

## Welcome

Martin Methodist College (“MMC” or “College”) enjoys an excellent reputation, which is due in no small measure to dedicated faculty and staff, whose hard work and commitment are essential to our success.

MMC is a community that emphasizes respect, trust, cooperation and collaboration. The benefits, services, policies and procedures outlined here have been designed to foster those values.

This Employee Handbook (“Employee Handbook” or “Handbook”) has been compiled to be a convenient guide and can help answer many of the questions you may have. Please familiarize yourself with it and use it as a reference. It is important to remember, however, that each situation is unique and judgment must be used in applying policies fairly and equitably.

We hope you find your time at MMC challenging and rewarding as we work together to maintain and improve our learning community. If you have any further questions concerning the material described in this Handbook, contact Human Resources.

Jamie Hlubb  
Assistant Vice President Human Resources  
Martin Methodist College  
433 West Madison Street  
Pulaski, Tennessee 38478\_  
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## **Introduction**

This Handbook has been prepared to acquaint you with the personnel policies and benefits that are generally applicable to Martin Methodist College staff and employees, including student employees and faculty (collectively, “Employees”).

The information in this Handbook has deliberately been presented in an informal manner and is only a summary of College policies and practices. For more detailed information, you should contact Human Resources. Please note that this Employee Handbook supersedes information published in previous Employee Handbooks.

This Handbook provides a general guide to College policies. Because no two employment situations are ever exactly alike, College policies must have some flexibility. There are times when rigid policies can be as unfair as no policies at all. Because the College's goal is to treat employees fairly, it may modify, suspend, or otherwise deviate from the policies summarized here on those occasions when it determines that the circumstances warrant special consideration.

Separate documents describe benefits that are summarized only briefly here. The actual provisions of each benefit plan or contract will govern if there is any inconsistency between this summary and the College's formal plans or contracts.

The policies summarized in this Handbook and any other policy summaries that may be issued from time to time in the future, are adopted voluntarily by the College and are not intended to give rise to contractual rights or obligations of any kind. We value our employees and look forward to a mutually satisfactory at-will employment relationship with each of you. Neither you nor the College is obliged to continue our employment relationship if either of us does not wish to do so.

The policy summaries contained within these pages provide general information about the College's policies that are in effect at the time the summary was prepared. Changes may be made from time to time at the discretion of the College, with or without notice.

## **Mission Statement**

Martin Methodist College as an institution of higher education related to the United Methodist Church has as its mission to:

- provide undergraduate, graduate and professional programs grounded in the liberal arts and sciences that are designed to prepare students for future careers and lives of continued learning;
- promote a diverse learning community that nurtures intellectual, spiritual, social and personal growth;
- Serve the region and church through educational, spiritual, social and cultural programs.

# **Martin Methodist College Ethics Code**

## **Introduction**

Martin Methodist College is committed to the highest ethical and professional standards of conduct as an integral part of its mission, the promotion of learning. To achieve this goal, the College relies on each community member's ethical behavior, honesty, integrity and good judgment.

This Ethics Code establishes guidelines for professional conduct by those acting on behalf of the College including 1) Employees, executive officers, faculty, staff and other individuals employed by the College, using College resources or facilities 2) consultants, vendors and contractors when doing business with the College and 3) volunteers and representatives acting as agents of the College. The Ethics Code refers to all these persons collectively as "Members of the College Community" or "Community Members."

This Ethics Code cannot address all situations that may arise, but it offers a framework to assist Community Members in understanding their obligations. Some of the following Statements are summaries of formal detailed policies and are not intended to be all-inclusive. Complete policies that apply to MMC Community Members include, but are not limited to, 1) Faculty Handbook, 2) Employee Handbook, 3) Student Handbook and 4) the College's Title IX Policy. This Ethics Code supplements but does not supersede the rights and obligations of Community Members under federal or state law.

## **Code of Conduct**

Members of the College Community have the obligation to respect and to be fair to other Community Members, students, and persons they supervise, and to foster their intellectual and professional growth. Community Members must not engage in, nor permit, harassment and illegal discrimination. Spoken or written intimidation, harassment, coercion or threats of violence are unacceptable and will not be tolerated. Behavior that jeopardizes the health and safety of Community Members, or intrudes upon their rights and freedoms, is unacceptable. Physically endangering behavior includes any deliberate, negligent or reckless actions that endanger the physical safety or well-being of any person, including you. Community Members must not abuse the authority they have been given and care must be taken to ensure that any personal relationships do not result in situations that might interfere with objective judgment. Community Members should conduct themselves in a businesslike manner on campus or when attending an off campus work related function. In addition, unprofessional activities such as inappropriate language, keeping or posting inappropriate materials in the work area or accessing inappropriate materials on computers is strictly prohibited.

## **Compliance with Laws and Regulations**

Members of the MMC Community are expected to transact College business in compliance with all Federal, State, and local laws and regulations related to their positions and areas of responsibility, including, but not limited to, equal employment opportunity, fair employment practices, and nondiscrimination laws; laws regarding the privacy and confidentiality of employee and student records; laws regarding workplace safety and occupational health; and laws regarding antitrust and recording of financial transactions.

## **Conflict of Interest**

A conflict of interest exists when an Employee or a member of his or her family is in the position to benefit personally, directly or indirectly, from his or her dealings with an organization or person conducting business with the College.

All decisions and actions by Employees in the course of their professional responsibilities are to be made in a manner which promotes the best interests of the College. It is the College's intent to avoid conflicts between the personal interests of Employees and the interests of the College. In the event that an Employee may have a financial, personal or professional interest that could potentially create a conflict of interest (or the perception of one) in any decision or transaction involving the College, the Employee must do the following:

1. Disclose clearly and fully in writing to the supervisor (and/or appropriate member of the Senior Management Team) the nature of the decision or transaction and the potential conflict of interest.

2. Refrain from participation (acting individually or as a member of a group) in the College's consideration of the transaction or the processing of the transaction.

Any gifts or services from vendors with values exceeding \$100 must be approved in writing by appropriate member of the Senior Management Team prior to acceptance. In addition, 1) if an Employee owns more than one percent of the stock of a publicly owned corporation, or if the stock is valued at more than \$5,000; and 2) if that corporation has a financial relationship with the College, the Employee must disclose this ownership to appropriate member of the Senior Management Team for the College's consideration as to appropriate action. Faculty and Employees, except for student employees, will be required to complete an annual conflict of interest form which will be distributed by Human Resources.

## **Confidentiality**

Employees must respect the privacy rights afforded students under the Family Educational Rights and Privacy Act (FERPA). This law affords students the rights to access their own education records and generally prohibits Martin Methodist College from releasing or disclosing those records to third parties. Education records protected under FERPA include any personally identifiable student information, such as grades, exam scores, or student ID numbers. All requests by third parties (including the student's parents) to inspect and review records shall be referred to the Registrar. Failure to maintain this confidentiality may have a direct impact on the interest of Martin Methodist College and may result in disciplinary action including termination of employment.

### **Intellectual Property Rights and Copyright Ownership**

MMC respects the ownership of intellectual material governed by copyright laws. Community Members are expected to comply with the copyright laws and provisions of the licensing agreements that apply to software, printed and electronic materials. For specific guidelines consult MMC's Intellectual Property Policy.

Use of the College's seal, letterhead, and e-mail accounts is restricted to College business. Questions regarding use of the College's seal, letterhead, and e-mail accounts should be referred to the Communications Office.

### **Proper Use of College Property and Funds**

MMC Community Members must ensure that College resources are not used for other than their intended purposes. Employees have an obligation to manage the institution's resources prudently, with a responsibility to those who provide those resources, including students, parents, alumni, foundations, donors and government agencies. Employees are responsible for safeguarding the tangible and intangible assets of the College that are under their control. College resources may not be converted to personal use, either for oneself or another person.

College resources may not be used to make contributions to candidates for public office, topolitical parties, or to other political organizations that are organized primarily to accept contributions for the purpose of influencing the selection, nomination, election, or appointment of any individual to Federal, State, or local public office.

### **Accuracy of Records and Reporting**

The records, data and information owned, used, and managed by the College must be accurate and complete. The accuracy and reliability of financial reports is of the utmost importance to the business operation of the College. Employees must record, allocate and charge costs accurately and maintain documentation as required by established policies and procedures. All reports, including travel/reimbursable, bills, invoices, payroll information, personnel records and other essential business records, must be prepared with care and honesty. All Employees responsible for accounting and record-keeping must fully disclose and record all assets, liabilities or both, and must exercise due diligence in enforcing these requirements.

### **Grants and Contracts**

Members of the College Community requesting funding from government agencies, corporations, foundations, and other granting organizations have an affirmative obligation to make full, accurate, and honest representation concerning all relevant information submitted to or requested by the granting organization. Accurate and complete records, including supporting documentation, as required by the granting organization must be maintained. All funds provided by Federal agencies must be spent in ways consistent with the funding documents and in compliance with the guidelines on allowable costs.

## Acceptable Use of Campus Network and Computing System

It is the responsibility of each Community Member to use the services provided by the College's campus network and computing systems appropriately and in compliance with all College, city, county, state, and federal laws and regulations. This Policy covers all persons accessing a computer, telecommunications or network resource at MMC, including the campus data network, electronic mail, file sharing, printing, worldwide web services, telephone services and cable television. College computing systems are College resources and are provided to Community Members for business purposes. Computers and the information contained on them are the property of the College and may be accessed by College officials at any time, with or without prior notice.

The use of technology by Employees is governed by College Policy 3301, which states that it is the policy of Martin Methodist College that all users of computers, owned by or operated in association with the College, will adhere to the Code of Computing Practice, which states:

### Code of Computing Practice

It is important for all users of the college computer system to practice ethical behavior in computing activities because of the many valuable and sensitive resources involve, and because of the effect one user's practices can have on the work of others.

1. System users are responsible for being aware of and following the published procedures for accessing the MMC computer network system. Failure to abide by the Code of Computing Practice guidelines can result in the loss of the right to use MMC network resources.
2. Individuals are expected to conduct themselves in a manner that **does not offend or harass others and that does not interfere with individual and campus activities**. Resources are not to be used to store or transmit obscenities or other potentially offensive material.
3. Users should not attempt to modify any MMC system facilities. Do not misuse, damage, or misappropriate computer equipment, campus network resources or property.
4. System users will not attempt to encroach on other's use of the facilities or deprive them of resources. Deliberate wasteful use of MMC resources, such as the printing or storing of large amounts of unnecessary data or the downloading or uploading of large or excessive number of files (ex: more than 700 Megabytes per 24-hour period) for purely recreational purposes, is prohibited.
5. System users will not access or copy any programs, files or data belonging to other persons or to MMC without prior authorization to do so. Do not attempt to access files for which you do not have authorization. Programs and data provided by MMC are not to be taken to other computer sites without permission, you may use software on MMC computers only with permission, if it has been legally obtained, **and if its use does not violate any license or copy writer restriction**. You will not use programs on MMC computers that were obtained from other computer sites unless they are in the public domain or authorization to use them has been obtained.

Tennessee law provides that certain computer offenses are criminal acts and prescribes penalties for

unlawful activities related to computer usage. Martin Methodist College believes it is important for its users to be aware of the **Tennessee Computer Crimes Act** and its provisions, which are found in *Tennessee Codes Annotated*, Sections 39-14-601 et seq.

## **Reporting Suspected Violations or Concerns**

MMC Ethics Code compliance efforts focus on teaching community members standards that require adherence. Nevertheless, violations may occur. In addition, Members of the College Community may have concerns about matters that they are not sure represent violations. Therefore, Community Members should report suspected violations or concerns about these standards promptly to one of the following College offices: Human Resources, Vice President for Finance and Administration, or President. It is the policy of MMC to treat complaints about ethics violations and accounting seriously and expeditiously. Such complaints will be promptly investigated. The College prohibits any form of retaliation against an employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation.

## **Consequences of Violation**

Material violations of this Ethics Code or related policies and procedures will be considered under the College's established disciplinary practices and procedures and may carry disciplinary consequences, up to and including dismissal from employment. Such violations may also subject individuals to civil or criminal actions under State or Federal law.

## **Statement of Non-Discrimination**

Martin Methodist College is committed to equal opportunity in employment and education, and will maintain an environment free of unlawful discrimination. The College does not discriminate on the basis of race, color, religion, national origin, gender, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, genetic information, disability, veteran status or on any other basis prohibited by Federal, State, or local law in the recruitment and admission of students, the recruitment and employment of Employees, faculty and staff, or the operation of any of its programs. The College complies with the applicable nondiscrimination and affirmative action titles and sections of the Civil Rights Act of 1964, Federal Executive Order 11246, Educational Amendments of 1972, Rehabilitation Act of 1973, the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Age Discrimination in Employment Act of 1967, and the Age Discrimination Act of 1975, Equal Pay Act of 1963, Americans with Disabilities Act of 1990, Genetic Information Nondiscrimination Act of 2008, along with all applicable amendments thereto.

The following person has been designated to handle staff inquiries regarding the non-discrimination Policy:

Jamie Hlubb  
Assistant Vice President for Human Resources  
Martin Methodist College  
433 West Madison Street  
Pulaski, Tennessee 38478

931.424.7379 ext. 3079

## **Anti-Harassment Policy**

Martin Methodist College is committed to providing a work environment that is free of discrimination and harassment based on race, sex, sexual orientation, religion, national origin, disability, age, veteran status (past, present, or future service in the Uniformed Services of the United States) and any other legally protected characteristic (referred to generally as a “protected class”) established by Federal or State law. The College does not tolerate any form of harassment based on a person’s protected status. Each student, Employee and faculty member is responsible for fostering mutual respect, for being familiar with this policy, and for refraining from conduct that violates this policy.

With respect to the working environment at the College, actions, words, jokes, or comments based on an individual's being a member of a protected class will not be tolerated. Harassment based on gender or any other protected class (either overt or subtle) is a form of discrimination that is demeaning to another person, undermines the integrity of the employment relationship and the educational environment and is strictly prohibited. Harassment will also not be tolerated by or towards College contractors, applicants for employment, members or vendors. The College takes harassment seriously, whether it involves members of the College community or external business associates.

This Policy applies to all College Employees, except that incidents of sexual discrimination involving students are governed by the College’s Title IX Policy and the Student Life Honor Code. This Policy also applies whenever an Employee is representing the College which includes regular work hours, College sponsored trips, training, conferences, sports events, social events and meetings.

Incidents of sexual discrimination involving faculty or staff may be governed either by Title IX (and through the Title IX Coordinator for gender-based discrimination) or under Title VII of the Civil Rights Act of 1964, as amended, and through the Assistant Vice President of Human Resources.

### **Definition of Harassment**

Two categories of sexual harassment exist: 1) Quid Pro Quo harassment involves situations where an Employee or faculty member is either promised some sort of benefit (i.e., promotion, raise, etc.) in exchange for sexual favors or is denied some sort of benefit (i.e., termination, denying a promotion, etc.) for refusing to comply with sexual demands. 2) Hostile work environment harassment includes conduct which is subjectively offensive and has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating, hostile or offensive working or academic environment. A hostile work environment can also be created when offensive conduct is directed at an Employee because he or she is a member of a protected class.

All sexually harassing conduct in the workplace, whether physical or verbal, committed by employees, supervisors, managers, officers or non-employees is prohibited.

In all instances involving allegations of sexual harassment that are not student-on-student, sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning the provision of an educational aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e. quid pro quo<sup>1</sup>); or
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or
3. Sexual assault<sup>2</sup>, dating violence<sup>3</sup>, domestic violence<sup>4</sup>, or stalking<sup>5</sup>.

- <sup>1</sup> Quid pro quo sexual harassment can only be committed by an employee.
- <sup>2</sup> Forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, i.e. nonconsensual sexual contact, including rape, groping, or any other form of nonconsensual sexual touching, as per 20 U.S.C. § 1092(f)(6)(A)(v).
- <sup>3</sup> Violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship, as per 34 U.S.C. § 12291(a)(10).
- <sup>4</sup> Violence when the accuser and accused: are current or former spouses; live or have lived together as a spouse or intimate partner; are related by blood or adoption; are related or were formally, or similarly situated to being, related by marriage; are adult or minor children of a person in a relationship described above; or shares a child in common, as per 34 U.S.C. § 12291(a)(8).
- <sup>5</sup> Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress, as per 34 U.S.C. § 12291(a)(8).

Sexual harassment, including sexual assault, can involve persons of the same or opposite sex. Sexual harassment includes harassment based on sexuality, gender non-conformity, stereotypical notions of what is female/feminine versus male/masculine, or a failure to conform to those gender stereotypes. Harassment does not have to include intent to harm, be directed at a specific person or group of people, or involve repeated incidents.

Examples of conduct that might rise to the level of sexual harassment include, but are not limited to, the following:

- Sexual propositions, invitations, or pressure for sexual activity;
- Sexual innuendoes, comments, remarks, or inquiries about a person's clothing, body, activities, or experiences;
- Refusing to hire, promote, or grant or deny certain privileges because of acceptance or rejection of sexual advances;
- Promising a work-related benefit or a grade in return for sexual favors;
- Implied or overt sexual threats;
- Suggestive or obscene gestures;
- Suggestive or insulting sounds;
- Whistling in a suggestive manner;
- Humor and jokes about sex that denigrate men or women;
- Patting, pinching, and other inappropriate touching;
- Unnecessary touching or brushing against the body;
- Attempted or actual kissing or fondling;

- Suggestive or inappropriate acts, such as comments, innuendoes, or physical contact based on one's actual or perceived sexual orientation and/or gender identity/expression;
- Use in the classroom of sexual jokes, stories, remarks, or images that are in no way or only marginally relevant to the subject matter of the class;
- Suggestive or inappropriate communications, email, notes, letters, or other written materials displaying objects or pictures, which are sexual in nature, that would create hostile or offensive work, living, or educational environments, including comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess

Graphic or written statements (including the use of cell phones and the internet), or other conduct that may be physically threatening, harmful, or humiliating in a manner related to sex

### Reporting a Complaint

The College requires immediate reporting of all perceived incidents of harassment. If you believe that you are being harassed or if you believe that your employment is affected by such conduct directed at someone else, such conduct should be immediately reported. All incidents of harassment should be reported, even if involving someone other than you. If a supervisor is the accused, the complaint may be submitted to the next highest person in the chain of supervision or to any member of the Senior Management Team. Although a complaint may be made verbally, it is preferable for the complaint to be reduced to written form, signed by the person making the complaint. All complaints of sexual harassment and/or sexual discrimination should be reported directly to the Title IX Coordinator.

Supervisors are expected to be fully aware of the College's anti-harassment policy and must promptly advise the Assistant Vice-President of Human Resources and Operations of any potential incidents of sexual or other forms of harassment.

### **Contact List**

If you would like to file a complaint of harassment, you may do so by contacting the appropriate individual listed below:

*For complaints made against members of the tenured faculty:*

Dr. Judy Cheatham

Provost and Vice President for Academic Affairs Colonial Hall 931.363.9823

*For complaints made against members of the staff including non-tenured faculty:*

Jamie Hlubb

Assistant Vice President for Human Resources 931.424.7379 ext. 3079

*For complaints made against students:*

Dr. Daniel McMasters

Dean of Campus Life & Professor of Physical Education & Title IX Coordinator 931.424.7334

*For all complaints of sexual harassment and/or sexual discrimination:*

Sarah Catherine Richardson

Title IX Coordinator 931.404.4073

## **Confronting Harassment or Discrimination**

If you are faced with an incident of sexual harassment you should:

- If you are comfortable responding to the person whose behavior is unwelcome clearly tell that person to “stop” or say “no” to that person.
- Most importantly, report incidents timely by using the previously outlined reporting options.

## **Investigation of Complaints**

Upon receipt of a complaint that alleges a violation of this Policy, an investigation will promptly be initiated. All investigations of complaints of sexual harassment and/or sexual discrimination will be conducted or overseen by the Title IX Coordinator using the policies and procedures outlined in the College’s Title IX Policy (available online). All other investigations are conducted or overseen by the Assistant Vice- President of Human Resources and Operations. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

If there is a complaint against the President of the College, the complaint shall be referred to the Chair of the Board of Trustees. If there is complaint against an Employee’s supervisor, the complaint may be submitted to the next highest person in the chain of supervision or to any member of the Senior Management Team. If there is a complaint against a student, the investigation will be conducted in accordance with the Academic and Student Life Honor Code.

If the College finds this policy has been violated, appropriate corrective action will be taken. There will be no retaliation for complaints of harassment made in good faith under this policy. Anyone engaging in any form of harassment or retaliation will be subject to disciplinary action, up to and including termination of employment.

## **Consensual Relationship Policy**

In their relationships with students, it is expected that faculty and staff members will conduct themselves with the highest level of professionalism. An open, fair, and effective educational environment depends on the respect of all members of the community for the appropriate roles of those who work and learn together.

### **Relationships between Individuals of Different College Status:**

A sexual or romantic relationship involving individuals of different College status is not, in and of itself, Sexual Harassment as defined by the College Title IX Policy and will not be investigated or adjudicated under that policy. Such an interaction may be a violation of another College policy and subject to separate disciplinary procedures.

A sexual or romantic relationship between students and teachers, supervisors or mentors (faculty members, staff members, or other students) violates both College and professional standards, and potentially violates state and federal anti-discrimination laws. The College prohibits all sexual and romantic relationships between faculty members and students (both undergraduate and graduate students).

A conflict of interest also exists if there is a consensual romantic or sexual relationship in the context of employment supervision or evaluation. Therefore, a supervisor may not influence, directly or indirectly, salary, promotion, performance appraisals, work assignments or other working conditions for an employee with whom such a relationship exists.

## **Americans with Disabilities Act**

It is the College's Policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. The College abides by the Americans with Disabilities Act by providing for nondiscrimination in employment against qualified individuals with disabilities or handicaps and providing reasonable accommodation for such individuals in accordance with these laws.

Employees should contact the Assistant Vice-President for Human Resources and Operations to request a reasonable accommodation.

## **RELIGIOUS ACCOMODATION**

It is the College's Policy not to discriminate against individuals on the basis of their religion. The College abides by the Civil Rights Act of 1964, as amended, for nondiscrimination in employment on the basis of religion and providing reasonable accommodation for such individuals with respect to their religious practices in accordance with these laws.

### **Policy against Abuse of Drugs and Alcohol**

The Federal Drug-Free Workplace Act of 1988 requires employers who contract with or receive grants from agencies of the Federal government to maintain a drug-free workplace. In addition, the Federal Drug-Free Schools and Communities Act of 1989, as a condition of the institution receiving Federal funds or any other form of financial assistance under any Federal program, requires all institutions of higher education to adopt and implement a program to prevent the use of illegal drugs and the abuse of alcohol by students and employees.

In compliance with the requirements of these laws, and in order to provide a safe and healthy environment in which staff and students may work and study, Martin Methodist College has established a program on drugs and alcohol. That program is described in the Policy Statement included here. Students and Employees of the College are notified annually of the requirements of this Policy.

#### **Prohibitions**

MMC prohibits the illegal use, possession, manufacture, distribution, dispensing, or other transfer of any drug or alcohol, in any amount, by any Employee or student while (1) on College premises, (2) performing any job-related activity, on or off College premises, or (3) otherwise participating in any College activity, on or off College premises.

Also prohibited is the use or possession of alcohol (1) on College premises, and (2) anytime students are present at a College activity, on or off College premises, alcohol is prohibited.

In addition, Employees are prohibited from reporting to work or performing job-related activities, on or off College premises, while impaired under the influence of alcohol or drugs. Employees are likewise prohibited from participating in any College activity, on or off College premises, while impaired under the influence of alcohol or drugs.

The Policy does not prohibit use of prescription drugs prescribed for the employee or student by a licensed physician or his/her legally authorized designee, provided that the drug is used in accordance with the physician's instructions and in a therapeutic dosage.

## **Definitions**

A “drug” is any controlled substance listed on Schedules I through V of the Federal Controlled Substances Act. Controlled substances include, by way of example and without limitation, narcotics such as codeine and heroin, depressants such as barbiturates, stimulants such as cocaine and amphetamines, hallucinogens such as LSD, phencyclidine or “PCP” and cannabis (marijuana).

The term “illegal drugs” means any drugs that cannot be obtained legally or which, although available legally, have been obtained illegally. The term “illegal drugs” includes not only “street” drugs, but also prescription drugs that have not been lawfully prescribed for the individual.

For purposes of this Policy, “distribution” of alcohol or an illegal drug includes the purchase, sale, or other transfer of the substance in any amount and any attempt to distribute so defined.

## **Sanctions for Non-Compliance**

Employees are required to abide by all requirements of the Drug-Free Schools and Communities Act, the Drug-Free Workplace Act and this Policy as a condition of continued employment at the College.

An Employee who violates any provision of this Policy is subject to disciplinary action, up to and including termination of employment. In addition, in appropriate circumstances, as determined by the College, law enforcement may be notified. Unlawful possession, use, or distribution of drugs or alcohol may subject an Employee to criminal penalties.

An Employee who has been determined by the College to have used or been under the influence of alcohol or an illegal drug in violation of this Policy may, at the College’s discretion, be permitted to participate in a rehabilitation program approved by the College as an alternative to termination. Generally, only an Employee who has not previously violated this Policy and whose conduct and performance are otherwise satisfactory to the College will be considered for discipline short of termination. Such an Employee will be placed on disciplinary probation and will be required to successfully complete an approved rehabilitation program as a condition of continued employment. (The cost of the program is the responsibility of the Employee, but may be covered, in whole or in part, by the individual’s health insurance, depending on the terms of the insurance Policy.)

## **Additional Employee Responsibilities**

Any Employee who is found or pleads guilty, or pleads “no contest”, to a charge of violating a criminal statute involving the manufacture, distribution, dispensing, possession, or use of any illegal drug occurring in the workplace must inform the Assistant Vice President of Human Resources & Operations within five (5) days of such conviction or plea. Appropriate disciplinary action will be taken.

## **Rehabilitation**

The use of illegal drugs and the abuse of alcohol may have serious effects on the health and safety of an Employee or student. It can also seriously interfere with the individual’s judgment and with his or her job or academic performance.

The College strongly encourages Employees to seek assistance for problems of drug and alcohol abuse before the individual's relationship with the College is jeopardized. A number of counseling and rehabilitation programs are available to individuals, on a confidential basis, to provide education, counseling, and coordination with available community resources to address drug and alcohol abuse problems. Contact Human Resources for further information.

### **Weapons**

The College prohibits the possession, distribution, or sale of any type of weapon in its facilities, including any buildings or grounds, or its vehicles. "Weapon" is not limited to firearms, and this policy is intended to apply to any object which can cause bodily injury (e.g., batons, knives, brass knuckles, etc.).

Violation of this policy will result in immediate discipline, up to and including discharge. Additionally, the College may report any such offense to local law enforcement authorities.

Under Tennessee law, an Employee who has a valid handgun carry permit recognized in Tennessee may transport and store a firearm and firearm ammunition into the College's parking area provided that (1) the permitted firearm is not visible and (2) the permitted firearm is locked in the trunk, glove box, interior of the vehicle, or a gun safe while the vehicle is not occupied and is parked in the College's parking area. The firearm may not be removed from the vehicle while it is on College property.

All Employees must notify the Department of Campus Security if they possess a valid firearm carry permit, but they are not required to divulge when they store weapons in their vehicles on College property.

### **Social Media Policy**

As used in this section, "social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the College, as well as any other form of electronic communication.

The same principles and guidelines found in the Martin Methodist College Ethics Code, Code of Computing Practice, and Statement of Non-Discrimination and Anti-Harassment Policy sections of this Handbook apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow Employees or otherwise adversely affects students or people who work on behalf of the College or College's legitimate interests may result in disciplinary action up to and including termination.

Also, when using social media, express only your personal opinions. Never represent yourself as a spokesperson for the College. If you identify yourself as an employee of the College on social media, make it clear that the views you express are yours alone and that they do not necessarily represent those of the College, fellow Employees, students, or people working on behalf of the College.

Refrain from using social media while on work time or on equipment provided by the College, unless it is work-related as authorized by your supervisor.

## **Consulting and Outside Employment**

If a person is a Full-time Employee of the College, the Employee's primary employment responsibility is to Martin Methodist College. Prior to the commencement of any outside employment or consulting engagements, written approval must be granted by the Employee's supervisor and, for faculty, Judy Cheatham and, for all other employees not including student employees, Jamie Hlubb. If an Employee is currently engaged in outside employment or consulting that fits the definition above, the Employee must disclose this information in writing to the supervisor and, as appropriate, Judy Cheatham or Jamie Hlubb for review under this Policy.

## **Intellectual Property Policy**

### **Goals**

This Policy is implemented as part of our mission as a not-for-profit, educational institution, to

- Motivate the development and dissemination of intellectual property by providing appropriate incentives to creators and the College
- Facilitate the wide transfer of useful inventions, writings and works of art to society
- Protect the rights of the creator and the College with respect to intellectual property created at the College
- Protect the College's name and trademarks

### **Definitions**

*Intellectual property* includes works eligible or potentially eligible for copyright protection and ideas and inventions eligible or potentially eligible for patent and/or trade secret protection under U.S. or international law.

*Creator* is a generic term meant to include the originator of a trade secret, protectable idea, the author of a copyrightable work, or the inventor of a patentable invention.

A *work for hire* is a work prepared by an employee within the scope of his or her employment or a work specially ordered or commissioned.

*Educational courseware* is computer software or hardware or a database or some combination of these that is used in teaching students.

*Disclosure* of a potentially patentable discovery or invention occurs, as the term is used in this Policy, when the discovery or invention is described in writing to the appropriate member of the Senior Management Team by its creator.

### **External Sponsorship**

- When intellectual property is created as part of work done under an agreement between the College and an external sponsor, ownership of that intellectual property will be governed by the terms of that agreement.
- The College must inform members of the College community who are doing sponsored work of the terms of any intellectual property agreements relevant to that work.

### **College Sponsorship**

- The College may sponsor or commission the creation of intellectual property. In this case, the College and the creator must have a specific agreement about the ownership of the particular intellectual property and the sharing of any costs and income. It is the College's responsibility to create such an agreement.
- Even in the absence of an explicit commission or sponsorship, when the College makes commitments of resources to a project, the College may be entitled to ownership of any works created. The appropriate member of the Senior Management Team will determine whether such commitments exist in a particular case. In such a case, the College and the creator will create a specific agreement about the ownership of the particular intellectual property and the sharing of any costs and income.

### **Work for Hire**

- In the absence of a relevant agreement, intellectual property created by College employees who were assigned specifically to produce that particular intellectual property within the scope of their employment will be owned by the College.
- When a College-sponsored intellectual property development project includes staff members who make substantial creative contributions, the College may choose to share ownership with the Employee(s) involved. In such a case, the College and the Employee should create a specific agreement clarifying ownership of the intellectual property in question.
- Employees should seek a determination from the College if they are engaged in creation of intellectual property that they believe is not a work-for-hire. If there is any doubt, the College and the Employee should create a specific agreement clarifying ownership of the intellectual property in question.

### **Public Domain**

- Except as limited by the rules for external sponsorship, College sponsorship or work for hire, as described above, the creator of any intellectual property may choose to place this intellectual property in the public domain. In this case, both the College and the creator waive any ownership rights to the intellectual property.

- Creators who wish to place their intellectual property in the public domain are responsible for ascertaining that their right to do so is not limited by a sponsorship agreement or terms of employment.
- When intellectual property is placed in the public domain the creator must provide the College with a copy of the intellectual property, to be made available to the public through the College library or other appropriate method of distribution.

### **College License**

- In the absence of a specific agreement to the contrary, the creator of educational courseware agrees to grant the College a perpetual, non-exclusive license to make copies of the work and to incorporate the work in its other projects for use in teaching, scholarship and research in support of its educational mission.

### **In General**

Except as limited by the rules above, the creator retains all rights to intellectual property, including works eligible for copyright protection and inventions eligible for patent protection under U.S. or international law.

### **Discoveries and Inventions**

- Patentable discoveries and inventions must be disclosed to the College promptly.
- The inventor will have the right to pursue the patenting or commercialization of the invention. If this is done without substantial College support, the inventor will be entitled to any income, or
- The College and the inventor will make a project plan for the shared development and protection of the invention and a specific agreement describing the allocation of any net income in a way that reflects the contributions of each to the project.
- If the inventor does not pursue a patent or the introduction of the invention into public use, the College may choose to do so, and the inventor will cooperate with the College and assign ownership rights to the College.

### **Credit**

Notwithstanding any of the above, at the College's request the creator of any intellectual property created at the College or by a College employee using College resources will give the College appropriate credit on every copy of the work.

## **Trademarks**

The College retains all rights to control the use of its name and trademarks in association with any work, regardless of the ownership of the work.

## **Institutional Responsibility**

The Senior Management Team will be primarily responsible for this Policy and for fulfilling the College's obligations under it.

## **Employment**

Please note that, in accordance with and subject to Tennessee law, your employment at Martin Methodist College is “at will.” This means that you or the College may terminate your employment at any time for any reason, in your or the College's sole discretion.

The following sections cover the highlights of policies and procedures regarding your employment at Martin Methodist College. For further details please contact your supervisor or Human Resources.

### **Definitions**

The brief glossary below defines some terms as they are currently used at MMC.

*Academic year employees:* Employees who are scheduled to work less than twelve months per year.

*Fiscal year:* The fiscal year at MMC begins on July 1 and ends on June 30 of the subsequent year.

*Full-time:* Those employees with a full-time equivalency (FTE) of one.

- For those with 30-hour work schedules, this means a work schedule of at least 1560 hours per fiscal year.

*Part-time:* Those employees with less than 30-hour work schedule per week.

*Temporary:* Those employees scheduled to work full or part-time for less than six consecutive months in positions of limited duration.

## **Job Opportunities**

MMC posts job opportunities for staff positions via email and College web site. Vacant and new positions are posted for a minimum of five days. Position reclassifications, on-call positions and temporary summer positions are not required to be posted.

You are encouraged to apply for positions for which you may be qualified. Qualified internal candidates will normally be interviewed for posted positions by the hiring supervisor. Temporary employees are not considered internal candidates.

If you are the candidate selected, your current supervisor and your supervisor-to-be will work together to arrange a mutually acceptable date for you to begin your new responsibilities.

## **Special Job Requirements**

Certain positions may have special requirements as conditions of initial and ongoing employment (e.g., physical examinations, current driver's license and satisfactory driving history, certifications/licenses, etc.). Special requirements are generally noted in the job posting and job description.

If you are interested in obtaining more information before deciding whether or not to apply for a posted position, you are welcome to contact the Human Resources in confidence. If you decide to formally apply for the position, you should submit application materials to Human Resources.

## **Background Checks**

It is important that MMC, in fulfilling its mission, maintain a safe and secure campus environment and protect the College's financial and physical assets. Accordingly it is the Policy of MMC that:

1. All new staff have certain credentials and criminal and other background information verified as a condition of employment consistent with the requirements of the position.
2. Specified current staff members, particularly those with access to or control over sensitive financial or other information, have their criminal and other background information verified periodically as a condition of continued employment.
3. Current staff members who transfer to positions with access to or control over sensitive financial or other information will have background information verified as a condition of employment consistent with the requirements of the position.

Background checks are conducted by an outside firm, are to be in compliance with federal and state regulations, and may include verification of credentials, criminal history, credit status, and other information related to employment decisions by the College consistent with the requirements of the position.

In the event that the results of the background check lead to a decision to withdraw an employment offer or to terminate employment, Human Resources will inform the affected department and the individual. Such background check results are considered confidential and will

be maintained in confidential files in the Human Resources.

Violations of College policies, including providing false or misleading information used for any of the above background checks, will be handled in accordance with applicable College policies and procedures.

### **Performance Evaluation**

Ongoing communication is an integral part of the employee-supervisor relationship. To assist this communication, the college has a formal, written performance evaluation program, and an effort is made to complete a performance evaluation for each employee every year. This evaluation usually occurs at the end of the Academic year in May.

## **Reemployment at MMC**

Employees who leave MMC and are later rehired may, in the College's sole discretion, receive credit for prior service for vacation eligibility and other benefits. New Employees who have had prior service should notify Human Resources so that benefits may be determined accordingly.

## **Employment of Relatives**

College Policy permits the employment of more than one member of a family subject to the restriction that no person shall supervise or participate, either formally or informally, in employment decisions such as appointment, retention, evaluation, promotion, and salary that affect another member of her or his family. Contact Human Resources for further information.

## **Identification Card (ID)**

A photo identification card is issued to all employees by the Public Safety Department. Your ID provides access to College facilities such as the library, athletic facility and fitness center.

## **College Vehicles**

Before being authorized to drive a College vehicle you must have a current driver's license valid for the type of vehicle driven and a driving record acceptable to our insurer before driving an MMC vehicle. A copy of your current driver's license must be on file with the Human Resource Office.

If you drive a College vehicle as part of your job responsibilities, you may be asked to submit a copy of your driving record to MMC from time to time. Any changes in your driving record must be reported to your supervisor immediately. An Employee who obtains a College vehicle for use is the only person who is to drive the vehicle. You must report any accident, theft or damage to a MMC vehicle or your personal vehicle used on MMC business to your supervisor, no matter how minor it may seem, as soon as possible and in no event more than 24 hours after the theft, accident or damage. Any fine imposed in connection with the operation of an automobile while on College business is your responsibility and should be immediately reported to your supervisor. You are not permitted, under any circumstances, to operate a MMC vehicle or a personal vehicle on MMC business, with a physical or mental impairment that affects your driving ability. This includes any circumstance in which you are unable to safely operate a motor vehicle due to illness, medication or intoxication. Before being eligible to drive an MMC vehicle please obtain a copy of MMC's Car Policies and Procedures from the Business Office or Human Resource Office.

## **Parking**

You are eligible for free parking in accordance with the parking regulations established by the College and described in a booklet provided by the Campus Safety Department. All vehicles driven to campus must be registered with the Campus Safety Department.

## **Tobacco Policy**

For the purposes of this Policy, Tobacco is defined to include any lighted or unlighted cigarette (clove, bidis, kreteks), e-cigarettes, cigars, cigarillos, pipes and hookah products; and any other smoking product; along with any smokeless, spit or spit-less, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff or snus, in any form (orbs, sticks, strips, pellet, etc.).

1. The use of Tobacco or any tobacco-related products is prohibited on all College grounds; College-owned or leased properties; and in College-owned, leased or rented vehicles. This includes but is not limited to all College sidewalks, parking lots, landscaped areas and recreational areas; at lectures, conferences, meetings and social and cultural events held on property owned by Martin Methodist College. Tobacco use is also prohibited in the interior of all buildings and College residences, including dormitories, apartments located on the College property, and inside vehicles owned or operated by Martin Methodist College.
2. Tobacco materials must be extinguished and disposed of prior to entering College property or exiting your vehicle onto College property. Improper disposal includes but is not limited to:
  - a. Littering (i.e., discard cigarette butts out of windows)
  - b. Anything that creates a fire hazard
  - c. Spitting smokeless tobacco
3. This Policy applies to all Employees, faculty, staff, students, clients, contractors and guests. The Policy is in effect twenty-four hours a day, seven days a week.
4. Martin Methodist College will provide cessation resource information, including the Tennessee Quit line phone number, 1-800-QUIT-NOW.

## **Personnel File**

Your personnel file, maintained in Human Resources, contains materials such as your employment application and resume, salary history, and performance evaluations.

Please notify Human Resources whenever you

- Change your address or telephone number.
- Legally change your name.
- Change your marital status.
- Wish to change your insurance beneficiary.
- Wish to change your tax exemptions.

## **Employee Problem-Solving**

You are strongly encouraged to bring any work-related problem to the attention of your supervisor or the person most directly involved with the problem you are confronting as soon as possible. Those persons can discuss your concerns with you in an effort to resolve the matter. If you are uncomfortable addressing them directly, or if discussions do not resolve the issue, you should feel free to talk with a member of the Human Resources department. The staff of the Human Resources is available to assist you in defining your concern and examining alternative approaches for resolving your problem. Typically, many problems can be resolved through this direct method of communication and problem-solving process.

Employees who are unable to resolve such work-related problems through direct communications with your supervisor and the person involved with the problem may present the issue for resolution to Jamie Hlubb, Assistant Vice President for Human Resources & Operations. Likewise, Faculty may present the issue for resolution to Judy Cheatham, Provost and Vice President for Academic Affairs and Dean of the Faculty (“Provost”). Note that complaints regarding the College’s policy prohibiting harassment and unlawful discrimination should be directed to the appropriate individual identified in those policies.

The Employee must present a written statement of the grievance to her or his immediate supervisor and at the same time provide a copy to either the Assistant Vice President for Human Resources & Operations or the Provost, as appropriate. The written statement must identify the written policy or procedure alleged to have been violated, the date of the event(s) on which the grievance is based and the relevant information, including the reasons, which support the Employee’s position, and how the Employee proposes the matter be resolved.

The Assistant Vice President for Human Resources & Operations or the Provost may, at his or her discretion, request that the Dean of Campus Life assist in investigating the grievance. The Assistant Vice President for Human Resources & Operations or the Provost will forward a written response to the employee, normally within ten (10) days after the receipt of the grievance. The decision of the Assistant Vice President for Human Resources & Operations or the Provost is final

## **Compensation**

### **Paychecks**

Your pay is transmitted directly into the bank accounts of your choice via direct deposit. You may have your pay distributed into as many as three different bank accounts. You will receive a direct Deposit Statement that includes pay and benefits information. Payday is the 26<sup>th</sup> of each month and should that day fall on a weekend or holiday, payday will be last business day prior to the weekend or holiday. See Human Resources for additional information.

## **Legally Required Deductions**

Social Security, Medicare and Federal withholding tax are legally required deductions, which are automatically deducted from your paycheck. For Social Security, both the College and you contribute a percentage of your gross wages as required by law. Your contribution is made through payroll deductions. You will receive a Statement (W-2 form) of earnings and taxes withheld no later than January 31 for the previous year. Statements for Employees who are no longer working at the College will be mailed to the last known address. If your employment with Martin Methodist College ends, it is important to keep Human Resources informed of your current address.

## **Pay Policies**

### **Overtime Pay**

If you are a nonexempt employee, when you work more than forty (40) regularly scheduled hours in a work week, you receive overtime pay equivalent to one and one-half times your regular hourly rate for each overtime hour worked.

Employees may be required to work overtime as a condition of employment or continued employment. All overtime must be approved in writing in advance by your supervisor.

### **Pay for Work on Holidays**

Employees may be required to work on national and College holidays as a condition of employment or continued employment.

### **Pay for Work Performed Outside Agreed-Upon Schedule**

There may be times when an Employee will be requested by the supervisor to work hours other than the Employee's agreed-upon schedule. The supervisor will give as much notice as possible in these situations, and the Employee will be expected to accommodate these requests.

## **Benefits**

### **Benefit Eligibility**

Full-time Employees are eligible for benefits. Part-time and Temporary Employees are not eligible for benefits. If you have questions regarding your eligibility for benefits, please contact Human Resources, which shall, in all cases, be the final arbiter of questions regarding benefits eligibility.

#### **Insurance Plans**

Below are general summaries of some elements of the various insurance and other plans offered by the College. Information describing these plans and comparing their benefits is available from Human Resources. Whenever the summaries set forth below differ from the terms of the plans themselves, the terms of the plans govern.

#### **Medical Plans**

There are three types of medical plans available: individual, two-person, and family (for coverage of three or more persons). All full-time, benefit-eligible Employees may enroll in the plan of their choice. For new Employees, coverage becomes effective the first day of the month concurrent with or following employment. Outside of open enrollment, Employees may change type of coverage within their current medical plan if there is a change in family status (e.g., marriage, divorce, or birth of a child). The change in coverage must be made within thirty (30) days of the qualifying event.

#### **Dental/Vision Plan**

You have opportunity to enroll in the dental/vision plan. The dental plan covers the full cost of diagnostic and preventive service and a percentage of restorative and orthodontic services. The vision plan is a discounted vision services plan. The types of coverage available are for an individual and family. All full-time, benefit-eligible Employees may enroll in the plan of their choice. For new Employees, coverage becomes effective the first day of the month concurrent with or following employment.

## **Group Life Insurance and Accidental Death and Dismemberment(AD&D) Insurance**

### **Basic Coverage**

You will be provided with group life insurance equal to one times your annual salary, rounded to the next thousand if not an even thousand. The minimum benefit is \$15,000. The maximum is \$150,000.

The AD&D provision provides payment in the event of a loss (of life, limbs, or vision) resulting from a covered accident.

All full-time, benefit-eligible Employees may participate. For new Employees in these categories, coverage becomes effective the first day of the month following 30 days of employment.

If you are full-time, MMC pays 100% of the premium cost for your basic coverage.

### **Long-Term Disability Insurance (LTD)**

LTD insurance provides you with a monthly income in the event you have a disability that extends beyond three months. You will receive 66 2/3% of your monthly salary up to a maximum of \$10,000 per month during periods of qualifying disability. How long the benefit continues is determined by the age at which the disability occurs and is subject to review based on on-going medical certification.

All full-time, benefit-eligible Employees are enrolled. Coverage becomes effective the first day of the month following thirty (30) days of employment.

## **TIAA-CREF Retirement Plan**

### **College Contribution**

The College begins contributing to your TIAA-CREF 403(b) retirement plan after you have completed two year of benefit-eligible service in which you have worked as a full-time employee. The College will match the Employee's contribution up to 5% of your base pay.

### **Employee Contribution**

Although not required, all Employees are encouraged to contribute to the TIAA-CREF supplemental retirement plan. You may participate immediately upon hire in this voluntary plan as long as you are benefit-eligible. The Plan permits savings for retirement on a Federal and State tax-deferred basis.

## **Tuition Programs**

The College encourages and supports continuing education for you and your family by offering four tuition programs. For information about these programs, see Jamie Hlubb, Assistant Vice President Human Resources & Operations.

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

### **National Holidays**

The College observes six scheduled national holidays each calendar year. They are:

New Year's Day	Labor Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

Employees required to work on one of these national holidays may arrange with the supervisor to take another day off within the same pay period.

### **College Holidays**

The College grants six College holidays each calendar year. Generally, the President selects days such as the day after Thanksgiving and the days between Christmas and New Year's. A list of the specific days selected is published each fiscal year in July.

Employees required to work on one of these College holidays may arrange with the supervisor to take another day off within the same pay period.

## **Vacation**

All full-time Employees, except for Regular Faculty, earn vacation based on the number of years of continuous employment. On the one-year anniversary date you are allowed ten (10) working days annual vacation. After two years, a full-time Employee will receive ten (10) days plus 1 day for each year of service beyond the first year. The maximum annual vacation is 20 days. Because MMC thinks that it is important for Employees to use allotted vacation time, you may not carry more than five (5) days forward to the next fiscal year and in no case can more than twenty (20) days be accrued in one year. Employees appointed as Regular Faculty are not eligible for vacation.

You are required to file the appropriate forms with your supervisor prior to utilization of vacation.

## **Personal/Sick Days**

Full-time Employees accrue Personal Days at the rate of one day for every month of the year in which the Employee works. This time can be used for scheduling doctor's appointments, appointments with your children, illness, injury or bereavement, etc. Personal Days are not additional vacation days and are to be used only for personal business that cannot be scheduled during the employees' regular days off. Personal days must be used increments of at least half of a day. The maximum number of Personal Days that can be accrued is sixty (60) days. Temporary and Part-time Employees are not entitled to be paid for Personal Days.

If you exceed your available Personal Days, vacation days will be used to make up the difference. You may not, however, exceed the total number of Personal and vacation days.

Please check with your supervisor to learn requirements related to notification of absences.

## **Leaves of Absence**

Situations may arise which require your absence from work for an extended period of time. If you anticipate being absent from work (not including approved vacation) for more than ten (10) consecutive or intermittent workdays, you must apply for and be granted a leave of absence.

There are many types of leaves, including leaves for the employee's illness or for medical reasons; to care for newborns, recently adopted children, or ill family members; for personal reasons; military duty or jury duty. The types of leaves available and applicable details are described in the following sections.

Leaves of absence may be paid or unpaid depending on the type of leave. During an unpaid leave an employee may utilize his or her unused vacation or personal time, and sick time, when appropriate. Sick time may be used only for those periods when the Employee is unable to work due to medical reasons, or when the employee needs to care for a member of the immediate household with a serious health condition.

## **Notification**

For all types of leaves, you must notify your supervisor at least fourteen days in advance of the leave of absence by submitting a Request for Leave of Absence Form. This form requires the signed approval of your supervisor and appropriate member of the Senior Management Team. If it is impossible to provide fourteen days advance notice, you must provide notice as soon as is practicable, ordinarily within one or two working days of the unforeseen event.

If the absence is a Family and Medical (FMLA) leave, as defined in the next section, you must also complete a Physician Certification Form. The Physician Certification form must be returned to Human Resources within fifteen (15) calendar days of your leave request for your leave to be officially approved as FMLA.

## **Approval**

Leave requests, other than qualifying family and medical leave, are not automatically approved. Criteria considered include departmental needs, your length of service with the College, overall work record, and the specific nature of your request.

Prior to the start of your approved leave, except in an emergency situation, you will meet with a member of Human Resources to review unused vacation and sick time (if applicable) to determine continuation of pay. The Human Resources staff member will discuss continuation of other benefits and methods of payment during your leave of absence.

## **Returning to Work**

An Employee returning from medical leave must provide satisfactory medical certification of his or her ability to return to work.

An Employee on leave who has decided not to return to work is requested to inform the College of his or her decision as soon as possible. The College may then end the leave and terminate employment. If an Employee fails to return to work at the end of an approved leave and fails to secure an approved leave extension, the Employee's employment with the College will terminate.

## **Benefits Continuation**

During approved paid and unpaid leaves of absence, the College continues to pay its portion of the cost associated with medical, dental, life and disability insurance. For paid leaves only, the College continues its contribution to retirement. An Employee on unpaid leave will be responsible for his or her portion of the medical, dental, life and disability insurance costs, which would normally have been deducted from the paycheck.

Vacation or sick leave does not accrue while on an unpaid leave of absence or while on paid maternity/parental or short-term disability leaves.

## **FMLA Leave (Family and Medical Leave Act)**

### **Eligibility**

You are eligible for leave under the FMLA if you have worked for at least one year and have worked at least 1250 hours within the past 12-month period immediately prior to your request for the leave of absence.

### **Entitlement**

You are entitled to up to twelve (12) weeks of FMLA leave, in total, in the 12-month period measured backward from the date you used either family leave or medical leave. All references in this Policy to “weeks” refer to work weeks. You are eligible for a maximum of twelve (12) weeks FMLA leave in any rolling twelve (12) month period. Because the total leave time is limited, you should coordinate your medical and family leave time if you plan to take both types of leave in the same 12-month period. Any employee who is eligible for and takes any period of family and medical leave will have that leave designated as family and medical leave and counted against your total allotment.

For any type of FMLA leave, if you have any unused sick days when you begin your unpaid leave, you must substitute all of this paid time-off for all or part of your unpaid leave of absence.

### **Medical Leave**

You are entitled to FMLA medical leave if you are unable to perform the functions of your job because of your own serious health condition.

### **Family Leave**

You are entitled to FMLA family leave for the following: 1) birth and care of your newborn child, 2) placement of a child with you for adoption, or by the State for foster care, and 3) to care for your spouse, domestic partner, child, or parent with a serious health condition

If the Employee and his or her spouse or domestic partner both work for the College, they are jointly entitled to a combined total of twelve (12) weeks of family leave to care for an immediate family member who has a serious health condition. This limitation does not apply when leave is taken to care for a seriously ill spouse or domestic partner or child; spouses or domestic partners employed by the same employer may each take twelve (12) weeks of leave for this purpose. Note that family leave for the birth or adoption of a child or placement of a foster child can only be taken within twelve months of the child’s birth, adoption or placement.

### **FMLA Leave Taken Intermittently**

An Employee who is eligible for leave in connection with pregnancy and childbirth, medical leave or family care leave may, when medically necessary, take up to twelve (12) weeks of such leave intermittently (that is, in blocks of time or by reducing the employee's normal weekly or daily work schedule) rather than continuously, in accordance with the conditions provided for such intermittent leave under the FMLA. In appropriate circumstances, the College may require the employee to temporarily transfer to an alternative position with equivalent pay and benefits that better accommodates recurring periods of leave.

### **Returning from FMLA Leave**

Upon returning from FMLA leave that has not exceeded twelve (12) weeks, an Employee will be returned to the same position that he or she left when leave began or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. 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.

## **Maternity and Parental Leaves**

### **The Tennessee Maternity Leave Act**

The Tennessee Maternity Leave Act (TMLA) provides that an Employee is eligible for an unpaid leave of up to four (4) months for the purpose of adoption, pregnancy, childbirth, and nursing an infant. To be eligible for job-protected leave under the TMLA, an Employee must give at least three (3) months advance notice, unless such notice is impossible as a result of medical emergency or because notice of an adoption is received less than three (3) months in advance, of the anticipated date of departure for such leave, the length of the leave, and the intention to return to full-time employment after leave. The TMLA and FMLA are counted simultaneously against the Employee's leave entitlement under both laws.

### **Paid Maternity/Parental Leave**

Full-time Employees who have worked for the College for at least one year with continuous service are eligible for a Paid Maternity/Parental Leave, as defined below. An eligible Employee who gives birth or is the primary caregiver of a newborn or newly adopted child under the age of eighteen or a newly adopted child under the age of twenty-three if the child is mentally or physically disabled, may request up to six (6) weeks of paid leave.

For the purpose of this Policy, the primary caregiver is the person who has primary responsibility for the care of the infant or child. Leave benefits will be paid only for periods in which the employee would otherwise have worked. Both FMLA leave and Tennessee Maternity Leave Act (TMLA) leave will run concurrently with Paid Maternity/Parental Leave to the extent the Employee is eligible for leave under those Acts.

If a birth mother is unable to return to her job after the expiration of Paid Maternity/Parental Leave due to disability or may need additional time off, accrued paid sick time may be used to extend the leave until she is able to return to her job.

### **Unpaid Parental Leave**

For those who are not eligible for Paid Maternity/Parental Leave, because either the one year of continuous service requirement has not been met or because he or she is not the primary caregiver, the College will grant Unpaid Parental Leave to Employees in connection with pregnancy and childbirth and for the purpose of caring for a newborn child or a newly adopted child (including a foster care placement). Unpaid Parental Leave includes disability leave and childcare leave (as described below). Unpaid Parental Leave must be completed within 12 months of the birth or placement of a child for adoption or foster care. Unpaid Parental Leave is not governed by the FMLA and, thus, is not job protected.

*Parental Disability Leave:* An eligible Employee who is unable to work because of disability in connection with pregnancy or childbirth will be granted up to twelve (12) weeks of unpaid disability leave under this Policy.

*Parental Child Care Leave:* An eligible Employee (male or female) will be granted unpaid childcare leave for up to twelve (12) weeks for the care of a newborn child or a child placed for adoption or foster care. If an Employee and his or her spouse or domestic partner both work for the College, they are jointly entitled to a combined total of twelve (12) weeks of unpaid childcare leave.

## **MILITARY LEAVE**

An Employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. Employees on military leave may substitute their accrued paid leave time for unpaid leave. At the conclusion of the leave, upon the satisfaction of certain conditions, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the Employee is qualified to perform. Contact Human Resources for additional exclusions and terms as defined by the specific Federal and State law requirements.

## **Jury Duty**

Employees summoned for jury duty shall be excused from work for the day or days the Employee is required to serve as a juror provided that the Employee's responsibility for jury duty exceeds three hours during the day for which an excuse is sought. Employees serving as a juror will receive their usual compensation, less any amount received from the court for the time that their presence is required by the court, including time spent traveling to and from jury duty.

## **Other Services and Policies**

### **Warden Memorial Library**

You have library privileges and may use the services offered in the library. Call the library for details.

### **Athletic Facilities/Fitness Center**

You and your family may use College athletic facilities and the fitness center during posted recreational hours. Current facilities include a fitness center, pool, gym, racquetball court, and indoor jogging track. Family members can get passes to use the facilities. Children under the age of 16 must be accompanied by an adult. Hours differ during the academic and non-academic year. Call Curry Christian Life Center for more information.

### **Bookstore**

You may take advantage of the services offered by the Martin Methodist College Bookstore. You will receive a 10% discount on most purchases by showing your College ID. The bookstore carries a variety of hard- and soft-bound educational texts and trade books, College souvenirs, stationery, clothing, and sundries. For information, contact the Bookstore Manager.

### **ATM**

An automatic teller machine is located in Martin Hall.

### **Dining Services**

The dining facility is open to staff during normal meal hours. The dining hall is located on the second floor of the Starnes Student Union Building.

### **Annual Giving to Martin Methodist College**

Yearly gifts to the College support a wide range of programs from student scholarships and faculty research funds to library acquisitions and concerts, lectures and performances. Gifts from staff and faculty are among those that contribute to the overall strength and future growth of the College. Gifts may be made through payroll deduction by contacting the Office of Annual Giving.

### **Computer Purchases**

The College offers Full-time Employees the opportunity to purchase a computer through payroll deductions. This benefit is available to new Full-time Employees once they have successfully completed their initial employment period. To learn more about this program contact Human Resources.

## **Children and Minors on Campus**

Children and minors are not permitted on campus unless they are visiting under their parent or guardian's immediate supervision or participating as part of a supervised group or program. It is not appropriate, for safety and security reasons, for children and minors to be unsupervised on campus at other times.

In rare instances, and only with the supervisor's prior written approval, employees may be permitted to bring child/children into the workplace on a temporary or emergency basis. In these instances, the arrangement must be mutually beneficial to both the employee and the department. When this occurs, it is the Employee's responsibility to provide appropriate care and supervision of the child or minor at all times and to ensure that consideration is given to others in the work environment.

If an employee has concerns about children in the workplace, he or she should contact his or her immediate supervisor or Human Resources.

## **Pets on Campus**

To maintain an environment that enables work to be done with minimal distraction and disruption, shows respect and courtesy for co-workers and reduces the potential of health risk and facility damage, pets may not be brought into the workplace, with the exception of service animals.

If an Employee has concerns about pets in his or her workplace, he or she should contact his or her immediate supervisor or Human Resources.

Pet owners who choose to walk their animals on campus are responsible for cleaning up after their pets.

## **Work Responsibility during Inclement Weather**

The Martin Methodist College experience for student's centers on the academic mission of our College but also includes the many other services and programs provided as part of residential community life. Since MMC is primarily a residential College, it is important to maintain these scheduled services. Therefore, the College's operations will normally continue unless the College determines that weather conditions are so serious that the College should close. In situations when the weather is of such unusual severity that normal operation of the College is impossible, the Academic Dean may cancel classes or close the College. Below you will find the Policy that governs inclement weather.

### **During the Work Day (Monday-Friday)**

1. Ask your Supervisor.
2. Call the College, (800) 467-1273
3. Check e-mail for message.
4. Visit the College website home page, <http://www.martinmethodist.edu> for an announcement.
5. Call Provost's office, extension 3823

### **During Evening, Weekend or Early Morning**

1. Call the College, (800) 467-1273.
2. Visit the College website home page, <http://www.martinmethodist.edu> for an announcement.

## **Leaving Martin Methodist College**

### **Termination of Employment**

Please note that, in accordance with and subject to Tennessee law, your employment at Martin Methodist College is "at will." This means that you or the College may terminate your employment at any time for any reason, in your or the College's sole discretion.

If you leave the College's employ, advance notice of at least two weeks for nonexempt employees and a month for exempt employees is requested, when possible. Resignations should be submitted in writing to your supervisor with a copy sent to Human Resources. Paid time off (, sick, personal, national holidays, College holidays, etc.) cannot be used to extend your termination date for any reason.

Your termination date will be your last actual day worked. Human Resources will schedule an exit interview and benefits review.

The College has no mandatory retirement age. If you are approaching retirement, you should

give three to four months written notice to your supervisor and schedule an appointment with Human Resources.

You must return all College property (identification card, keys, books, credit cards, etc.) to the proper department prior to leaving the campus. This property may not be transferred to another employee. The College will withhold the amount of outstanding obligations of the employee from his or her paycheck, when appropriate.

Please notify Human Resources of any changes in your address to ensure that you receive your final W-2 form.

## **Benefits upon Termination**

### **Health and Dental Insurance**

If you are currently enrolled in health or dental insurance, you will have the option to continue your coverage as provided under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). COBRA contains provisions which require the College to offer continued health insurance coverage to certain former employees, entirely at their own expense. The College also provides spouses and dependents the option of remaining in the group health plan.

### **Life and Disability Insurance**

Coverage under life and disability insurance ends on the last day of your employment. You will not be given the opportunity to convert your life insurance to a non-group direct pay plan.

### **TIAA-CREF**

If you leave prior to retirement, your benefit options may vary depending on your length of participation.

### **Tuition Benefits**

If you terminate employment and you and/or a family member are currently participating in a tuition program either at Martin Methodist College or another qualifying institution, you will be responsible for paying that semester's tuition.

### **College Loans and Computer Purchases**

If you have entered into an agreement with the College for repayment of a loan or purchase of a computer, all balances are due on your last day of employment.