/Somerville, or Grafton campuses in need of emergency police, fire, or medical assistance should call **6-6911**. University Police assistance is available twenty-four hours a day. Individuals are encouraged to report any suspicious or emergency activity directly to the University Police.

Individuals needing information or non-emergency assistance regarding a safe work environment are encouraged to contact Environmental Health and Safety staff at 617.636.3615 on the Boston campus, 617.627.3502 on the Medford/Somerville campus and 508.839.5303 on the Grafton campus, to reach staff members during regular business hours. Additional information can be found on the [Public Safety website](#). In case of an emergency after regular business hours, contact the University police at **6.6911**.

## **CONFLICT OF INTEREST**

Tufts employees are responsible for performing their duties in good faith and in the best interests of the University. In particular, employees are expected to avoid activities, agreements, business investments or interests, or other situations that materially conflict or appear to conflict with the interests of the University or interfere with the individual's duty to loyally serve the University to the best of his or her ability. This policy applies to both faculty and staff, except as specifically otherwise noted. A conflict of interest exists when an employee or a family member is in a position to benefit personally, directly or indirectly, from his or her relationship with a person or entity conducting business with the University. All employees have an obligation to avoid conflict, or the appearance of conflict, between their personal interests and the interests of the University and to avoid any situation that affects, or potentially could affect, his or her independent, unbiased judgment in the discharge of his or her duties to the

University. An employee should recuse himself or herself from making any decision relating to University business when the employee is aware of circumstances that might reasonably cause his or her impartiality to be questioned.

To say that one has a conflict of interest does not necessarily mean that the individual involved acted or is expected to act inappropriately. However, if a competing interest exists that creates a conflict of interest concern, certain actions by the individual is required.

All employees are required to promptly report to his or her direct manager or senior manager any actual or perceived conflict of interest (as defined in accordance with the Business Conduct policy) which arises outside of the annual reporting period. The decision on whether to approve a reported conflict should be made by the Executive Vice President, after consulting with the employee's senior manager and such other University officials as the Executive Vice President may deem appropriate. Conflicts involving the Executive Vice President shall be reported to and approved or disapproved by the President. Additional information can be found in the [Business Conduct Policy](#).

## **USE OF UNIVERSITY SYSTEMS, RESOURCES, AND INFORMATION**

The University has adopted several policies that provide valuable legal and ethical constraints associated with using University systems, resources, and information, including University computers, computer systems, and networks. These policies, which apply to all members of the Tufts community, include the [Information Stewardship Policy and Supporting Information Policies](#) (the Information Roles and Responsibilities Policy, Use of Institutional Systems Policy, and the Information Classification and Handling Policy), as well as the [Business Conduct Policy](#). Additional policies may also apply to specific units of the University and to any computers, computer systems or networks provided or operated by them.

When using any institutionally-provided resources, employees could legally be deemed to be acting as representatives of the University. Therefore, employees must conduct themselves appropriately when communicating internally and externally, i.e. blogging, MySpace, Facebook, etc. All communication, internal or external, utilizing Tufts resources is considered the property of the University and may be accessed, audited, and disclosed. Therefore, there is no expectation of privacy in emails, instant messaging, Internet searching, etc., exchanged on Tufts systems. They may also be used as a basis for disciplinary action.

Any use of University communication resources in conflict with the values of the University is unacceptable. It is the responsibility of all Tufts employees to respect the highest level of privacy for their colleagues and other members of the Tufts community. Employees deemed to have utilized systems or resources

improperly, for example, in the case of on-line gambling or pornographic sexually explicit materials not related to legitimate job functions, will be subject to disciplinary action, up to and including termination of employment.

### **ATTENDANCE AND PUNCTUALITY**

For anticipated absences, such as a scheduled doctor's appointment, you are expected to notify your supervisor with as much notice as possible. For unanticipated absences, such as illness, you must notify your supervisor no later than one hour after your usual work day begins (e.g., no later than 10 A.M. if your work day begins at 9 A.M.). Departments involving patient care and emergency services may have specific call-in procedures that override this procedure. If you are uncertain of the call-in procedure for your department, please check with your supervisor. Absences must be reported daily, unless you have reported a hospitalization, a leave of absence has been determined and approved, or the absence has otherwise been approved by your supervisor.

Unreported and/or repeated unauthorized absences may be considered job abandonment and could lead to disciplinary action, up to and including termination.

### **NO SMOKING POLICY**

Tufts University is committed to providing a healthy, smoke-free workplace for employees. In compliance with the Massachusetts Clean Indoor Air Law (1988), a comprehensive law based on the premise that there should be no smoking in certain public places, no smoking is allowed in University buildings. However, there are some designated smoking areas around the campuses. Designated areas do not allow for smoking in doorways or other areas leading immediately into or out of a University building. Failure to adhere to established "No Smoking" guidelines may lead to disciplinary action, up to and including termination of employment.

### **ACCIDENT OR INJURY AT WORK**

You must immediately report any accident or injury occurring while working. An Employers First Report of Injury Report form must be completed immediately so that the University may take appropriate action. The form must be signed by your supervisor and sent to the Office of Insurance and Risk Management on the Medford/Somerville campus. This report must be forwarded to the Massachusetts Industrial Accident Board within forty-eight (48) hours of the incident. Timely reporting is essential as failure to report an accident or injury in a timely fashion may result in a fine to the University and may affect the employee's ability to prove the nature of the injury.

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## **WORKER'S COMPENSATION**

An employee who is injured while working may be entitled to benefits provided by Worker's Compensation Insurance. Details of this insurance, accident forms, and general information may be obtained from the [Office of Risk Management and Insurance website](#). If the injury results in the employee being absent for more than three (3) days, his or her human resource business partner should be contacted.

## **POLICY ON POLITICAL ACTIVITIES**

The University, which is committed to free and open discussion of ideas and opinions, encourages students, faculty members, and staff to exercise their civic rights to participate as individuals in the electoral process. However, because the University is a tax-exempt entity, it is prohibited by law from participating or intervening in campaigns for any elective office. Federal Election Commission regulations expressly restrict political activity of educational institutions. To comply with these and other related legal requirements, the University maintains the following Policy with respect to political activities on campus:

With regard to support of or opposition to candidates for election to public office, members of the University community are free to express their opinions and engage in political activities in their individual capacities but must avoid the appearance that they are speaking or acting on behalf, or with support, of the University.

No person may, on behalf of the University, engage in activity in support of or opposition to a candidate for elective public office (including giving or receiving funds or endorsements), nor shall University resources be used for such purposes. All employees must abide by the following rules in particular:

- The name, seal, insignia, marks, and letterhead of the University or of any of its schools, departments, or programs shall not be used on letters or other materials intended for partisan political purposes.
- No University office shall be used as a mailing address for partisan political mailings, nor shall telephone service that is paid by the University be used for partisan purpose.
- The University title of a faculty member or staff member or other person should be used for identification purposes only and, when there is any prospect that the use of the title could be mistaken as an endorsement by the University, should be accompanied by a statement that the person is speaking as an individual and not as a representative of the University.



- University services, equipment such as copying machines, computers, telephones, and supplies shall not be used for partisan political purposes.
- No University employee, as part of his or her job, may perform or be asked to perform political tasks.
- Invitations, subject to the following principles, may be extended by departments, programs, or recognized organizations to persons who are candidates for elective public office (or their representatives) to speak on campus. Access to the University, if granted, shall be made available on an impartial, non-partisan basis, and:
  - (1) the invited speaker's appearance on campus shall have an educational or informational focus, and not be conducted as a campaign rally or similar event;
  - (2) no fundraising for the speaker/candidate shall occur in connection with the event; and
  - (3) the event must be conducted in a manner that avoids any unauthorized implication that it is sponsored, endorsed, or favored by the University.
- University facilities will not be rented to candidates (or their campaigns) for elective public office.
- Debates and forums may be conducted on campus only in accordance with pertinent legal standards, which require that the activity be conducted in a non-partisan manner, provide access to all qualified candidates, and state that the views expressed by the participants are their own and not those of the University, and that sponsorship of the forum is not intended as an endorsement of any particular candidate.
- The University reserves the right to cancel any appearances by a political candidate if it is determined that such appearance is inconsistent with this policy.

Questions concerning this policy should be directed to the Office of University Counsel or the Office of Community Relations.

### **SOLICITATION AND DISTRIBUTION POLICY**

In order to minimize distractions and interference with University business, these guidelines have been established regarding employees' solicitation of other

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employees, the distribution by employees of literature and other materials in University workplaces, and solicitation and distribution by non-employees.

University employees may not use Tufts resources such as mail, email, supplies, or equipment to distribute materials or make solicitations unrelated to their job responsibilities. University employees may not post literature or other materials that are not job-related in University workplaces.

Employees may not solicit for any purpose nor distribute literature or materials within the university's buildings or on university property during the employee's working time or the working time of any employee being solicited or approached. "Working time" shall not include break periods, meal times, and other non-work periods during the day.

Employees may not distribute literature or materials within the working areas of the University at any time.

A violation of this policy by an employee may result in disciplinary action, up to and including termination of employment.

Tufts prohibits any solicitation or distribution in University workplaces by all non-employees.

## **TRAVEL ON UNIVERSITY BUSINESS**

Employees who travel for the University on authorized business will be reimbursed for all necessary and reasonable expenses incurred while traveling, subject to department or project budget limitations or may use a University Travel Card.

All necessary travel approvals must be obtained from the traveler's supervisor, Chairperson, or Dean prior to the business trip.

Employees may not charge personal expenses to a Tufts University P-card. P-cards are for the exclusive use of business expenses. Any employee who misuses a P-card may be subject to disciplinary action, up to and including termination.

Employees are covered by travel accident insurance while away on approved University business trips.

Travel from an employee's home to Tufts and back is not reimbursable.

Additional information can be found on the [Finance Division's website](#).

# TIME OFF

## **BONUS DAYS**

Bonus days are earned by non-exempt employees for perfect or very good attendance. If the employee does not use any of his or her sick days in an anniversary year, he or she earns two (2) non-accruable bonus days for use as vacation or personal time. If the employee takes one (1) or two (2) sick days, he or she earns one (1) bonus day. Records of bonus time are kept in the department where the employee works.

## **HOLIDAYS**

The University observes the following paid holidays throughout the year:

New Year's Day	January 1*
Martin Luther King Day	3rd Monday in January
President's Day	3rd Monday in February
Patriots' Day	3rd Monday in April
Memorial Day	last Monday in May
Independence Day	July 4*
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans' Day	November 11*
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	4th Friday in November
Christmas Eve	December 24**
Christmas Day	December 25**

\* *When these days fall on a Sunday, the holiday will be observed on the following Monday; when they fall on a Saturday, the holiday will be observed on the previous Friday.*

\*\* *When Christmas Eve and Christmas Day both fall on a weekday, employees will receive both days as holidays.*

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The University recognizes the right of employees to observe the holidays of their religion. At the employee's discretion, time taken for this reason may be considered vacation time, personal days, or absence without pay. Employees should discuss religious holidays with their supervisors well ahead of time, so that the supervisor can prepare for the employee's absence from the workplace.

### **HOLIDAY PAY**

Regular, full-time employees receive pay for University holidays, without any waiting period. Regular, part-time employees will receive pay only for the holidays which occur on the days they are regularly scheduled to work.

Non-exempt employees who are required to work on a holiday will be compensated at time and one-half for hours worked on that day. In addition, such employees will receive either another day off or a day's pay at the normal rate.

The policy on holiday scheduling and holiday pay may not be applicable to departments that operate on a six- or seven-day work schedule. You should consult your Department Head if you are employed in a unit with such shift assignments.

If you take an unexcused absence the day before or the day after a holiday, you will not receive pay for that holiday. Exceptions may be made for approved absences. If a University holiday falls during a leave of absence, the employee will not receive holiday pay.

### **PERSONAL DAYS**

Based on their regularly scheduled hours, full-time Tufts employees receive two (2) personal days per fiscal year, July 1-June 30. Part-time and part-year employees receive pro-rated personal days based on their regular work schedule. These days must be used each year and do not accrue. Unused personal days are not paid upon termination. When scheduling a personal day, employees are expected to give their supervisor sufficient notice.

During the first year of employment, employees hired between July 1 and December 31 will receive two (2) personal days. Employees hired between January 1 and March 30 will receive one (1) personal day. Personal days may not be utilized during the trial period.

## **SYMPATHY DAYS**

You may be granted up to three (3) days of paid leave if there is a death in your immediate family or an individual living with you. Immediate family is defined as spouse, domestic partner, children (including stepchildren), daughter/son-in-law, mother/father-in-law, parent (including stepparent), brother or sister (including stepbrother and stepsister), brother/sister-in-law, grandparent, and grandchildren. Upon request, employees may be given sympathy leave of up to three (3) days in the event of the death of a family member of an individual living with them.

## **VACATION**

During the first year of employment, employees must complete at least ninety (90) days before taking any accrued vacation time. A vacation day is equal to the designated workweek hours for your position as stated in the HR records, divided by five (5). Employees receive their usual base pay during a scheduled vacation. Full-time, hourly non-exempt employees earn vacation at the rate of 1.25 days per month, which equates to an annual total of fifteen (15) days. After completing ten (10) years of service an hourly non-exempt employee's vacation accrual rate increases to 1.67 days per month, for an annual total of twenty (20) days. Vacation can be taken in partial day, day, or week increments.

Salaried non-exempt and exempt employees earn 1.67 days of vacation per month, or twenty (20) days per year. Those employees who have completed twenty-five (25) years of service begin to accumulate vacation at the rate of 2.08 days per month, or twenty-five (25) days per year. Vacation can be taken in partial day, day or week increments.

Academic year and full-time regular employees accrue vacation at the above rate during the months they work.

Part-time employees receive pro-rated vacation time based on their regular work schedule.

If an employee is hired, or returning to work from an unpaid leave, on or before the fifteenth (15<sup>th</sup>) day of the month, the employee will receive vacation credit for the month. If an employee is terminating, or going out on unpaid leave, on or after the fifteenth day of the month, the employee will receive vacation credit for the month. Upon completion of the trial period, employees receive vacation accrual retroactive to their first day of employment. Vacation time may be utilized only after the employee has completed ninety (90) days at the University.

Vacation does not accrue during an unpaid leave of absence. Please consult your human resource business partner for additional information.

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**Scheduling Vacation:** All vacation schedules must be approved by your supervisor. Whenever possible, vacation time should be requested at least three (3) weeks in advance. The work load in your department and, in some cases, your length of service will be considered when setting up vacation schedules. When you take your vacation, you may request advance payment for earned vacation time if your paycheck is issued weekly or semi-monthly.

**Illness during Vacation:** If you become sick for more than three (3) days during your vacation, you may use your earned sick time. In some cases, employees may be asked to obtain a written statement from their physician regarding the illness.

When a holiday occurs during a vacation, it is not counted as vacation time.

**Carryover:** Tufts provides a generous vacation policy and encourages employees to take vacation annually. Vacation provides employees with needed rest and relaxation and allows them to recharge so that they can continue performing at a high rate of productivity.

The University uses a centralized system to track vacation, personal and sick time and enforces a maximum vacation balance accrual. The maximum vacation time that an employee can accrue is equal to the amount of time the employee accrues in two years based on his/her eligibility. Once the maximum accrual is reached; vacation time will stop accruing until the balance drops below the maximum allowed.

### **EARNED SICK TIME FOR BENEFITS ELIGIBLE EMPLOYEES**

Following the completion of the ninety (90) day trial period, benefits eligible, hourly non-exempt employees are eligible to use thirteen (13) days of earned sick time per year. Every year on the anniversary of the date of hire, thirteen (13) additional days are added to the hourly non-exempt employee's earned sick time balance.

Following the completion of the ninety (90) day trial period, salaried non-exempt and exempt employees are eligible to use up to twenty-six (26) weeks of earned sick time per year; sick time used is replenished based on a rolling calendar year, i.e., one year from the time used.

For both non-exempt and exempt employees, the maximum earned sick time balance an employee can accumulate is twenty-six (26) weeks. Sick time is pro-rated for part-time and/or academic-year employees based on the hours/months they are normally scheduled to work.

**Use of Sick Time:** Sick time is provided to allow employees to:

1. Care for the employee's own physical or mental illness, injury, or other medical condition that requires home, preventative or professional care;
2. Attend the employee's own routine medical and dental appointments;
3. Care for a relative who has a physical or mental illness, injury or other medical condition that requires home, preventative or professional care or attend such person's routine medical and dental appointments (up to ten (10) days of earned sick time may be applied for this purpose, pro-rated for part-time employees);
4. Address the psychological, physical, or legal effects of domestic violence (up to five (5) days of earned sick time may be applied for this purpose, pro-rated for part-time employees); and
5. Travel to and from an appointment, a pharmacy or other location related to the purpose for which the time was taken.

Earned sick time may be used for full or partial day absences. If an employee's absence from work requires Tufts to call in a replacement worker to cover the absent employee's job functions, Tufts may require the absent employee to use up a full shift of earned sick time.

For the purposes of this policy, the term "relative" is defined as a spouse, domestic partner, parent, child, sibling, grandparent, or grandchild of the employee or of the employee's spouse. Relatives also include "step" relationships such as stepchild and stepparent and in-law relationships, such as brother/sister-in-law, and mother/father-in-law. In addition, a child of a person who has assumed the responsibilities of parenthood shall also be considered a "relative" under this policy.

For the purposes of this policy, the term "domestic violence" is defined as abuse committed against an employee or the employee's dependent child by: (1) a current or former spouse of the employee; (2) a person with whom the employee shares a child; (3) a person who is residing with or has resided with the employee; (4) a person who is related to the employee by blood or marriage; or (5) a person with whom the employee has or had a dating or engagement relationship.

**Verification of Use of Sick Time:** If an employee uses sick time for a period that lasts three (3) consecutive work days, the University will generally require the employee to submit a note from a healthcare provider that confirms the employee's need to use earned sick time. If the earned sick time is taken for permissible non-medical reasons, the University may require the employee to submit a written statement or other documentation evidencing the need to use earned sick time.

Employees should remember that regular, reliable attendance and punctuality is expected. If an employee is repeatedly absent, late or leaves work early for reasons

not covered by earned sick time or commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick time or exhibits a clear pattern of taking sick time on days when the employee is scheduled to perform duties perceived as undesirable, the employee may be subject to disciplinary action.

Employees must provide reasonable notice of their need to use earned sick time.

**Payout of Sick Time:** Sick time is not payable on termination of employment.

**Interaction with Other Types of Leave:** If any time off covered under this policy is also covered under the Family and Medical Leave Act (FMLA) or other leave of absence policies, the employee's earned sick time will run concurrently with such leave. Employees may choose to use, and the University may also require employees, to use earned sick time to receive pay for absences under leave policies if those absences would otherwise be unpaid. For questions about how your earned sick time may interact with other types of leave, please contact the Human Resources Leave of Absence Administrator.

**Break in Service:** Employees who experience a break in service of up to one (1) year, and who return to work at the University within that time period, will receive sick time according to their new status, including their earned sick time balance of up to 5 days, whichever is greater. Such returning employees can use their earned sick time balance of up to 5 days immediately upon returning to work.

If an employee returns to work after a break in service of up to one (1) year, for purposes of this policy, their anniversary date shall be considered their first date of actual work *prior* to the break in service, rather than their return date *after* the break.

### **EARNED SICK TIME FOR NON-BENEFITS ELIGIBLE EMPLOYEES PREVIOUSLY INELIGIBLE FOR PAID SICK TIME**

This policy establishes guidelines for the accrual and use of earned sick time by employees who were previously ineligible to receive paid sick time. This policy is designed to provide such employees with an opportunity to earn up to 40 hours of paid sick time per benefit year (July 1 through June 30). This policy also delineates the appropriate use of sick time and outlines how to request time off.

This policy applies to all employees whose primary work location at Tufts University is in Massachusetts and who were previously ineligible to receive paid sick time from the University, including certain non-benefits eligible employees, contract employees, temporary employees and student employees who are not on federal work study, serving as Resident Advisors (RAs) or exempt from the Federal Insurance Contributions Act (FICA).



**Accrual of Sick Time:** All employees subject to this policy shall be eligible to accrue and use paid sick time. Sick time for employees will accrue at the rate of one (1) hour for every thirty (30) hours worked per fiscal year, from July 1 to June 30, up to a maximum of 40 hours. Employees may carry over up to 40 hours of unused sick time into the next fiscal year, but may never earn, accrue or hold more than 40 hours in their earned sick time bank.

**Use of Sick Time:** Employees may not use or earn more than 40 hours of earned sick time per fiscal year. Accrual of sick time begins on July 1, but may not be used until ninety (90) days after the individual's start date.

Sick time is provided to allow employees to:

1. Care for a child, parent, spouse, or parent of a spouse who is suffering from a physical or mental illness, injury, or other medical condition that requires home, preventative or professional care;
2. Care for the individual's own physical or mental illness, injury, or other medical condition that requires home, preventative or professional care;
3. Attend routine medical and dental appointments for themselves or for their child, parent, spouse, or parent of a spouse;
4. Address the psychological, physical, or legal effects of domestic violence; and
5. Travel to and from an appointment, a pharmacy or other location related to the purpose for which the time was taken.

Earned sick time may be used for full or partial day absences. If an employee's absence from work requires the University to call in a replacement to cover the employee's job functions, the University may require the absent employee to use up to a full shift of earned sick time.

**Absence Notification Procedures:** If an employee determines that he or she needs to be absent, to be late or to leave work early, the employee must give advance notice to his or her supervisor. Notice should be provided in person or by telephone, e-mail or text. If the employee is unable to provide notice personally, notice may be provided by a surrogate (for example, a spouse, family member or other responsible party).

If the absence is foreseeable (for example, if the employee will be absent to attend a previously scheduled appointment), the employee must provide seven days advance notice, or more if possible.

If the absence is not foreseeable, the employee must provide notice to his or her supervisor at least one (1) hour before the start of the employee's shift. If one (1)

hours' notice is not feasible due to sudden illness or emergency, notice must be provided as soon as practicable.

If an employee is going to be absent on multiple days, the individual should still provide notice each day that they are absent.

**Verification of Use of Sick Time:** If an employee uses sick time for a period that lasts over twenty-four (24) consecutively scheduled hours or three (3) consecutive work days, the University will generally require the employee to submit a note from a healthcare provider that confirms the need to use earned sick time within seven (7) days of taking the time off. The employee's manager should notify the Human Resources Leave of Absence Administrator of absences that last over twenty-four (24) consecutively scheduled hours or three (3) consecutive work days.

University may also require written documentation from the employee's healthcare provider if the absence occurs within two (2) weeks of the employee's scheduled termination date or if the employee has had four (4) unforeseeable and undocumented absences within a three-month period.

If the earned sick time is taken for permissible non-medical reasons, the University may require the employee to submit a written statement or other documentation evidencing the need to use earned sick time.

If an employee is asked to submit documentation, but fails to do so in a timely manner, the University may recoup the sum of the earned sick time from future pay as an over payment and may also delay or deny the future use of accrued sick time until the documentation is provided.

**Expectations Regarding Attendance:** Employees should remember that regular, reliable attendance and timeliness is expected. If an employee is repeatedly absent, late or leaves work early for reasons not covered by earned sick time, is absent or tardy for more than 40 hours in a fiscal year, commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick time or exhibits a clear pattern of taking sick time on days when the employee is scheduled to perform duties perceived as undesirable, he or she may be subject to disciplinary action.

**Payout of Sick Time:** Sick time is not payable on termination of employment or appointment.

**Interaction with Other Types of Leave:** If any time off covered under this policy is also covered under the University's FMLA, Parental Leave or other leave of absence policies, sick time shall run concurrently with such leave. Employees may choose to use, and the University may also require them to use,

earned sick time to receive pay for absences under other leave policies if those absences would otherwise be unpaid.

**Break in Service:** Employees who experience a break in service of up to one(1) year, and who return to work at the University within that time period, will receive sick time according to their new status, including their earned sick time balance of up to 5 days, whichever is greater. Such returning employees can use their earned sick time balance of up to 5 days immediately upon returning to work.

If an employee returns to work after a break in service of up to one (1) year, for purposes of this policy, their anniversary date shall be considered their first date of actual work *prior* to the break in service, rather than their return date *after* the break.

# **LEAVES OF ABSENCE**

## **SECTION I: GENERAL INFORMATION**

A leave of absence may be granted for a specified, limited period of time. Depending on the nature of the leave and your employment situation, a leave may be covered under the Family Medical Leave Act (FMLA) or other state or federal statutes governing employee leaves of absence. Some leaves may run concurrently. In some cases, such as leaves covered by the FMLA and the Massachusetts Maternity Leave Act (MMLA), the leave may depend upon successful completion of the trial period. Examples of leaves include medical, parental, military, and personal leave. For more details, please see the relevant sections below or contact a human resource business partner. A leave of absence presupposes that you will return to work. Normally under this policy, no leave of absence should exceed twenty-six (26) weeks. Any employee planning a leave of absence should consult with a human resource business partner to understand how state and federal requirements and University policies apply to his/her planned leave of absence. An employee should discuss all aspects of the leave, including eligibility for continuation of benefits and other pertinent details, with the employee's immediate supervisor and with a human resource business partner. An employee on a leave of absence from Tufts may not work at another job.

### **Applying for a Leave**

An employee requesting a leave of absence should notify both his/her supervisor and a human resource business partner. Human Resources will provide the employee with the documentation the employee must complete in order to initiate the request for a leave of absence. Human Resources will collect and review all necessary documentation before determining whether the employee is eligible for the type of leave requested. The employee is responsible for providing Human Resources with all required documentation in support of the leave request. Based on the type of leave at issue, Human Resources will inform the employee how such leave will impact pay and benefits as well as job protection.

If the need for leave is not foreseeable, the employee is still required to notify his/her supervisor or the Human Resources department of his/her request for leave as soon as practical and generally must comply with Tufts' normal call-in procedures. Any other leave request should be made with as much notice as possible.

Typically, when an employee is out more than three (3) consecutive days, the employee (or in the employee's absence, the manager) should contact Human Resources to discuss any potential need for a leave.

### **University Job Protection**

The University will protect the position of employees who are on authorized leaves of absence. Employees are eligible for two (2) weeks of University job protection for every year of service, with a minimum of four (4) weeks and a maximum of twenty-six (26) weeks. University job protection may run concurrently with or separately from state and federal requirements. The University cannot guarantee job protection for an employee whose leave of absence exceeds the employee's job protection period.

### **GINA**

The Genetic Information Nondiscrimination Act (GINA) prohibits employers and other covered entities from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. In order to comply with GINA, the University asks that you not provide any genetic information when responding to requests for medical information under this or any other leave policy.

### **Returning to Work**

An employee out on a leave of absence is responsible for notifying Human Resources as soon as possible of the employee's intent or ability to return to work, or any change in the employee's intended date of return. In most cases of extended leave, Tufts will expect at least two (2) weeks' advance notice. Human Resources will inform the employee regarding what documentation the employee must submit to Tufts before the employee will be permitted to return to work. If the employee's leave of absence was due to the employee's own health condition, the employee may be required to provide a "fitness for duty" certification form from the employee's health care provider, verifying the employee's ability to return to work, with or without restrictions.

Upon returning to work, during the applicable job protection period, the employee typically will be reinstated to the position the employee held just prior to the leave of absence. If the employee returns to work after the applicable job protection period, and the employee's previous position is no longer available, Tufts may offer the employee a similar position for which the employee is qualified, if any such positions are available. If there are no such positions available, the employee may be discharged from employment, and benefits will end as they would for any employee ending employment with the University.

If an employee is medically released to return to work and fails either to return to work or to provide the University with a timely and satisfactory explanation, the University will treat the employee's conduct as a voluntary resignation.

## **SECTION II: FAMILY MEDICAL LEAVE ACT (FMLA)**

### **Eligibility for the Family Medical Leave Act (FMLA)**

To be eligible for FMLA leave, an employee must have worked for Tufts for at least twelve (12) months and at least one thousand two hundred and fifty (1250) hours in the year preceding a requested leave, and must have worked at a worksite within seventy five (75) miles of a Tufts worksite that employs at least fifty (50) employees

### **Basic Leave Entitlement Under FMLA**

FMLA provides up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for any of the following reasons:

- Incapacity of the employee due to pregnancy, prenatal medical care, or childbirth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter, or parent who has a serious health condition; or
- A serious health condition that renders the employee unable to perform the employee's job.

### **Definition of Serious Health Condition**

A serious health condition includes an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy or a chronic medical condition. Other conditions may also meet the definition of continuing treatment.

### **Military Family Leave Under the FMLA**

Eligible employees with a spouse, son, daughter, or parent in the Armed Forces, including the National Guard or Reserves, on covered active duty, or who has been notified of an impending call or order to covered active duty, may use their twelve (12) week leave entitlement to address certain qualifying exigencies. "Active duty" for members of the regular Armed Forces means duty during deployment with the Armed Forces to a foreign country. For members of the National Guard or Reserves, it means duty during deployment with the Armed Forces to a foreign country under an authorized call or order to active duty. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements,

attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA provides twenty-six (26) weeks of leave during a single twelve (12) month period to care for a covered service member. A covered service member is (i) a current member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; and (ii) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including National Guard or Reserves, at any time during the preceding five (5) years. A "serious injury or illness" for a current member of the Armed Forces, including National Guard or Reserves, means an injury or illness that was incurred or aggravated in the line of duty while the service member was on active duty in the Armed Forces and that may render the service member medically unfit to perform the duties of the service member's office, grade, rank or rating. For veterans, the term refers to a qualifying injury or illness incurred or aggravated in the line of duty while the service member was on active duty in the Armed Forces and that manifested itself before or after the member became a veteran.

### **FMLA Process**

Human Resources will provide employees with information on employee eligibility, rights, and responsibilities, including the necessary documentation required to be completed and approved in order for leaves of absence to be designated as FMLA leave. Human Resources will review employee requests for leave under the FMLA and any supporting documentation provided. Human Resources will notify employees in writing: whether the leave is approved, whether the leave qualifies under the FMLA, whether the leave will run concurrently with other time clocks associated with state and federal requirements and University policies governing leaves of absence, whether additional information is required, the amount of leave that will count against the employee's leave entitlement, whether the leave will be designated as paid or unpaid, and whether the employee must provide a "fitness for duty" certificate before returning to work.

Employees must provide sufficient information for Human Resources to determine if the leave qualifies for FMLA job protection, as well as the anticipated timing and duration of the leave. This may include information sufficient for Human Resources to determine whether the employee is unable to perform job functions, whether a qualified family member is unable to perform daily activities, the employee's need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must inform Human Resources if the requested leave is for a reason for which FMLA leave was previously taken or approved. Employees also may be required to provide a certification and periodic recertification

supporting the need for leave. Failure to provide the required information may delay or prevent authorization of a requested leave of absence.

### **Intermittent FMLA Leave**

An employee may take leave intermittently or on a reduced-leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt Tufts' operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### **Benefits**

During FMLA leave, Tufts will continue the employee's participation in Tufts' health and dental insurance plans and will continue to make its usual premium contributions to the costs of the plans, provided the employee pays his or her share of the cost. The employee may continue to participate in or make contributions to other Tufts benefit plans, to the extent permitted under the terms of the applicable plans. If the employee fails to return to work at the conclusion of an FMLA leave, the employee will owe Tufts for any insurance payments made on his or her behalf during any unpaid portion of an FMLA leave.

### **Returning to Work**

Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay and benefits.

Upon returning from FMLA leave that has not exceeded twelve (12) weeks, or twenty-six (26) weeks in the case of military caregiver leave or military caregiver leave combined with leave for any other purpose under the FMLA, the employee will be returned to the same position that he or she left when the leave began or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment, in accordance with the conditions provided for such reinstatement under the FMLA. The employee will be reinstated without loss of employment rights or benefits that the employee had earned or accrued prior to the beginning of the leave, except to the extent such benefits were used or paid during the leave.

If the employee is returning from medical leave or from parental leave taken in conjunction with pregnancy or childbirth, the employee may be required to provide medical certification of his or her ability to return to work.

If the employee decides not to return to Tufts following an FMLA leave, the employee is requested to inform Tufts of that decision as soon as the employee is able to do so. Tufts may then end the leave and employment will terminate. If the employee fails to return to work at the end of an approved leave, Tufts may discharge the employee.



### **Duration of FMLA Leave**

For all leaves under the FMLA, except military caregiver leave, the employee is entitled to a maximum of twelve (12) weeks of leave per year, calculated on a “rolling” twelve (12)-month period measured from the date the employee first uses any such leave. With respect to military caregiver leave only, the maximum duration of such leave is twenty-six (26) weeks during a single twelve (12) month period, measured from the first day the employee takes leave for this reason and ending twelve (12) months later, including the time spent on leave taken for any other reason(s) under the FMLA.

### **Limitations on FMLA Leave**

Use of FMLA leave for purposes other than as set forth by the FMLA is strictly prohibited and may result in disciplinary action, up to and including termination of employment. Employees on a leave of absence from Tufts may not work at any other job.

### **Key Employees**

Certain key employees may not be eligible to return to the same or similar position upon returning from FMLA leave, if such denial is necessary to prevent substantial and grievous economic injury to Tufts. A key employee is a salaried employee who is among the highest paid ten percent (10%) of the employees employed by Tufts within seventy-five (75) miles of the facility at which the employee works.

### **Additional Leave**

Additional leave may be available in certain circumstances. Please refer to the other leave policies in this Handbook and contact a human resource business partner.

### **Retaliation and Discrimination is Prohibited**

Tufts prohibits retaliation or discrimination against an employee for having exercised his or her rights under the FMLA. Moreover, the FMLA makes it unlawful for an employer to interfere with, restrain, or deny the exercise of any right provided under the FMLA; or to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

### **Enforcement of the FMLA**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer for claimed violations of the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

### **Overlap between FMLA and Other Leaves**

FMLA leaves may run concurrently with or separately from other state and federal laws requiring leaves of absence and University leaves of absence policies. Employees should refer to Section III: University Leaves of Absence for specific information on such overlap. Employees planning a leave of absence also should consult with a human resource business partner, to understand how state and federal requirements, and University policies apply to his/her situation.

### **SECTION III: UNIVERSITY LEAVES OF ABSENCE**

University leaves of absence may run concurrently with or separately from state and federal requirements governing employee leaves of absence. Any employee planning a leave of absence should consult with a human resource business partner to understand how state and federal requirements, as well as University policies, apply to his/her situation.

### **MEDICAL LEAVE**

Employees with a medical condition are eligible to take a medical leave of absence. Accumulated sick time may be applied and an approved medical leave will be paid up to the amount of the employee's available sick time. An employee may choose to use available vacation and personal time after sick time is exhausted. In addition, Extended Illness Pay (EIP) may apply to an hourly non-exempt employee's non-work related illness, injury, or medical condition. Hourly, non-exempt employees should refer to the Extended Illness Pay (EIP) section of the time off policy for more information.

#### **Pay During Medical Leave – Extended Illness Pay:**

All regular, full-time hourly non-exempt employees who have been employed full-time by Tufts for at least one (1) continuous year are eligible for Extended Illness Pay (EIP), at no cost to the employee. Full-time employees who work for Tufts only during the academic year are also eligible for EIP, but they can receive EIP only during the academic year.

EIP supplements the full-time, hourly non-exempt sick pay policy during an approved medical leave of absence. EIP may not be used to supplement Workers' Compensation benefits.

EIP is equal to 60% of the employee's base salary (base salary excludes overtime, shift differential, and supplemental pay) and it applies to scheduled work days and University holidays. Employees may choose to apply accumulated vacation, bonus, and personal days to receive up to 100% of their salary.

EIP commences after a waiting period of twenty (20) continuous work days, or after all accumulated sick days beyond twenty (20) are exhausted. Should the employee's sick time be exhausted during the waiting period, an employee may choose to use available vacation and personal time. Any portion of the waiting period not covered by sick, vacation, or personal time will be unpaid. If an employee has more than twenty (20) sick days accumulated, all sick time must be taken/used prior to the commencement of EIP. All sick leave pay (regular and extended) will cease at the end of the employee's medical leave.

Employees seeking to participate in the University's Long Term Disability Plan (LTD) may apply for benefits under that plan while receiving EIP. Contact the Benefits Office for more information about the coordination of these two benefits.

## **PARENTAL LEAVE**

**Parental Leave for Employees with At Least 1 Year of Service:** Employees who have completed their 90-day trial period and at least one (1) year of service prior to the first day of taking Parental Leave, may take a leave of absence of up to twelve (12) weeks for the purpose of giving birth; preparing for or participating in the birth, adoption, or foster care of their child; or caring for their newborn or newly adopted or foster care child. Employees may choose to apply available paid sick time to their parental leave. If the employee's sick time has been exhausted, the University will continue to pay the employee's salary for the duration of the leave. Employees who use available sick time will be allowed to retain up to three (3) sick days for future use upon returning to work.

**Parental Leave for Employees with Less Than 1 Year of Service:** Employees who have completed their 90-day trial period and who have less than one (1) year of service prior to the first day of taking Parental Leave, may take a leave of absence of up to eight (8) weeks for the purpose of giving birth; preparing for or participating in the birth, adoption, or foster care of their child; and for caring for their newborn or newly adopted or foster care child. Employees may choose to use available sick, vacation, and/or personal time. If the employee's sick time is exhausted during the first two (2) weeks of leave, the University will continue to pay the employee's salary for the duration of the first two (2) weeks. Any portion of the leave not covered by sick, vacation, or personal time will be unpaid. Please refer to the definitions for different types of parental leave for more details.

**When Both Parents Work at Tufts:** If both parents are employed by the University, the two employees are allowed to take combined parental leaves totaling eight (8) or twelve (12) leave weeks, depending on the employees' length of University service.

**Interaction with Other Types of Leave:** Parental leave runs concurrently with applicable disability and FMLA leave arising from pregnancy, birth, adoption, or foster care placement.

**Types of Parental Leave / Definitions:**

**Pregnancy related disability:** Employees may take a Parental Leave of up to eight (8) or twelve (12) leave weeks depending on length of University service for the purpose of giving birth and subsequently caring for their newborn. Prior to the birth of their child, Parental Leave may be taken intermittently or on reduced leave schedule when medically necessary. Employees are required to provide health care certification to verify that such leave is necessary.

**To care for the employee's child after birth:** Employees may take a Parental Leave of up to eight (8) or twelve (12) leave weeks depending on length of University service for the purpose of participating in the birth and caring for their newborn. Employees are required to use this paid leave consecutively.

**Placement for adoption or foster care:** Employees may take a Parental Leave of up to eight (8) or twelve (12) leave weeks depending on length of University service for the purpose of preparing for or participating in adoption or foster care and caring for their newly adopted or foster care child under the age of 18 or under the age of 23 if the child is mentally or physically disabled. Prior to the placement of their child, leave may be taken intermittently or on a reduced leave schedule.

**OTHER LEAVES OF ABSENCE**

**Personal Leave**

A Personal Leave may be granted for reasons of compelling personal circumstance that makes it impossible or difficult for an employee to be at work. Requests for personal leave will be considered subject to the needs of the department on a case-by-case basis and must be approved in advance by your supervisor and Human Resources. Personal leaves are arranged in conjunction with Human Resources and normally cannot exceed six (6) months. Exceptions to this policy will be considered by management, on a case-by-case basis, in consultation with Human Resources.

**Jury Duty**

The University will pay the difference between the employee's regular University pay and jury duty pay up to thirty (30) days pursuant to a lawful jury summons.

### **Reserve Military Duty**

The University will pay the difference between an employee's regular University pay and Uniformed Services (USERRA/FMLA) pay for up to two weeks per year. Employees should contact Human Resources for information if an extended military leave is needed.

### **Domestic Violence Leave**

In order to help employees address situations of domestic violence and abuse, Tufts employees may take up to fifteen (15) days of unpaid leave in a twelve (12) month period to address issues directly related to domestic violence against the employee or the employee's family member. Appropriate use of such leave includes time off to seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from a court; appear in court or before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee. An employee may take such leave intermittently when necessary. Sick time taken to address the psychological, physical, or legal effects of domestic violence shall run concurrently with the employee's domestic violence leave.

All available accrued sick, vacation and personal time must be used during the period of the domestic violence leave. When all available paid accrued time runs out, the remainder of the leave will be unpaid.

When the need for domestic violence leave is foreseeable, an employee must give as much notice as possible. Employees may request domestic violence leave through their supervisor or the Human Resources Leave of Absence Administrator.

## **SECTION IV: MILITARY LEAVE UNDER USERRA**

In accordance with federal law, including the Uniformed Services Employment and Reemployment Rights Act (USERRA), and applicable state law, a leave of absence will be granted to employees to attend scheduled drills or training or if called to active duty with the U.S. Uniformed Services. "Uniformed Services" means 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.

Retaliation or discrimination based on Uniformed Service is strictly prohibited.

Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

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Military Leave under USERRA will be unpaid. However, full- or part-time employees may use any available paid vacation or sick days during the absence. Faculty are expected to fulfill military reserve duty during vacation time, unless necessity prevents such notice or it is otherwise impossible or unreasonable.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee otherwise is eligible. Please see the Human Resources Department for more information about USERRA's requirements.

Benefit accruals, such as vacation, sick leave, or holiday benefits will be suspended during the leave and will resume upon the employee's return to active employment.

### **Returning from Military Service**

With certain exceptions, employees returning from military service must either report to work or apply for reinstatement as follows:

Military Service of 1 to 30 days or Absence for a Fitness for Duty Exam: The employee must report to work by the beginning of the first regularly scheduled work period that begins on the next calendar day following completion of service, after allowance for safe travel home from the military duty location and an 8-hour rest period. 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 31 to 180 days: An application for reemployment must be submitted no later than 14 days after completion of the employee's military service. If submission of a timely application is impossible or unreasonable through no fault of the employee, the application must be submitted as soon as possible.

Military Service of 181 or more days: An application for reemployment must be submitted no later than 90 days after completion of the employee's military service.

If they are still qualified, employees returning from military leave will be reemployed in the same or similar job that they would have attained had they not been absent for military service, with the same seniority, status, and pay, as well as other rights and benefits determined by seniority. Tufts will make reasonable efforts to enable employees to refresh or upgrade their skills to help them qualify for reemployment. If a returning employee is not qualified for the position to which they otherwise would have been entitled, Tufts will work with that employee to identify and place the employee into an available alternative position.

Reemployment may not occur if Tufts' circumstances have so changed as to make such reemployment impossible or unreasonable; would impose an undue hardship on the University; or an employee's prior employment with Tufts was for a brief, non-recurrent period (e.g., a temporary employee) and there was no reasonable expectation that such employment would continue indefinitely or for a significant period. In addition, reemployment cannot be guaranteed if an employee's total cumulative military leave exceeds 5 years.

Please contact a Human Resources Business Partner for more information or questions about military leave.

## **SECTION V: SMALL NECESSITIES LEAVE ACT**

The Small Necessities Leave Act (SNLA) provides eligible employees with twenty-four (24) hours of unpaid time off during any twelve (12) month period to:

1. Participate in school activities directly related to the educational advancement of the employee's son or daughter, such as parent-teacher conferences or interviewing for a new school;
2. Accompany the employee's son or daughter to routine medical or dental appointments such as checkups or vaccinations; or
3. Accompany an elderly relative to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes.

The term "elderly relative" is defined as an individual at least sixty (60) years of age who is related by blood or marriage to the employee. This policy will also cover the same-sex "domestic partner" of an employee who has submitted the required affidavit for same sex domestic partnership.

The term "school" is defined as a public or private elementary or secondary institution, a Head Start Program under the Head Start Act, or a state-licensed children's daycare facility. Thus, an unlicensed daycare arrangement would not qualify. Likewise, accompanying an older child to visit colleges would not be covered.

If the need for this time off is foreseeable, an employee should submit a request to his or her supervisor no less than seven (7) days in advance; if the time off is not foreseeable, the employee must notify the supervisor as soon as practical under the particular circumstances. Employees may choose to use accrued vacation, personal, or bonus days, or may make up the missed time, with the permission of the supervisor.

# LEAVING THE UNIVERSITY

## **REDUCTION IN FORCE**

A reduction in force is the elimination of a position such as a change in a University program, department reorganization, budgetary restriction, or the expiration of a grant or contract. Reduction in force proposals are reviewed by the appropriate Dean or Director as well as by the campus Director of Human Resources, to ensure that the reduction is implemented according to University policy. This policy does not apply to temporary lay-offs.

This policy covers regular employees who work an average of 17.5 hours per week or more. Special provisions apply to employees working under externally funded grants or contracts and to employees who have worked for the University for ten (10) years or more. These provisions are outlined below:

### Employees under Grants or Contracts

Persons employed under grants or contracts at the time a reduction in force is implemented are not eligible for severance pay but are covered by the remainder of this policy.

### Notice of Reduction in Force

An employee whose position is being eliminated will ordinarily receive at least six (6) weeks written notice of the action. Employees receiving such notices are encouraged to contact a human resource business partner, who can further explain the policy and assist the employee in applying for other positions.

### Consideration for Other Employment

An employee whose position has been eliminated will receive primary consideration for employment in other positions at the University for which he or she is qualified and which are at the same or similar level. Primary consideration means that when an individual covered under this policy applies for an open position, he or she will be granted an interview by a human resource business partner. If the qualifications of the individual are deemed to be an appropriate match with the position requirements, a referral to the hiring supervisor may be made. The ultimate hiring decision is left to the hiring supervisor. This consideration remains in effect for one (1) full year from the separation date of the employee. If a reduction is due to the University's decision to purchase the services previously performed by University employees from an outside contractor, the new supplier will be encouraged to employ individuals affected.



Rehired employees are eligible for reduction in force benefits, including six weeks' notice and severance pay as of the date of rehire. Reduction in force benefits are based on full or partial years of service beginning with the date of rehire in the current position.

#### Severance Pay (excluding positions that are grant-funded)

Persons not employed under grants or contracts are eligible for severance pay. If another suitable position is not found prior to expiration of the notice period, eligible employees will receive one (1) week of salary for each full or partial year of service, with a minimum of two (2) and a maximum of sixteen (16) weeks. Unused vacation time accrued up to the day of separation will also be paid.

An employee who has received notice of a reduction in force may leave the University prior to the expiration of the notice period. For the purposes of salary and record keeping, the date of departure will then become the termination date.

If an employee selected for reduction is offered a comparable job within the University or with a subcontractor or lessee of the University, he or she will not receive severance pay or other benefits under this policy. A comparable job is defined as one at or near the same salary, benefits, and level of responsibility.

#### Review Procedure for Long-term Service Employees

The University has established a policy that long-term service employees may request a review at the highest level of the administration whenever a position held by a long-term service employee is eliminated due to a reduction in the work force, unless such a reduction results from the expiration of a grant or contract.

For purposes of this procedure, a long-term service employee is defined as a non-exempt employee who has completed ten (10) or more years of continuous service at Tufts.

Prior to requesting a formal review under the procedures outlined below, employees should discuss with their supervisor and the campus Director of Human Resources whether comparable jobs are available within the University. If the outcome of these discussions does not meet the employee's satisfaction, he or she may pursue the two-step review procedure which follows.

#### **Step I**

Within ten (10) working days of written notification of a reduction in force, the employee must submit a written statement of the reasons for requesting a formal review of the decision to eliminate the position to the Executive Vice President.

The written request will be reviewed and investigated by the long-term service employee reduction in force committee. At the present time, the committee includes the Executive Vice President, the Provost, and a third member of the

administration or faculty appointed by the President. The committee will review the decision to eliminate the position to ensure that it is not arbitrary. The committee will also consider whether there are practical alternatives to the reduction, such as whether employment with the University can be found by providing the employee with additional training, or by finding a comparable position within the University. As part of its investigation, the committee may request a personal meeting with the employee to obtain additional information.

Within fifteen (15) working days of submitting the written request, the committee will notify the employee, in writing, of its decision. If the committee requires additional time in order to complete its investigation, the committee may extend the fifteen-day period.

## **Step II**

If the decision by the long-term service employee reduction in force committee does not meet the employee's satisfaction, he or she may request the President to conduct a final review of the decision. Should the employee choose to do so, within five (5) working days of the committee's decision, he or she must submit a written statement requesting a review of the committee's decision to the President. The President will review the committee's decision and will notify the employee in writing of his or her conclusion. The President's decision is final.

## **Rehire**

Employees who leave the University in good standing are eligible for rehire. Past performance will be considered when a former employee applies for rehire.

If you are rehired within one (1) year of your departure date, you will retain your original hire date for the purpose of vacation accrual, retirement vesting, and other seniority based considerations except reduction in force benefits. For all other benefits plans, you will have to contact the Human Resources Benefits Office for specific policy details.

A rehired employee will still be subject to a trial period in his or her new position and no sick, vacation, or personal days from prior employment at the University will be reinstated.

## **SEPARATION FROM THE UNIVERSITY**

### **Resignation**

The University hopes that employees will develop long-term careers at Tufts that are both fulfilling and successful. However, if an employee feels the need to resign, he or she may do so at any time, for any reason. Employees who choose to voluntarily resign should submit a written notice to his or her supervisor, before leaving the University. This written notification should include the effective date

of resignation, specific reason(s) for the resignation, the employee's position and department, and the employee's legal signature.

Whenever possible, advance notice should be approximately equal to the employee's annual vacation accrual.

When leaving employment at Tufts, identification cards, keys, and other University property must be returned to the employee's direct manager.

### **Retirement**

An employee may retire voluntarily at any time, as there is no mandatory retirement age set by the University. Employees considering retirement should contact the Benefits Office for pre-retirement information and guidance. A Benefits Representative can provide information and literature regarding the University's pension plan, medical insurance, social security, and other related benefits effective during retirement.

### **Termination**

There are various reasons why an employee may be terminated. Some examples include: inability to attain the required level of performance in the job; failure to comply with required policies and procedures or standards of professional behavior applicable to employment; or repeated failure to perform required duties. Any termination must be approved by the Vice President for Human Resources or his or her designee, and must be in accordance with established policies and procedures.

### **Effect of Separation on Benefits**

The Benefits Office will generate the necessary paperwork regarding benefits and typically mails the information to the outgoing employee's home address. Employees should contact them directly, prior to their last day of work, for information concerning the continuation of certain insurance benefits.

### **Exit Interview**

During the employee's notice period, he or she is encouraged to participate in an exit interview with his or her campus human resource business partner. Exit interviews provide an opportunity to discuss the employee's experience at Tufts and provide important feedback.

### **Vacation Pay upon Separation**

If an employee leaves the University and has completed three (3) months of employment, he or she is entitled to payment for accrued, unused vacation.

## **UNEMPLOYMENT BENEFITS**

In certain circumstances, employees who have left the University may meet eligibility requirements for unemployment benefits. Unemployment benefits are available through the [Massachusetts Department of Labor and Workforce Development](#). Benefit eligibility is determined by Massachusetts Department of Workforce Development based upon specific conditions related to the reason for termination of employment.