



## Employee Handbook

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## A MESSAGE FROM THE PRESIDENT

1 July 2020

Cav Nation!

You know our mission ... and we know it cannot be accomplished without YOU!

The intent of this handbook is to ensure we are fair and consistent with our operations and take care of our #1 resource: YOU!

If we are going to be successful as One University, we must work together as One University and model for our students how we take care of each other and how we conduct ourselves in a professional manner ... on and off campus every day of the year.

- If you are drawing compensation and/or benefits from Walsh University, then this handbook applies to you. The "spirit and intent" of the handbook is important ... we cannot and do not want to list out every possible situation.
- As a condition of employment, we will use the handbook as our baseline without surrendering the need for each of us to think and act appropriately.
- We need everyone to exercise good judgement to ensure we meet the common good and the needs of the institution.

If you see a need for an adjustment, then please tell your Vice President!

- We reserve the right to modify the handbook at any time with the consensus of the University Cabinet.
- Many thanks for all that you do as you live out your life's purpose at Walsh University! All y'all rock!

SWORD'S UP!

A handwritten signature in blue ink that reads "Tim".

Dr. Tim Collins  
President

# WALSH UNIVERSITY MISSION STATEMENT

Walsh University is an independent, co-educational, Catholic liberal arts institution. Founded by the Brothers of Christian Instruction, Walsh University is dedicated to educating its students to become leaders in service through a values-based education with an international perspective in the Judeo-Christian tradition.

Walsh University believes in the desirability of a small university that promotes academic excellence, a diverse community, and close student-teacher interaction. The University provides an education that fosters critical thinking, effective communication, spiritual growth, and personal, professional, and cultural development. Walsh University encourages individuals to act in accordance with reason guided by the example and teachings of Jesus Christ.

Adopted 1999

# WALSH UNIVERSITY

When the Brothers of Christian Instruction stood in a farmer's field at the corner of North Market and Easton in North Canton, Ohio, they formed a vision — a vision to turn 50 acres of alfalfa into a college campus. This vision lay on a foundation of faith, courage and selfless hard work.

That vision was realized on November 17, 1960, when the seven founding Brothers, comprising the entire faculty, welcomed the incoming class of sixty-seven "gentlemen" to, then, Walsh College. The school was named after the Bishop of the Youngstown Diocese at the time, Most Reverend Emmet Walsh. Brother Thomas Farrell (Walsh University's first president) stood on the steps and gave the group a pep talk to the inaugural class.

Apparently, construction delays and final charter approval by the Ohio Board of Regents forced a late start for classes, and students would be required to double up on their credit hours to complete the fall semester on time. Staff support at the time came from a full-time custodian and a part-time secretary. Two structures, a residence for the Brothers (La Mennais Hall) and an academic building (Farrell Hall), stood on the bare campus. The parking lot flooded whenever it rained, and boards were used to cover muddy walkways. (Quite a contrast to the present 27 buildings and over 1000 employees led by Walsh's seventh president, Dr. Tim Collins.)

At first, Walsh offered a liberal arts curriculum with majors in secondary education and business administration, as well as pre-professional programs in dentistry, medicine and law. Today, Walsh's nearly 2,700 students can select from more than 60 undergraduate majors and seven graduate degrees including a doctorate of physical therapy.

This wonderful Catholic higher-education resource has continued to grow and prosper for more than 50 years because the Brothers of Christian Instruction, and those who have built on their efforts, had a vision — a vision that built Walsh University.

Walsh has also been recognized nationally by numerous organizations for various points of distinction:

- Walsh has consistently been named one of the nation's top Catholic universities with inclusion in **The Newman Guide to Choosing a Catholic College**.
- Walsh University is one of only five universities in Ohio to be listed in the **Catholic College of Distinction** annual college guide in which universities must rank highly in four areas of distinction, including: engaged students, great teaching, vibrant community and successful outcome.
- Walsh University is one of 17 universities in the United States accepted into the prestigious **International Federation of Catholic Universities (IFCU)**.
- Since 2010, Walsh has been consistently recognized nationally as a **Military Friendly School**.
- Walsh University was named the seventh best college in the State of Ohio according to a national survey by WalletHub. Results were based on several factors including student/faculty ratio, highest median salary post-graduation and graduation rate. Walsh is Ohio's only Catholic college listed in the Top 10.
- Walsh University was chosen as the 2019 Best College/University in Stark County's annual recognition program by *The Canton Repository*, with sponsorship from the Canton Regional Chamber of Commerce.

# INTRODUCTION

This handbook communicates matters concerning your relationship to the University and its students, as well as pertinent University benefits and employment-related policies and information. No effort has been made to include all matters of employment policy and practice in this handbook; it would be impossible to cover all work-related issues and situations. The University reserves the right, at any time, to make changes in the wording of this handbook and/or any other employment policies or procedures. As other employment matters arise, which the University administration believes are deserving of written comment, applicable statements or rules will be issued.

No part of this handbook, or of any other document or communication, creates or evidences any kind of contract or promise between the University and an employee, nor does it prevent the termination of any employment relationship, by the University or by the employee, at any time or for any reason, with or without notice. Unless otherwise specifically agreed in writing by the president of the University, any employment with the University is at will of the University and the employee.

We ask that you stay up to speed on the content of this handbook, as a thorough familiarity with it can prove helpful in matters which relate to your employment, both now and in the future. If, after reading this handbook, you still have questions about it, please contact the Human Resources Department, which will assist you in obtaining additional information or clarification. We welcome comments and suggestions about this handbook and about University employment practices and policies in general. Such communications from our employees will be given serious attention and consideration.

Please be aware that the most up-to-date version of this handbook will be found in the HR folder on the W drive. In all cases, rules and policies may be established and changed only by duly authorized University administrative officials

## **SECTION A. EMPLOYMENT PROCEDURES**

### **ATTENDANCE**

Regular, prompt attendance at work by all employees is essential to efficient operations and, ultimately, the success of the University. Occasional absence due to illness or injury is sometimes unavoidable. Absence for certain other reasons, also, may be unavoidable at times. A doctor's verification and release are required prior to returning to work for any absence of five or more days.

Nevertheless, the University cannot retain employees who are habitually absent from work for any reason. Any employee who is continuously absent from work for six months may be terminated.

### **CONFIDENTIALITY**

All employees are required to protect confidential information entrusted to them in a professional manner. Disclosure of confidential or sensitive information to anyone who does not have a need to know is an infraction, subject to discipline. Some departments may require the employee to sign a Confidentiality Agreement prior to employment.

### **DISCIPLINARY ACTION**

It is the intent of the University to assist employees in the improvement of their performance prior to disciplinary action being taken. However, employee disciplinary action may be required to assure performance standards, and University rules and regulations are met. The University will always attempt to discipline in a corrective manner, which is consistent with the ideals and mission of the University. Various forms of discipline, depending upon the seriousness of the problem, may be used including: verbal warning, written warning, probation, suspension or discharge. Disciplinary action must be coordinated through Human Resources. A Performance Notice Correction Form is available from the Human Resources office.

### **DRESS CODE POLICY**

The Walsh University business casual dress code policy is designed to help us all provide a consistent professional appearance to our Cav Nation, including students, parents, colleagues and visitors. The goal is to be sure that we maintain a positive appearance and to model to students what it means to be professionally employed.

#### **Do:**

- Dress in business casual attire unless the day's task requires otherwise or the department dress code is different. Examples of this may include employees who work in facilities or in medical sciences.
- Present a clean, professional appearance.
- Be sure to be well-groomed and wear clean clothing, free of tears, or other signs of wear.
- Feel free to wear jeans with University colors on Cav Days, which are every Friday throughout the entire year. Unless specific permission is granted for a specific reason or event, jeans are not permitted any other time.
- Be aware that clothing and grooming styles dictated by religion or ethnicity are allowed.

#### **Don't:**

- Wear clothing with offensive or inappropriate designs or stamps.
- Wear clothing that is too revealing.
- Wear athletic wear, including yoga pants.

Managers or supervisors are expected to inform employees when they are violating the dress code. Employees in violation are expected to immediately correct the issue, which may include having to leave work to change clothes. Repeated violations may result in disciplinary action being taken up to and including termination.

## **EMPLOYMENT FILE**

All employment files and documents contained in it are University property and are kept by the Head of Human Resources. Typically, this file contains application, performance evaluations, commendations, and other pertinent information. Employees are expected to immediately report changes such as address, phone number, marital status, dependents and/or beneficiaries to the Human Resources Department.

Employees may request an appointment to review their file as well as elect to append statements, which would correct, amend, or supplement records, which they believe to be inaccurate or incomplete.

Only authorized employees (typically the employee themselves, their direct supervisor, as well as the appropriate VP and President of the University) may have access to employment with the approval of the Head of Human Resources.

The file review must be done in the presence of the Head of Human Resources.

## **EMPLOYMENT INFORMATION**

If your personal data changes due to moving, marriage, divorce, birth, or adoption, it is the employee's responsibility to notify the Human Resources Department to change the employment records and update the insurance information.

As an employee, you are consenting to periodic background checks as deemed necessary. Failure to do any of these may result in the withdrawal of the employment offer or termination of employment.

## **IDENTIFICATION CARDS AND KEYS**

Employees have the obligation of securing identification cards which they should have visibly displayed on their person at all times. Individuals who fail or refuse to produce an ID upon request, or who allow anyone else use of their card will be subject to disciplinary action and/or immediate removal from the Walsh University campus.

Employees are responsible for safekeeping all building or offices keys issued. Employees should not permit unauthorized use, transfer to another person, or duplicate the keys. If a key is lost or stolen, employees shall notify the Director of Facilities and Grounds immediately, and may be responsible for charges related to replacements.

## **NEPOTISM POLICY**

### **Purpose:**

The goal of this policy is to ensure that the environment is free from any conflicts of interest as it relates to whom it employees. The University does permit the employment of qualified relatives of employees as long as such employment does not, in the judgement of the University, create actual or perceived conflicts of interest.

### **Definitions:**

- **Immediate Family** - Includes spouse, children, parents, brothers, sisters, stepparents, stepchildren, stepbrothers, and stepsisters.
- **Additional Family** - Includes grandparents, parents-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunts, uncles, first cousins, nieces, nephews, grandchildren, and great grandparents.
- **Members of the Same Household** - Includes individuals who are members of the same household as employees of the University, with the exception of religious.

### **Hiring of New Employees**

It is the intent of the University that employees not be involved in decisions affecting employment of individual members of their immediate and additional families or household. That is, no employee is permitted to work within "the chain of supervision" when one relative's work responsibilities, salary, hours, career progress, benefits or other terms and conditions of employment could be influenced by the other relative. This precludes any relative of an employee with supervisory authority from being employed by the University.

### **Promotion and Transfer of Current Employees**

A current University employee shall not be promoted or transferred if it would:

- Create a reporting relationship between the employee and members of his/her immediate family, additional family or household.
- Have the potential for creating an adverse impact on work performance,
- Create an actual or perceived conflict of interest, or
- Influence work/teaching assignments.

Employees of the University who establish a family relationship may continue employment as long as it does not result in a conflict with as the items listed above. If one of these events should occur, attempts will be made to find a suitable position within the University to which one of the employees will transfer or establish a new reporting relationship. If accommodations of this nature are not feasible, the employees will be permitted to determine which one of them will resign.

### **Implementation**

- Applicants will be advised of this policy and are expected to disclose any potential conflict of interest involving immediate family, additional family or members of the same household during the employment application process and before accepting an offer of employment. Failure to do so will be grounds for dismissal.
- In the event that a relative or member of the same household of a University employee applies for a position with the University, the University employee must disclose this to the Head of Human Resources or their designate.
- University employees are expected to disclose any potential conflict of interest involving relatives or members of the same household that may occur as a result of transfers, organizational changes, changes in marital status, or changes in an employee's household.
- All employment decisions that involve a family or household member of an employee requires the advance review and approval by the President of the University.

All applicants will be considered for employment without attention to race, color, religion, sex, sexual orientation, gender identity, national origin, veteran or disability status."

### **ON-CALL TIME FOR NON-EXEMPT STAFF**

A non-Exempt employee who is required to remain on call on campus is working "on call." An employee who is required to remain at home, or who is allowed to leave a message where he/she can be reached, is not working while on call.

### **OTHER EMPLOYMENT**

If a full-time employee of the University wishes to pursue a full or part-time job elsewhere, it shall be understood that their primary responsibility is to Walsh University, and as such should gain approval from their supervisor. Failure to notify one's supervisor may be cause for the employee's termination. If the employee's performance at Walsh suffers due to other employment, the employee may be asked to resign the other job. Refusal to do so may result in termination.

### **OUTSIDE COMMUNITY ACTIVITIES**

The University encourages employees to take active roles in community service.

### **PAYROLL, PAYROLL PERIODS AND DEDUCTIONS**

Employees are paid on a biweekly basis, generally every other Friday, and pay is directly deposited. Please note that payroll dates may be altered with appropriate notice due to holiday schedules.

Exempt positions are paid on a salary basis as determined in the Confirmation of Enrollment / Confirmation of Change. Non-Exempt positions are paid on an hourly basis.

Walsh University has the right to make compensation adjustments at any time.

### **PERFORMANCE REVIEWS**

It is the intent of Walsh University to have the performance of employees reviewed annually by their immediate supervisor.

The primary focus of the review is developmental. The review process should be integrated with the strategic planning and mission of the University, linking employee jobs and their individual goals with the goals of the institution. Performance reviews are designed to assess employees relative to established performance dimensions and University values. Such reviews are intended to serve as an objective means of communicating and evaluating strengths and weaknesses.

After the performance review has been discussed with the employee and the process completed, a copy of the review will be given to the employee, a copy sent to Human Resources for the University employment files and a copy retained by the supervisor.

### **POSTING OF JOB VACANCIES**

It is the policy of Walsh University to recognize capable, qualified members for promotion to appropriate higher positions. Employees are encouraged to discuss promotion possibilities with their supervisor, department head or the Human Resources Department.

The Human Resources Department will post job vacancies on the job opportunities page on The University's website (<https://www.walsh.edu/job-opportunities.html>). There may be circumstances in which an employee from the department in which the opening exists will be identified for promotion to the vacant position. In this case the position would not be posted.

The Head of Human Resources may determine the scope of the search for non-Exempt positions, which may include an external search. In the case of an external search, a search committee may be created to screen and present a non-binding recommendation to the Vice President or appointing authority. All finalists will meet with the President as part of the hiring process and prior to any offer being extended.

### **RESOLUTION BOARD PROCEDURE**

Misunderstandings, conflicts or miscommunications between supervisor and employee, co-worker and employee or others, may occur in the work place. If these difficulties cannot be resolved, through the appropriate internal procedures for solving grievances, the University community has developed a formal policy of procedures.

For information regarding the resolution board procedures, please refer to *the* "Resolution Board - Statement of Policy and Procedures" located in the appendix of this handbook.

### **TATTOOS AND BODY PIERCINGS**

There is a concern that visible tattoos and body piercings such as eyebrow rings and tongue studs may offend some supervisors, co-workers, students or parents. While tattoos and piercings may be examples of self-expression, they generally are not recognized as indications of religious or racial expression and, therefore, are not protected under federal discrimination laws. As a result, it is our policy that:

- No visible tattoos are allowed above the shoulders (excluding tattoos for natural looking cosmetic enhancements, such as eyebrows, lips, and eye liners).

- Tattoos that contain offensive words, messages, slogans, or pictures, including but not limited to those displaying nudity, sexual acts, gender, race, religion, disability, or national origin, and/or may be perceived to be gang-related shall be covered and/or not visible while on duty.
- Objects, articles, jewelry (including ear lobe expanders), or ornamentation of any kind shall not be inserted, attached to or through the skin if visible on the tongue, any part of the mouth, eyebrow, or cheek.

If an employee has a question about how the tattoo and body piercing policy is applicable to them, the matter should be immediately raised with their supervisor for consideration and determination.

### **TRAVEL TIME**

Ordinary travel time from home to campus and back is not work time. If an employee travels directly from home to a location other than campus to accomplish University business, the time spent traveling to and from that location is work time minus the time the employee would normally spend commuting to campus.

Time spent by an employee traveling from location to location, i.e. from one high school to another, is work time.

Travel time away from Campus that keeps the employee from home overnight is work time when it clearly cuts across the employee's work day. This applies to hours worked on both normal working days and nonworking days. Employees should work directly with their supervisor to discuss their schedule during a week including overnight travel.

### **WORK HOURS**

Normal work hours for the majority of departments are 8:00 a.m. to 5:00 p.m. Monday through Friday, with a one-hour lunch period for most staff. A department may operate on a different work schedule based upon University schedules and student needs, and the department supervisor reserves the right to establish specific departmental schedules.

Both non-exempt and exempt employees may flex their 40-hour work schedule in the same workweek, with their supervisor's approval. For example, if an employee works 12 hours on a Monday, he/she may work 4 hours on Tuesday, Wednesday, Thursday or Friday. This is not compensatory time.

Exempt employees have no predetermined number of hours however the responsibilities attached to these positions demand a minimum of 40 hours per week. As exempt employees under the Fair Labor Standards Act, are not eligible for overtime payment, and should not expect compensatory time for working in excess of forty (40) hours per week.

Non-exempt employees are eligible for overtime, which is paid for time worked above 40 hours in a workweek. Overtime pay will be calculated at a rate of one and one-half times the employee's regular hourly wage. Overtime hours must be approved in advance by the department supervisor. Employees log their time worked and request time off using the ADP Time and Attendance system.

All employees are required to track sick and vacation time in the ADP Time and Attendance system.

### **WORKING FROM HOME**

While the University's general expectation is that our employees work from the University itself, we do recognize that under certain circumstances, and given the current situation surrounding the pandemic, our go-forward policy for working from home will be explored at a later date.

## **CHANGE IN EMPLOYEE STATUS**

### **LAYOFF**

The University endeavors to promote job security for satisfactorily performing employees; however, there may be times when an employee is laid off temporarily for economic or operational reasons.

The President, the Vice President for Finance and Business Affairs, the Head of Human Resources and the employee's supervisor shall determine layoffs, if necessary. Preference for retaining employees shall be on the basis of performance, ability, experience, the University's present and future needs, and the employee's past and future value to the University. Seniority may be considered for employees whose qualifications are otherwise equivalent. All workers laid off shall be given appropriate notice and payment of any accrued vacation time at the date of layoff. Final determination of layoffs shall be at the sole discretion of the University.

### **RESIGNATION**

Employees are encouraged to provide two weeks' notice to facilitate a smooth transition out of the University. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given. All resignations must be confirmed in writing.

Management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant. Such a decision should not be perceived as reflecting negatively on the employee, given that it may be due to a variety of reasons not known to the individual or other employees.

Employees who fail to return any company property, including keys, credit cards, tools, uniforms, cellular phones, laptops and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of Walsh University.

Accrued but unused vacation will be paid out consistent with the company vacation policy and state law requirements.

Benefits will terminate on the last day of the month in which the employee has resigned/terminated. Life Insurance and Flexible Spending will term on the last day of the employee's employment. The employee will receive information concerning health insurance benefits continuation rights under the COBRA statute.

### **DISCHARGE**

The University may terminate at will employee relationships at any time for cause. This may include but is not limited to performance deemed to be unsatisfactory. By way of example, the University reserves the right to terminate an employment relationship for any, but not limited to, the following reasons:

- Inadequate work performance.
- Neglect of duty.
- Moral turpitude or an action or actions considered a severe violation of ethical or moral standards.
- Conviction in a criminal proceeding or judgment in a civil action sufficiently serious to warrant discharge.
- Open advocacy of beliefs clearly contrary to the Catholic Church and its basic teachings and mission causing embarrassment to the church or University while serving in the capacity as an employee or as a person identified with Walsh University.

The discharge is at the sole discretion of the University and may be done without prior notice. The recommendation to terminate an employee is the responsibility of the supervisor/manager. The recommendation must be discussed and concurred with by the Head of Human Resources prior to any discussion with the employee. Unless the employee's actions are such that further employment is absolutely not possible a recommendation to terminate an

employee should be made only after other remedial means of action have not worked, i.e., progressive discipline, Performance Evaluation review. Under some circumstances the final discharge of an employee may become the decision of the President of the University with the advice of the appropriate supervisor.

## **SECTION B. EMPLOYEE BENEFITS**

This section provides a general overview of employee benefits, which the University reserves the right to make changes in employee benefit programs at any time.

### **COBRA BENEFITS (THE CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985)**

Federal law requires that employers sponsoring group health plans offer qualified employees the opportunity for a temporary extension of health coverage (called “continuation coverage”) at group rates in certain instances where coverage under the plan would otherwise end.

Employees of Walsh University covered by University-sponsored group health insurance have a right to choose this continuation coverage if they lose group health insurance because of a reduction in hours of employment or termination (for reasons other than gross misconduct). All pertinent information regarding coverage, cost and length of time for coverage will be sent to employees from a third-party administrator at the appropriate time.

### **HEALTH AND DENTAL INSURANCE**

Walsh University primarily funds the University’s health care program. Elected coverage is effective on the date of hire.

All participating employees are responsible for a monthly contribution towards the plan, currently deducted from employee paychecks. Periodically, the University will review its health coverage conditions for purposes of updating and changing benefits or conditions. Employees must have full time status to be eligible for medical and dental insurance. Coverage is available for the participant’s spouse and dependents.

A schedule of benefits describing the comprehensive major medical plan options and dental plan is issued to each eligible employee. Benefit payments cannot be considered until the employee has initiated the appropriate claim forms. These forms are available in the Human Resources Office and on the ADP HR Benefit site.

### **HOLIDAYS**

Walsh University observes the following paid holidays, including any federal holiday as aligned with the current academic calendar:

New Year’s Day	
Columbus Day	Independence Day
Martin Luther King Jr. Day	Labor Day
March For Life	Thanksgiving Break (Wed, Thurs, Fri off)
Easter Break (Thurs, Fri, and Mon off)	Christmas Break*
Memorial Day	

\*Under normal circumstances, the University will be closed from December 23<sup>rd</sup> through New Year’s Day. Employees terminating employment on or before January 15<sup>th</sup> shall have this time charged against their accumulated vacation.

For full-time employees, holiday pay is based on the principle that all full-time employees should receive the same number of paid holiday hours, irrespective of the schedule normally worked. Therefore, each full-time employee, regardless of their work schedule, shall receive a maximum eight hours of holiday credit for each holiday and shall

receive the same number of holidays in a calendar year as employees whose schedule is the standard eight hours worked Monday through Friday. Holiday credit means pay or credit for paid time off at a straight-time rate.

Part-time employees will be receiving holiday pay for any holiday which falls on their scheduled work days. Any non-exempt employee required to work on a holiday shall be compensated at their regular rate plus the actual hours worked at their normal rate of pay.

**LIFE INSURANCE**

All full-time employees are provided with group term life insurance equal to one year’s salary or a minimum of \$20,000. There is no cost to the employee for this insurance; however, coverage ceases at termination of employment. Employees may purchase supplemental insurance coverage at their cost directly from the insurance carrier. An employee Group Life Insurance Book, which is issued to each eligible employee, explains the details of the plan.

**PAID BENEFIT SCHEDULE**

Employees eligible for the complete Walsh benefits package as outlined in this handbook as time to time amended are employees who work a minimum of 30 hours per week.

The benefits package for those that work between 20 - 30 hours a week is:

- Prorated holiday pay
- Vacation credit
- Sick leave credit
- Prorated tuition remission for the employee and their eligible dependents. The percentage is calculated based on the employee’s scheduled hours of work. For example, if an employee is scheduled to work 20 hours per week the remission will be 50% of 100% or 50%.
- Eligibility to participate in the TIAA retirement program according to plan document requirements (at least 1000 hours in a year).

**RETIREMENT PROGRAM**

Walsh University sponsors a Retirement Program through Teachers Insurance and Annuity Associates (TIAA), which employees are eligible to participate in upon hire. The University’s contribution will begin once the following criteria has been met:

- One year of service (1000 hours), or previous employment by a higher education or educational organization (defined in plan documents).
- Must be over 18.

Walsh University’s TIAA Plan includes an auto-enrollment provision whereby all newly eligible employees are automatically enrolled in the Plan unless the affirmatively elect not to participate. Automatically enrolled participants have their deferral rate set at 3% of eligible compensation, with no annual increase applied, unless a different election is made.

The base plan has Walsh University contributing an amount equal to four (4%) percent of the employee’s wages once they enroll in the plan. The employee is not required to make any contributions to participate in the base plan. In addition to the base plan, the University will match any employee contribution up to three (3%) percent. This means the following options are available:

<u>UNIVERSITY CONTRIBUTION</u>	<u>EMPLOYEE CONTRIBUTION</u>
7%	3% Optional
6%	2% Optional
5%	1% Optional
4%	0%

## **SPOUSAL HEALTH CARE COVERAGE ELIGIBILITY POLICY**

Spouses of Walsh University employees would be eligible for health care coverage under the Walsh University plan at the Employee + Spouse or Employee + Family rate, if:

- They are not employed – or --
- They are self-employed– or --
- They are not eligible for health care coverage from their employer per the ACA --or--
- They are retired and do not have access to a group medical plan.

Spouses of Walsh University employees must enroll in their own employer plan as their primary coverage if:

- They meet the eligibility requirement for health care coverage through their employer as established by the ACA --or--
- They are retired and are eligible for group health care coverage at their previous employer or through their retirement program.

*Spouses of Walsh University employees who choose not to enroll in their employer's health plan based on cost and/or coverage issues, may petition to be enrolled under Walsh University's health care plan. The petition will be evaluated by the HR Department and an additional cost will be determined. This cost would be in addition to paying the Employee + Spouse or Employee + Family rate.*

Walsh reserves the right to verify with the spouse's employer that coverage is not available or offered.

Walsh University's continue to seek ways to eliminate unnecessary costs and waste within their health plans.

Occasionally, a dependent eligibility audit will be conducted. This requires all employees to provide proof that any dependents for whom they wish to cover or currently have covered under the employer-provided group health plan are, in fact, eligible for that coverage.

## **TUITION REMISSION**

Faculty and staff members and their eligible dependents, as defined below, may participate in the tuition remission program as follows:

- Full tuition remission is calculated at a rate of 100% of current tuition charges with the exception of the Executive MBA Program, Physical Therapy Doctorate and Masters of Occupational Therapy which is calculated at 30%. Part-time staff and their eligible dependents receive prorated tuition remission based on the scheduled hours of work of the respective part time employee.
- Student Assistant Coaches/Graduate Assistants are eligible for tuition remission benefits based on the allotment of remission credits to the respective program and their individual contract. Those in the Physical Therapy and Occupational Therapy Programs will receive tuition remission at the current rate for all other graduate programs.
- For new employees hired while they or their dependents are currently enrolled in classes, the tuition remission benefit will be available to them upon their next enrollment in classes.
- Employees and their dependents must pay all general and course fees. Fees may be associate with certain degrees, i.e... lab fees, tech fees, graduation fees, etc.
- If an employee or dependent is receiving tuition remission, a \$50 per semester, per student, administrative fee will be applied to your account. This is payable by the employee/dependent and no grants will offset it.
- Tuition remission does not apply for payment or reimbursement for room and board charges.
- Dependents who are full-time students, primarily children, are limited to sixteen sessions (eight semesters) which a maximum of 18 credit hours per semester) of tuition remission.
- Dependents who are part-time students, primarily spouses, are limited to the number of credit hours required for an undergraduate degree taken over eight or more semesters.

- In the event that a dependent transfer to Walsh as an undergraduate, tuition remission available for the graduate level will be determined based on the actual tuition remission benefits used at the undergraduate level.
- Tuition Remission does not apply to Communicate Institute Classes, testing out of classes through CLEP or Dantes examinations, portfolio assessments, independent study or course by arrangement.

Eligible dependents are defined as follows:

- The employee's current spouse.
- The natural or adopted unmarried children of the employee or employee's spouse if claimed by the employee or the employee's spouse as a dependent on the most recently filed federal income tax return. If the dependent is 22 or older, a copy of the front page of the 1040, showing them as a dependent is required.
- In the case of a divorce situation, the natural or adopted unmarried children of the employee who, due to the divorce decree is claimed as a dependent by the employee's ex-spouse on the most recently filed tax return.

If an employee resigns or is terminated while the employee or the employee's dependent is enrolled in classes at Walsh, tuition remission will be affected as follows:

- Tuition remission for current and future semesters will cease.
- If the date of the employee's resignation is on or before the date on which 60% (established by the Financial Aid Department) of the semester has transpired the tuition remission will be reduced by 50% for the current semester.
- If the date of the employee's resignation is after the date on which 60% of the semester has transpired tuition remission will remain the same for the current semester. Tuition remission for all future semesters will cease.

Dependents of deceased faculty and staff maintain their eligibility for tuition remission if they qualify at the time of the employee's death.

Dependent children of retired faculty and staff maintain their eligibility for tuition remission if they qualify at the time of the employee's retirement and the employee's age and years of service at the date of retirement equaled 90 or greater.

Faculty and Staff must have a Tuition Remission Authorization form completed and signed by a Human Resources representative to certify eligibility for the tuition remission benefit. This is done at the beginning of every financial aid year. Faculty and Staff should also check with the Finance or Human Resource Offices regarding the most current Internal Revenue Service regulations regarding the taxation of the tuition remission benefit as imputed income.

Walsh University is currently a member of Tuition Exchange, Inc. and Council of Independent Colleges Tuition Exchange Programs that offer exchange scholarships for faculty and staff dependents at participating colleges and universities. Contact the Human Resources Department for details.

Students receiving tuition remission benefits or tuition exchange scholarships can potentially receive financial assistance from federal, state and other external sources. In some cases, this assistance will offset the tuition exchange award or tuition remission benefit according to the following guidelines. Students receiving tuition remission benefits or tuition exchange scholarships are usually not eligible for other Walsh University scholarships or grants.

In any case the total of any student's tuition remission benefits, tuition exchange award, outside scholarships and governmental grants may not exceed the student's direct cost (tuition, fees, room and board for resident students) of attending Walsh University.

Self-help aid that is awarded to the student, such as loans and work-study, may be applied to any applicable fees and/or other educationally related expenses and should not affect the amount of the tuition remission benefit or tuition exchange scholarship.

## VACATION TIME

Rest and recreation are important for the health and wellbeing of employees. The University wants and expects employees to use their annual vacation allocation.

### Non-Exempt Vacation Day Accrual Schedule

Completed Years of Service	0-1	5-9	10 or more
# of Vacation Days	10 (.0385 per hour)	15 (.0577 per hour)	20 (.0770 per hour)

### Exempt and Professional Non-Exempt Staff Vacation Day Accrual Schedule

Completed Years of Service	0-4	5
# of Vacation Days	15 (.0577 per hour)	20 (0.0770 per hour)

Vacation runs July 1st to June 30th, no carryover or payment of unused vacation credit is permitted.

It is the responsibility of each department head to develop an annual tentative vacation schedule. The vacation schedule is to reflect proper staffing levels that assure the ability to provide the best possible service for constituents particularly at the beginning and the ending of the academic semester.

Employees must discuss vacation plans with their supervisor prior to finalizing vacation schedules. **Vacation requests must** be made using the ADP Time and Attendance System.

Vacation time does not accrue when an employee is on medical leave and not being paid by the University. This occurs when an employee is on short- or long-term disability and is receiving payments from the University's disability insurance provider.

Accrued vacation balances either positive or negative will be used in calculating the employee's final check.

## WORKERS' COMPENSATION

Employees who sustain a work-related injury may be entitled to Workers' Compensation benefits as provided by Ohio law. If an employee sustains such a work-related injury, it must be reported immediately to the employee's direct supervisor. An Accident/Incident Report must be completed and-forwarded to Human Resources within two working days explaining the nature of the employee's injury. Accident/Incident Reports are available in the Human Resources and Maintenance offices. An employee is not eligible to receive compensation for both sick leave payments and Worker's Compensation benefits for the same loss of work time.

# LEAVES OF ABSENCE

## BEREAVEMENT LEAVE

We recognize the emotional stress and additional responsibility that may result from a death in an employee's life, and therefore, we provide paid bereavement leave. In the event that you suffer the loss of a loved one, your specific bereavement plan will be approved by the VP of your group, in coordination with the head of HR to ensure you have the time needed to take care of yourself and your family.

As a general guide, we provide 5 paid days for the passing of an immediate family member, 3 days for any family member, and 1 day for anyone else.

As a note, immediate family member is defined as one's spouse, child, mother, father, grandparent, mother-in-law, father-in-law, or sibling. Child includes natural, step, foster, adopted daughter or son and any child under the employee's legal guardianship.

You may be requested by the Company to submit satisfactory evidence to support your request for this leave.

## JURY DUTY

Employees who perform jury duty shall receive paid time off at their normal rate of pay to perform jury duty, subject to presentation of acceptable documentation of such service. They are expected to report for work all or part of any day when not engaged in jury duty. Under appropriate special circumstances, the University may suggest or require the filing of a petition for an employee to be excused from service, due to hardship to the University or the employee.

## MEDICAL LEAVE - SICK LEAVE & FMLA

All Non-Exempt employees shall earn sick leave credits at a rate of 56 hours for 2080 regular hours worked in a fiscal year or paid by the University, .0269 per hour worked. Exempt employees shall earn sick leave credits at a rate of 56 hours for the fiscal year. Nine-Month Faculty shall earn sick leave credits at a rate of 56 hours for their contract year.

Non-Exempt Staff, Exempt Staff and Nine Month Faculty are limited to accruing no more than 112 hours. Employees who have accumulated the maximum sick time may keep their current number of hours until they reduce them through usage.

Sick time must be recorded in ADP when used.

Sick leave credits do not accrue when an employee is on medical leave and not being paid by the University. This occurs when an employee is on short- or long-term disability and is receiving payments from the University's disability insurance provider.

\*Note: Effective July 1, 2020, all sick time accrued under previous policies will not roll over and accrual under the new policy will begin.

Accumulated sick time does not carry any monetary value at the termination of employment. At the time of termination any amount of sick time used that has not been accrued will be taken from the final check or accrued vacation time that was not used. A record of employee sick days will be forwarded to the employee's immediate supervisor upon request. Employees are not eligible to receive paid sick leave during their probationary period.

## Reporting Sick Time

An employee should inform immediate supervisor promptly when absent due to illness, injury, or is otherwise physically unable to work. The Head of Human Resources may require employees to furnish a doctor's statement

specifying the reason for the absence and their fitness to return to work. Sick time hours may also be used care for a sick immediate family member.

Employees that are absent or anticipate being absent for three consecutive work days may be required to submit a doctor's slip. This will be determined by their immediate supervisor and/or the nature of their job. Employees absent for five consecutive work days or demonstrating a pattern of inordinate absence will be required to furnish a satisfactory doctor's statement explaining the reason for the absence, their fitness to work and the prospects for their return to work. Extended absences may require periodic reports updating the employee's condition.

Medical and dental appointments are to be scheduled outside of normal working hours whenever reasonably possible.

The University may require an employee be examined and assessed by a doctor chosen and paid by Walsh University to evaluate the employee's medical condition and fitness to work.

For an extended absence, employees are expected to return to work upon receiving a written work release from a physician.

### **FAMILY MEDICAL LEAVE ACT (FMLA)**

FMLA refers to the Family and Medical Leave Act, which is a federal law that guarantees eligible employees up to 12 workweeks of unpaid leave each year with no threat of job loss. FMLA is designed to help employees balance their work and family responsibilities by allowing them to take unpaid leave for certain family and medical reasons, such as:

- The birth and care of the newborn child of an employee;
- Placement with the employee of a child for adoption or foster care;
- To care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- To take medical leave when the employee is unable to work because of a serious health condition.

If you want to learn more or believe you may be eligible for FMLA, please reference the detailed statement of Employee and Employer Right, and contact the Head of Human Resources. Rights and Responsibilities as defined by the United States Department of Labor can be found in the Attachments and Reference Section of this handbook.

### **DONATION OF SICK TIME**

All Non-Exempt Staff, Exempt Staff and 9 Month Faculty who have used all of his/her accrued annual sick leave may receive sick leave donations from other employees if they are going to be out for an extended absence (defined as more than 5 consecutive work days). The procedures for receiving or giving donations are:

- An employee must exhaust all sick and vacation time before they can ask for donated sick time
- The employee in need of donated sick-leave should contact the Head of Human Resources, who will notify the campus community of the need and record the distribution of donated sick leave.
- Sick leave donors must have an accrued sick leave balance in excess of 40 hours. Only accrued sick leave hours in excess of 40 are eligible to be donated.
- An employee who wishes to donated is limited to 8 hours every 60 days
- An employee who is receiving donated sick time is limited to 5 days per fiscal year.
- Sick leave donation forms will be available from the Office of Human Resources. Employees wishing to donate a portion of their accrued sick leave must return completed donation forms to the Head of Human Resources.
- Sick leave will be transferred from the donor to the recipient on an hour-for-hour basis.
- Supervisors and direct reports cannot donate to each other.

The University will exercise reasonable efforts to preserve the employee's position, or a similar one during an extended absence. There is no guarantee the employee will retain their prior position. Factors influencing the

University's decision are the basis and length of the absence, the employee's performance record, and the operational needs of the University and the requirements of law.

### **MATERNITY LEAVE**

In an effort to support new mothers on our team, we cover the first 30 calendar days (or approximately 4 weeks) of leave at 100% of pay, and the following 2 weeks at a rate of 60% the employees normal rate of pay through our Short Term Disability carrier, both of which run currently with the 12 weeks of available FMLA. For the remaining weeks available to moms through FMLA (reference policy on page 20), those weeks will go unpaid, unless the employee opts to use vacation time during this period, which is optional.

For those adopting a child, we will cover the first 30 calendar days at 100%, and the following 2 weeks at 60% of the individual's normal rate of pay.

### **PATERNITY LEAVE**

Dads - we didn't forget you! We also offer 1 week (5 days) of paid paternity leave associated with the birth or placement of a child through adoption. This benefit is available to be used at any time during the 12 weeks following the child's arrival, and can be used intermittently.

### **SHORT TERM DISABILITY (STD) INSURANCE**

All Non-Exempt Staff and Exempt Staff are entitled to short-term disability coverage during the first 90 calendar days of an absence. During the first 30 days, short-term disability is paid at the employee's regular rate of pay. During the 31st day through the 90th calendar day, short-term disability is paid at 60% of the employee's regular rate of pay.

All Non-Exempt Staff and Exempt Staff are eligible to receive short-term disability pay at the employee's regular rate of pay commencing on the 8th calendar day of absence through the 30th day of the disability. Non-Exempt Staff and Exempt Staff may elect to use sick leave or vacation days during the first seven calendar days of an absence.

Twelve Month and Nine Month Faculty short term disability insurance will follow the guidelines set forth in the faculty handbook.

FMLA runs concurrently with any approval for STD, whether or not the employee follows through with FMLA application requirements.

Once approved for STD, employees who are eligible for and have not exhausted FMLA remain employed by Walsh for up to 12 weeks, during which time the University will cover its portion of health insurance premiums. Once the employee begins receiving payment from the third party STD payer and is no longer receiving elimination period or sick/vacation payments through the University that are sufficient to cover the deduction of their portion of health insurance premiums, the employee is responsible for submitting payment of their portion of health insurance premiums directly to the University.

### **LONG TERM DISABILITY INSURANCE**

After 90 days of illness, the full-time Walsh University employee may be entitled to long-term disability insurance of 60% of their current compensation up to a maximum of \$10,000 per month until the age of 65. Employees may purchase supplemental long-term disability insurance coverage at their cost directly from the insurance carrier.

Once approved for long-term disability payment, employees will be remaining employed with Walsh for 12 weeks. The employee is responsible for submitting payment of their portion of health insurance premiums directly to the University (if enrolled). After the 12 weeks has ended the employee may be terminated, depending on the needs of the University to fill the position. If enrolled at the time of disability, a disabled employee may remain on the University's group health plan (through COBRA), at their own expense.

## **MILITARY LEAVE**

An employee is allowed up to four weeks' leave of absence to participate in annual military training duty. The University will pay the difference between the employee's regular compensation and the military pay earned during such time of military duty, upon receipt of a statement from the employee's commanding officer or other appropriate official, showing the exact days of duty and compensation. Such pay calculations will be based upon the employee's regularly scheduled work hours per workweek.

## **PERSONAL LEAVE OF ABSENCE**

Personal leave is an unpaid leave of absence not covered under the Family and Medical Leave policy. Personal leave will not be considered unless the individual requesting the leave has been employed at least one year.

An unpaid personal leave of absence may be granted upon request to regular full- and part-time employees for important pressing personal needs, at the discretion of your department manager. Accepting employment elsewhere is not unpaid leave and constitutes a termination of employment at Walsh University.

Requests for unpaid personal leave must be made in writing to the employee's department manager with a copy to the Head of Human Resources, and should indicate the reason and the length of leave requested. All unpaid personal leaves must be approved by the department manager and concurred with by the Director, Human Resources. The department manager shall review and act upon a request for unpaid personal leave in consideration of the following factors:

- The purpose for which the leave is requested.
- The length of time the employee will be away.
- The effect the leave will have on the ability of the department to carry out its responsibilities.
- The quality of the employee's performance prior to the submission of the request.

Unpaid personal leave may only be requested once all other appropriate leave balances have been exhausted. Walsh University will attempt to hold an employee's position open for the period of unpaid personal leave, if such leave is two weeks or less. If leave is greater than two weeks, the employee, may be terminated or asked to resign.

Employee health benefits will be continued in the same manner as received prior to the leave, if the leave is for two weeks or less, but the employee will be expected to remit payment for the employee's portion of the health insurance premium prior to departing for unpaid personal leave, and in an amount equivalent to the expected period of absence. If an employee requests leave which will extend beyond the two-week period, he/she will be advised of his/her COBRA rights. (See Continuation of Benefits policy for additional information about COBRA). Unpaid personal leaves are limited to one per year.

## **SECTION C. GENERAL SERVICES AND FACILITIES**

The policies that follow were developed to promote a quality work environment and to respect the dignity and individual rights of each Walsh University employee.

### **BOOKSTORE**

Employees receive a ten percent (10%) discount on most items purchased at the bookstore. The discount does not apply to text books and may not apply to sale or discontinued items.

### **CAMPUS EVENTS**

Faculty and Staff are admitted to all regular season athletic events by showing their valid Walsh University ID at the box office (Football, Volleyball and Basketball), which is good for two tickets per event. Invitations are also sent throughout the year to other University events such as concerts, plays, dinners, etc. Employee participation is encouraged at University functions and events.

### **CAMPUS POLICE**

Employee and student safety are of paramount importance to the University. By observing the following guidelines, employees will be doing their part to maintain a safe, secure environment.

- Keep personal belongings in a safe place.
- Any crimes or suspicious acts should be reported immediately to the campus police at **ext. 7474 or 330-316-1088**.
- When leaving the building or office, employees are asked to close windows, turn off lights, and close the door.

### **COMPUTER AND TELEPHONE USAGE**

Employees must use the University's computer resources in an ethical manner with attention to:

- legal use of licensed software
- protection of confidential information
- legitimate use of hardware/software/periphery devices
- legitimate access to and use of valid data
- respect for and safeguarding of security passwords, user identity and system access
- legitimate use of Internet and telecommunication services

For further information regarding computer and telecommunication usage, please refer to the *Policy on Acceptable Use of Walsh-Managed Information Technology* in Section E of this handbook.

University telephones are for use in performing your work duties. They should not be used for unnecessary personal phone calls. The telephone receptionist located in the lobby of the David Campus Center, serves as a center for all incoming telephone calls and campus telephone communications.

Personal cell phone while on the job should be limited. Abuse of personal cell phone use will be addressed through the disciplinary process in Section A-21 of this handbook.

### **CREDIT UNION**

All employees are eligible to join the Stark Federal Credit Union. The basic objectives of the Credit Union are to teach and encourage thrift among members and, through their combined savings, extend to member's low-cost credit for any worthwhile purpose.

### **EMERGENCY ALERT SYSTEM – WUALERT**

The Walsh Emergency Alert communication system allows Walsh to send time-sensitive notifications via the Walsh University Emergency Alert System (voice messages, emails, and text messages). This system will be used only in the

case of an emergency such as school closures, natural disasters or imminent threats. Please take a moment to review and update your phone numbers and email addresses online through the Cavalier Center at portal.walsh.edu.

**Important Call Delivery Notes:**

- When you receive a call from the emergency alert system to your home phone, your caller ID will display WUAlert. For cell phones you will need to program the contact information. When you receive the initial test call, we encourage you to store and save the number under the contact name WUAlert for future reference.
- For emails, the Email ID will be from Walsh Emergency Alert.
- Text messages will come from 23177.
- You will get an initial confirmation text message to ensure we’ve reached the correct text message device. This will also be your opportunity to “opt-out” of future text messaging alert broadcasts.
- When listening to a message, please be aware that background noise will cause the system to “stop and start.” It is calibrated very delicately to determine whether a person or an answering machine has picked up the phone, and background noise may affect the delivery. If possible, move to a quiet area, or press the “mute” button on your phone.
- If you missed any part of the message, please stay on the line and press “\*” (star) to hear the message again.
- Please be assured that all personal information will be maintained in the strictest confidence.

**EMERGENCY CALLS - 911 (For North Canton Fire and Ambulance)**

If a Fire or Medical emergency arises, dial 911. **911 calls do not provide the location of the phone you are using, just the University address.** The operator will ask if you need fire or ambulance. Stay on the line and give the operator the following information:

- The gate the emergency vehicle should enter: Westgate, Centergate or Eastgate
- Name of building or residence hall and room number

If you need the Police, dial 7474 on any Campus Phone, the Campus Police will respond.

**EMERGENCY CLOSING POLICY**

It is important to remember that the University only closes for extreme conditions and circumstances. Walsh University usually remains open when area high schools and elementary schools close, as our population is comprised of adults, with a substantial portion residing on campus.

When, on the rare occasion, the university is forced to cancel all classes or close, every attempt is made to announce the decision by 5:00 a.m. for day classes and events and 3:00 p.m. for evening classes and events.

The following media outlets have historically announced Walsh University emergency closing information (This list is subject to change as necessitated by the media outlets’ rules and regulations):

TELEVISION STATIONS
WKYC-TV, Channel 3
WVPX-TV, Channel 2
WOIO-TV, Channel 19
WUAB-TV, Channel 43
WVIZ-TV, Channel 25

RADIO STATIONS		
WAKR, 1590 AM	WGAR-FM, Country 99.5 FM	WMVX-FM, Mix 106.5 FM
WAKS, KISS 96.5 FM	WHBC, 1480 AM and 94.1 FM	WNIR, 100.1 FM
WCLV, 104.9 FM	WHLO, 640AM	WONE, 97.5 FM
WCPN, 90.3 FM	WJER, 1310 AM and 92.5 FM	WQMX, 94.9 FM

WCRF, 103.3 FM	WKDD, 98.1 FM	WRQK, 107 FM
WDPN, 1310 AM	WMJI-FM, Magic 105.7 FM	WTAM, 1100 AM
WGAR, 99.5 FM	WMMS, The Buzzard 100.7 FM	WTAM-AM, News Radio 1100 AM
		WZKL, 92.5 FM

## Tornado

- **Tornado Watch:** The National Weather Service issues a tornado watch when tornadoes are possible in your area. Remain alert for approaching storms.
- **Tornado Warning:** A tornado warning is issued when a tornado has been sighted or indicated by weather radar. Seek shelter immediately!
- Never Sound the fire alarm to warn people of a tornado. People responding to the alarm would exit the building and be exposed outdoors, potentially worsening the situation.
- **Designated Tornado Shelters:**
  1. Aultman and Betzler Science Centers and Counseling Center: east basement rooms 019, 020, and west basement.
  2. Barrette Center: basement, which can be reached by going through the old dining hall
  3. Farrell Hall: basement, this can be reached by the north end staircase (print room)

More information can be found at <https://www.walsh.edu/emergency.html>.

## FOOD SERVICE

Faculty and staff have the option of purchasing a meal plan that offers a block of any twenty (20) meals in the Schervish Dining Center located in the David Campus Center. The meal plan can be purchased in the Student Service Center located in Farrell Hall.

## HEALTH CENTER

Health Services is located in the Mercy Wellness Center - Gaetano M. Cecchini Family Health & Wellness Complex. Health Services has a close relationship with nearby medical facilities to offer extensive healthcare in the event it is necessary. Some health services requested may require additional fees.

In keeping with the policy of securing the best medical treatment available, consultation with outside specialists is sometimes advised or may be requested. Such outside consultation is payable by the employee.

Local outpatient/emergency clinics provide medical and physician care as needed. Employees requiring emergency treatment and/ or hospitalization are referred to area hospitals. Employees must assume the responsibility of payment for medication and treatment received outside the Health Center.

## LIBRARY

The library is available to all Walsh employees. The library hours are posted at the beginning of each academic year, and are subject to change. Special schedules are posted before final examinations, holidays, and vacation periods. An abbreviated schedule is posted for summer school. A Walsh identification card is required when checking out library materials.

## MAIL

Mail slots for employees and departments are located in the David Campus Center. All outgoing mail is metered and interoffice mail is distributed into the mail slots by mail room staff. Outgoing mail is picked up daily at 2:30 p.m. at the Information Desk located in the David Campus Center.

## **MILEAGE ALLOWANCE AND TRAVEL REIMBURSEMENT**

Employees who use their personal vehicle for approved work-related driving shall be reimbursed at the rate per mile as determined by the Internal Revenue Service. All employees authorized to use their personal vehicle for work-related travel must maintain a valid driver's license as well as adequate insurance coverage on their vehicle.

Employees must keep adequate records documenting the accurate mileage and expenses. Reimbursement will be issued on proper submission of the approved form. Reimbursement for expenses incurred while attending professional development workshops/meetings are made through the Business Office. Such expenses may include registration, mileage, parking, meals and lodging. An estimate must be submitted to the employee's immediate supervisor and approved prior to the scheduled workshop/meeting.

## **OUR LADY OF PERPETUAL HELP CHAPEL**

Our Lady of Perpetual Help Chapel may be used for private prayer and meditation at any time it is not being used for services, provided proper decorum is observed. Daily mass is scheduled as posted.

## **PARKING**

There are several parking lots with reserved spaces marked "Faculty/Staff." Parking is permitted in any of these reserved spaces or any of the unmarked student parking areas.

Each employee's vehicle must be registered through the Student Affairs Office/Campus Police. All registered vehicles must display parking permits when parked on campus.

Parking in disabled, grass, fire lane, visitor or other restricted areas is a parking violation and will result in a written parking ticket.

## **PRINT ROOM**

The Print Room is located in the basement of Farrell Hall where departmental copying and printing is done. A supply of stationery, paper, and envelopes are also available.

## **PURCHASING**

Employees should contact their immediate supervisor to determine that department's purchasing procedures. As a private, nonprofit educational institution, Walsh University is exempt from paying most federal excise and state sales and use taxes. Purchasing merchandise or services through the University's exempt status for personal use is prohibited.

## **SOLICITATION AND DISTRIBUTION**

In no event shall non-employees, other than students be permitted to solicit, post or distribute any materials on the premises of Walsh University, except for charitable organizations approved by the Human Resources Department.

Unless approved in writing in advance by the Human Resources Department, employees shall not post or distribute handbills or other printed matter, or sell any article, or directly or indirectly solicit, collect or accept money for pledges, memberships, subscriptions or admissions for any public or private organization or enterprise, or for any loans, gifts or purchases of any nature, during the working time of any involved employees.

Distribution of literature or materials in work areas or on bulletin boards is prohibited at any time, without the prior written approval of the Human Resources Department, Student Affairs and Development as appropriate.

## **SPECIAL EVENTS RENTAL**

On a space available basis, employees may rent certain University facilities. Groups and organizations are able to rent campus facilities, which include catering services, and classrooms for weddings, receptions, birthdays, reunions, etc. Contact the Special Programs Office for details.

## **TOBACCO FREE CAMPUS**

Smoking is a leading cause of preventable death in the United States. Smoking and secondhand smoke are known causes of lung disease, heart disease, and cancer. Walsh University recognizes the hazards caused by tobacco use and exposure to secondhand tobacco smoke.

To protect and enhance our indoor/outdoor air quality and to contribute to the health and well-being of our entire campus community, Walsh University campus is entirely tobacco-free effective 6/1/2020. Additionally, the use of all tobacco and smoking products, including chewing tobacco and electronic cigarettes (E-cigarettes), is strictly prohibited within the facilities or on the property of Walsh University at any time.

“Property” means the University’s facilities “curb to curb,” including offices, grounds, adjacent sidewalks, parking lots/ramps, company owned vehicles, and employee vehicles parked on owned and leased property.

This policy is in effect at all times on campus and will apply to:

- All Walsh University employees and students at all times
- Customers, vendors, clients, consultants, contractors, and all other visitors
- Members of committees, including our Board of Directors
- Public visitors who have reserved our banquet facilities affiliated with a signed Walsh University Special Event Rental Agreement through the office of Campus & Community Programs

Cav Nation is informed of Walsh University’s tobacco-free policy through signs posted throughout properties owned and operated by Walsh.

Walsh University will assist employees who want to quit smoking by helping them access smoking cessation programs and materials. We reserve the right to institute a tobacco surcharge in the amount of up to 50% of premiums to health insurance cost to the employee who uses tobacco products. If a certificate is shown that the employee has completed the cessation program, the surcharge will be refunded. In return there will be an affidavit that the employee will sign agreeing to the fact they are tobacco free and that they will submit to testing if needed.

Any member of the Cav Nation observed using tobacco or electronic cigarettes on owned or leased premises will be asked to discontinue in an appropriate, compliant manner.

Compliance with this policy is mandatory, and policy violations by employees and students will be subject to the standard disciplinary actions of the University.

## **WORKPLACE WELLNESS**

Walsh University is dedicated to promoting a holistic and value-based approach to a healthy life-style at the workplace. Opportunities to enhance the mind, body, and spirit are available on campus. Employees are encouraged to take advantage of the wellness opportunities on campus to model healthy behaviors.

As such, a single complimentary fitness center membership is offered to the David and Cavalier Fitness Centers. Employees are required to complete a Wellness Waiver of Liability form, this form is completed and submitted to Human Resources during the new employee hiring process.

It is the employees’ responsibility to comply with fitness center policies and to use the fitness equipment properly. Fitness center policies and expectations are available for review on the MyWalsh website under Wellness.

University Wellness offers an Equipment Orientation program. This 1-hour program is by appointment only and it educates users on how to properly use the fitness equipment. Employees interested in participating in the Equipment Orientation program can contact the Director of University Wellness to schedule their equipment orientation.

## **SECTION D. COMPLIANCE/ENFORCEMENT POLICIES**

### **ALCOHOL AND DRUG-FREE WORKPLACE**

Walsh University is committed to maintaining a work environment which is free of unsafe or unsatisfactory impairment or influence of alcohol or drugs, and which is free of unauthorized possession, use, or disposition of alcohol, drugs, or other controlled substances.

Thus, the unauthorized possession, use, manufacture, distribution, dispensing, purchase or sale (or solicitation of purchase or sale) of alcohol, or of any intoxicant, hallucinogen, narcotic, or other controlled drug or substance, or being under the influence of any such alcohol, drug, or substance on Walsh University premises, or while conducting University business, is strictly prohibited. A violation of this policy will result in appropriate disciplinary action, which could include immediate discharge.

The preceding paragraph does not apply to medication lawfully and properly prescribed by a licensed medical practitioner, and possessed or taken only by the person for whom the medication is prescribed in the authorized dosages, provided, the use of such medication does not substantially impair work performance or threaten the health or safety of the employee taking the medication, or of other employees, contractors, customers, or visitors of the University. Any employee taking such medication should bring the matter immediately to the attention of his/her supervisor.

A positive test for marijuana, medical or otherwise, is a positive test under this policy and will be subject to discipline up to and including termination.

The University recognizes alcohol and drug abuse and dependence as a major health problem and a potentially serious safety and security concern. Employees needing help in dealing with such problems are encouraged to contact the University Student Health Services for assistance.

### **Random Testing**

The University may require a drug or alcohol test on a random basis.

### **For-Cause Testing**

By its very nature, for-cause testing is based upon indicators of drug or alcohol usage. Circumstances that may lead to for-cause testing include, but are not limited to:

- The employee exhibits physical signs of alcohol and/or illegal drug use;
- The employee is in an unfit condition to work (see definition below);
- The supervisor or other University representative believes that an employee's unsatisfactory job performance, misconduct, or poor attendance may be related to drug or alcohol use;
- The employee has a work-related accident that (i) results in damage to University property or physical injury to another person, (ii) is the second or more work-related accident the employee has had within any rolling 12-month period, or (iii) after which the employee seeks medical treatment and the examining physician believes the accident was related to drug or alcohol use; and

- The University obtains information that the employee has or may have violated the University's Drug and Alcohol policy, or that Drug and Alcohol policy violations have or may have occurred in a department or unit at the University in which the employee works.

## **DEFINITIONS**

**Safety Sensitive Positions:** Those positions involving hazardous tasks that, if performed improperly, could result in harm to others. Safety Sensitive Positions include, but are not limited to, positions in the following departments:

- Campus Police Department;
- Facilities and Grounds (all employees up through Director of Facilities, except office/clerical); and
- Athletic Department trainers

**Unfit Condition:** Behavior at work, including, but not limited to: (a) drowsiness; (b) sleepiness or sleeping; (c) slurred and/or incoherent speech; (d) unusually aggressive behavior; (e) unusually depressive behavior; (f) unusual and/or rapid changes in mood; (g) disorientation or inability to concentrate; and (h) lack of coordination in walking or performing other tasks.

**Drug and/or Alcohol Test:** Any evaluation used to detect the presence of illegal drugs and/or alcohol in an individual's system. The Chief of Campus Police will administer alcohol testing, although the University reserves the right to have drug and/or alcohol testing performed by any competent authority.

## **Discipline**

An employee who:

- refuses to submit to a drug and/or alcohol test in accordance with the provisions of this policy, or
- refuses to fill out and sign the written consent form agreeing to submit to the testing and permitting Walsh University to be apprised of the testing results (Consent Form), will be immediately terminated.

An employee who switches or alters any sample submitted for testing will be immediately terminated.

An employee who is determined, as a result of a drug and/or alcohol test, to have used illegal drugs or alcohol in violation of the University's Drug and Alcohol Policy will be subject to disciplinary action, including but not limited to immediate termination.

Employees who test positive at any time shall be considered medically unqualified to perform any of their job duties. If allowed to return to work, they shall not be permitted to resume any work until they, at a minimum:

- No longer improperly use alcohol and/or drugs;
- Test negative for the improper use of alcohol and/or drugs; and
- Participate in and comply with a recommended treatment program and after-care program offered by an outside provider.

## **ANTI-VIOLENCE**

Walsh University maintains a strict policy prohibiting any violent conduct, or threats of violence by University employees, students or visitors on University property or in connection with any University business or activity. This anti-violence policy is vigorously enforced, in conjunction with University policies concerning such related matters as drug and alcohol use, sexual harassment, crime, campus police, safety, health, student admissions, hiring, progressive discipline, expulsion, and termination.

Employees and students are strongly encouraged to report any violent act or threats (including concerns about the violent tendencies of any University-related individual) to the campus police at ext. 7474. Any such report will be investigated and will be handled with appropriate confidentiality.

The University reserves the right to take appropriate disciplinary action, up to criminal prosecution, employment termination and student expulsion, with respect to violations of this anti-violence policy.

In its application and enforcement of this policy, the University will work closely with campus police and with community law enforcement authorities, as needed. Furthermore, the University will provide reasonable assistance concerning such matters as faculty and supervisory training in recognizing and dealing with violence issues, stress management, conflict resolution, and basic skills of assertiveness and self-protection.

For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent. At the option of the employee or the University, vacation or paid leave may be substituted for FMLA leave.

### **BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN**

In compliance with the requirements of the Occupational Safety and Health Administration, the University provides a Blood borne Pathogens Exposure Control Plan. Employees with known risks are educated regarding exposure control methods and policies. They are also given the option to receive Hepatitis B vaccinations. Details of the Walsh University Blood borne Pathogens Exposure Control Plan are available from Student Services.

### **BULLYING**

We will not tolerate bullying behavior. Any employee found in violation of this policy will be disciplined, up to and including termination.

We define bullying as persistent, malicious, unwelcome, severe and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, and whether direct or indirect, at the place of work and/or in the course of employment. Such behavior violates the company Code of Ethics, which clearly states that all employees will be treated with dignity and respect. We encourage all employees to report any instance of bullying behavior. Any reports of this type will be treated seriously, investigated promptly and impartially. We also require that any manager who witnesses any bullying behavior, irrespective of reporting relationship, to immediately report this conduct to the CEO.

We consider the following types of behavior examples of workplace bullying. This list is not meant to be exhaustive and is only offered by way of example:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks; personal attacks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person's work area or property
- **Gesture bullying:** Nonverbal threatening or hostile gestures, glances or other conduct that convey threatening messages such as stalking, staring or glaring.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

### **EMPLOYEE - STUDENT CONSENSUAL RELATIONS**

This policy shall apply to all employees of the University without exception. This policy shall apply to consensual relations. Non-consensual or "coerced" relations are governed by the University's Sexual Harassment Policy. It shall constitute unprofessional and inappropriate conduct for any University employee to engage in romantic or sexual relations with anyone enrolled as a student at the University. A violation of the policy may result in immediate disciplinary action up to and including termination from the University. In the event that a romantic or sexual relationship existed prior to the student being enrolled at the college, the employee shall immediately discuss the relationship with their immediate supervisor, or in the case of faculty, with their Dean or Division Chairperson, with the intention of seeking alternative classes, advisors, and other academic arrangements for the student.

For purposes of this policy, enrollment as a student is defined as any time period during which the student has pre-registered or registered for one or more classes offered by the University, including periods of break during or in-between semesters, where there is a reasonable expectation of continued engagement with the University as a student.

### **EQUAL EMPLOYMENT OPPORTUNITY**

Walsh University opposes unjust discrimination as matter of human dignity. Walsh University does not discriminate on the basis of race, age, sex, color, disability, national or ethnic origin, or status as a veteran, in the administration of our policies and programs. This statement applies to all academic programs, all athletic programs, and to all policies and procedures concerning students and student activities. This statement applies to all personnel and administrative policies. Walsh University is a religious institution of higher education in the Catholic-faith tradition and is protected by the Religious Freedom Restoration Act (RFRA) and the First Amendment; thus, Walsh University may consider religion in hiring, admissions, and other decisions.

As a result of the US Supreme Court ruling in June of 2020, this policy is under review.

### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

#### ***Notification of Rights Under the Family Educational Rights and Privacy Act (FERPA)***

Walsh University is covered by, and subscribes to, the Family Educational Rights and Privacy Act (FERPA) - informally known as the Buckley Amendment. Passed by the U.S. Congress, Public Law 93-380, as amended became effective November 19, 1974.

This law permits students the right of confidentiality and the right to inspect and review their educational record as maintained by the appropriate offices and agencies of the University. Also, it affords students the right to request that amendments be made to ensure that their records are accurate.

A copy of the Act and the Federal Regulations is available for examination in the University Library, the Office of the Registrar, or by accessing the Department of Education's FERPA website at [www.ed.gov/offices/OM/fpco.html](http://www.ed.gov/offices/OM/fpco.html). FERPA information is published yearly in the University catalog and student handbook.

#### **Definitions**

"Student" is any person who attends or has attended Walsh University.

"Educational Record" is any record in handwriting, print, tape, microfilm, electronic file or other medium maintained by Walsh University which directly relates to a student. The following exemptions are not part of the educational record or subject to this Act:

- Personal records maintained by University staff/faculty if kept in the sole possession of that individual, and the information is not accessible or revealed to any other person, i.e., a faculty grade book.
- Employment records not contingent on student's enrollment.
- Law enforcement records that are created by a law enforcement agency for that purpose.
- Medical and psychological records used solely for treatment.
- Alumni records disclosing information about a student who is not considered "enrolled."

#### **Right to Inspect and Review Educational Records**

Students have the right to inspect and review their educational records within 45 days of the day the University receives a request for access.

PROCEDURE: A student should submit to the appropriate University official a written request that identifies the records to be inspected. Arrangements for access will be made by the University official, and notification will be given to the student of the day, time, and location where records will be inspected.

EXCEPTIONS: Students are granted the right to inspect and review all their educational records except for the following:

- Information regarding other students;

- Financial records of parents;
- Confidential letters of recommendation, confidential letters or statements of recommendation for admission, employment, or honorary recognition put in education files before 1/1/75.

### **Disclosure of Educational Records**

Walsh University accords all rights under the Act to each student. Outside individuals or agencies will not have access to, nor will the University disclose any information from a student's educational record without the written consent of the student. The University may, however, furnish information within the University's community serving in the educational interest of the student (i.e., faculty, administration, support staff, advisors, campus security, campus student service departments such as financial aid and housing).

Exceptions made to the disclosure policy are:

- to University officials listed in the above paragraph;
- to federal/state educational officials in connection with legislative requirements;
- in connection with financial aid for which the student has applied;
- to organizations conducting studies on behalf of the University;
- to accrediting organizations; to the parents of dependent students (e.g., parent information listed on the FAFSA [Free Application for Federal Student Aid]);
- to comply with a lawful judicial order or subpoena;
- to appropriate individuals in health/safety emergencies;
- limited directory information.

### **Directory Information**

Walsh University, in accordance with the Act, has designated the following information as "directory information." The University may release directory information to anyone without the student's consent unless the student requests otherwise in writing to the Office of the Registrar PRIOR to the first day of the academic semester or term in which the request is to become effective. This will remain effective until removed by the student.

Information the University may release (unless the student requests all information to be withheld as described above) includes:

- Name;
- Address (local and home);
- Telephone (local and home);
- Major field of study;
- Participation in officially recognized University activities and sports;
- Weight and height of member of athletic teams;
- Dates of attendance;
- Enrollment status;
- Degrees and awards received;
- Most recent previous educational agency or institution attended.

The student has the right to consent to disclosures of personally identifiable information contained in the educational records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to University officials with legitimate educational interests. Personally identifiable information is information that, if disclosed, would make a student's identity easily traceable, e.g., Social Security number.

### **Amendment of Educational Records**

Under the Act, students have the right to request amendments to educational records they believe are inaccurate, misleading, or in violation of their privacy rights under this Act. Procedures are as follows: Students must submit a written request to the appropriate University official to amend a record. In doing so, the student should clearly identify the part of the record to be amended, and clearly state why it is inaccurate or misleading.

If the University determines that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.

If the University determines that it is not appropriate to change the record, the appropriate University official will notify the student of the decision. The student will be advised of his or her right to a hearing regarding the request for amendment. At that time, information regarding the hearing procedures will be provided to the student.

### **Compliance Office**

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Walsh University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

### **HARASSMENT**

We are committed to a work environment in which all employees are treated with dignity and respect, and support the right of all employees to work in an environment free of sexual harassment and other discriminatory harassment. Sexual harassment and harassment of any kind is strictly forbidden and will not be tolerated. Should anyone experience harassment of any kind, please reference the University's full Sexual Misconduct and Interpersonal Violence Policy, which can be found at <https://www.walsh.edu/title-ix.html>.

This policy applies to all employees and faculty including full-time, part-time or casual, temporary or permanent employees, job candidates, student placements, apprentices, interns, contractors, sub-contractors and volunteers, and prohibits harassment, discrimination, and retaliation.

- 1. Sexual Harassment.** Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:
  - An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (i.e., Quid pro quo); or
  - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or;
  - "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).
- 2. Other Discriminatory Harassment.** Other discriminatory harassment includes, but is not limited to, intimidation, bullying, ridicule, or insults that:
  - Unreasonably interferes with an individual's work performance;
  - Creates an abusive or hostile work environment; or
  - Otherwise adversely affects an individual's employment opportunities.

This type of discriminatory harassment applies to such conduct, which is based on an individual's or group's race, sexual preference, color, religion, age, gender, disability, national origin, military status, or other legally-protected characteristic. It includes actions such as verbal abuse; the circulation of written material that demeans or exhibits hostility or dislike toward an individual or any of the aforementioned groups of persons; or inappropriate jokes or slurs. As with sexual harassment, such conduct is prohibited and will subject the person engaging in it to disciplinary action, up to and including termination.

- 3. Retaliation.** All employees also shall be protected from retaliation for making a good faith complaint or for assisting in an investigation concerning allegations of harassment. Retaliation includes disciplining, reassigning, lowering a performance appraisal or threatening or intimidating an employee because he or she complained about or reported harassment or participated in an investigation concerning harassment. This type of retaliation is strictly prohibited and individuals engaging in retaliatory behavior will be subject to disciplinary action.

4. **Reporting of Harassment or Retaliation.** If you feel that that you are or another employee is a victim of harassment or retaliation, please immediately report the matter to your direct manager any other member of management. If you do not hear anything back within 3 days, you should report the issue directly to the CEO. Early reporting and intervention are the most effective methods of resolving actual or perceived incidents of harassment. While there is no fixed reporting period for complaints, we strongly urge you to promptly report such complaints.
5. **Investigation into Complaints of Harassment or Retaliation.** We treat any allegation of harassment or retaliation seriously. Allegations of violations of this policy will be investigated in a timely manner and we will take appropriate remedial and disciplinary action should it be determined that this policy has been violated.

Since there may be some confusion over what actually constitutes sexual or other discriminatory harassment, any conduct which offends you or makes you feel uncomfortable should be reported. Keep in mind that we cannot address problems we do not know about. So, if you think you or another employee is a victim of harassment, or is being retaliated against in violation of this policy, you must notify the appropriate designated management team member right away.

## **HAZARD COMMUNICATIONS PROGRAM (SAFETY WITH HAZARDOUS MATERIALS)**

Employers must establish a training and information program for employees who are exposed to hazardous chemicals in their work area at the time of initial assignment and whenever a new hazard is introduced into their work area.

It is the supervisor's responsibility to inform each employee of any materials in their work area that are hazards if they are not handled or stored properly. Furthermore, supervisors will train employees in the proper use and handling of any hazardous material in their work area.

## **MANDATORY REPORTING POLICY**

### **APPLICABLE LAWS**

Three federal laws establish responsibilities for employees of colleges and universities to report crimes and incidents, including, but not limited to sexual misconduct and interpersonal violence—the Clery Act, Title VII and Title IX. Each of these federal laws is intended to protect members of the campus community, visitors and guests from criminal and discriminatory behavior. Additionally, state law imposes mandates with respect to the reporting of child abuse and sexual abuse for anyone under the age of 18 or a person under 21 years of age with a developmental disability or physical impairment. The responsibilities established by these laws give rise to the term ***mandatory reporter***.

This policy covers all forms of sexual misconduct, including, but not limited to sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence (including sexual abuse and molestation) or sex discrimination. As required by law, definitions of sexual offenses, non-forcible sex offenses, domestic violence, dating violence and stalking are provided in the Sexual Misconduct and Interpersonal Violence Policy and annual Safety & Security Report distributed to all community members annually and available on the Walsh University website at <https://www.walsh.edu/campus-police>.

### **YOUR DUTY**

Walsh University does not permit actual or threatened acts of physical or mental abuse, sexual abuse, sexual molestation, sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence (including sexual abuse and molestation) or sex discrimination (“prohibited conduct”) to occur in the workplace or at any University sponsored event. **The University has implemented this “zero-tolerance” Mandatory Reporting Policy so it is clear to all employees that they are required to report when they reasonably suspect, learn of or witness prohibited conduct.**

- This policy applies to ALL university employees including administrators, faculty, staff, university volunteers and student paraprofessionals (such as Resident Assistants and Campus Ministry Peacemakers) with the exception of those designated as *Confidential Resources* for their respective reporting areas (see below).
- As a Mandatory Reporter, you may not promise confidentiality to anyone related to the information you receive, what you suspect or witness regarding the prohibited conduct previously described.

## **TITLE IX – RESPONSIBLE EMPLOYEE (RE)**

Under Title IX federal guidelines, “Responsible Employees” are required to report any incidents of sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation or other forms of interpersonal violence or sex discrimination directly to the Title IX Coordinator or Title IX Deputies, and cannot honor requests for confidentiality unless they are designated as a *Confidential Resource* (see below).

Responsible Employees are individuals employed by the university with one of the following:

- authority to take action to redress incidents of sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation or other forms of interpersonal violence or sex discrimination, or;
- who have been deemed *Mandatory Reporters* by their institutions, or;
- who students reasonably could believe have authority or responsibility over such matters, are required to report discrimination.

**As part of the Walsh University Mandatory Reporting Policy all employees are considered to be *Responsible Employees* with the exception of those that serve as *Title IX Confidential Resources*.**

### **Responsible Employee Reporting - Title IX Coordinator**

Kristi Campbell, Director of International Student Services

*Student Affairs | David Campus Center (Suite 103) | (330) 490-7105 | titleix@walsh.edu*

### **Title IX Confidential Resources**

*Title IX Confidential Resources* are not required to disclose any incidents of sexual harassment, sexual assault, dating violence, domestic violence, stalking, retaliation or other forms of interpersonal violence or sex discrimination to the Title IX Office or Campus Police without a victim/survivor’s written permission, and to the extent, they are permitted to promise confidentiality under the law.

As stated in our Sexual Misconduct and Interpersonal Violence Policy, the designated on-and-off campus confidential resources at Walsh University are listed below:

- **On-Campus Confidential Resources – Employees**
  - **Health Services | Cechinni Health & Wellness Complex | (330) 490-7030**
  - **University Senior Chaplain\* | Our Lady of Perpetual Help Chapel | (330) 490-7051**

*\*The University Senior Chaplain may only promise confidentiality to employees when in the Sacrament of Reconciliation. Outside of this sacrament, he is unable to provide confidentiality and is considered a mandatory reporter of the University.*

- **Off-Campus Confidential Resources- Students and Employees**
  - **Domestic Violence Project, Inc. | (330)453-7233**
  - **COMPASS Sexual Assault Education, Prevention and Support | (330) 452-1111**

### **PROHIBITED CONDUCT – INDIVIDUALS UNDER THE AGE OF 18**

If any administrator, faculty member, staff member, university volunteer and/or student paraprofessional (such as Resident Assistants and Campus Ministry Peacemakers) reasonably suspects or knows a child (any individual under the age of 18) or a person under 21 years of age with a developmental disability or physical impairment has been the subject to any prohibited conduct, they are required to contact the Chief of Campus Police immediately and make a formal report of abuse. If a child is the victim of abuse or neglect, the parent or guardian must report it to the local or state police and/or Child Abuse Agency.

As part of the Walsh University Mandatory Reporting Policy all employees are required to report immediately to Campus Police.

### **Reporting Prohibited Conduct – Individuals Under the Age of 18**

Louis Darrow, Chief of Campus Police

Student Affairs | David Center (Suite 103) | (330) 490-7373 | [ldarrow@walsh.edu](mailto:ldarrow@walsh.edu)

Campus Police Officer on Duty

Betzler Tower Residence Hall | Main Level | (330) 490-7474 | Cell: (330) 316-1088

### **CAMPUS SECURITY AUTHORITY (CSA)**

To comply with federal crime statistics requirements, Walsh University collects information from Campus Police and from certain individuals and organizations that the Clery Act defines as “Campus Security Authorities” or “CSAs”. The goal in collecting reports of crimes that occur on campus from CSAs rather than just from the police is to capture as many crime reports as possible.

### **What is a Campus Security Authority (CSA)?**

Under Clery Act federal guidelines, a “Campus Security Authority” is defined an official of an institution who has significant responsibility for campus and student activities. An “official” is defined as any person who has the authority and duty to take action or respond to particular issues on behalf of the institution. This includes, but is not limited to: Campus Police, Athletic Staff (Professional Staff and Coaches), Student Club Advisors (including Faculty), Title IX Coordinator and Deputies, Student Affairs Staff, Residence Life Staff (Professional Staff and Residence Assistants), Campus Ministry (Professional Staff and Peacemakers), Intramurals (Professional Staff and Student Staff); Student Activities (Professional Staff and Student Staff),

### **If I am Unsure if I am a CSA, How Do I find out?**

If you are unsure if you are a CSA, please contact Lou Darrow, Walsh University Chief of Police, at (330) 490-7373 or [ldarrow@walsh.edu](mailto:ldarrow@walsh.edu) for more information.

### **CSA Reporting Requirements**

CSAs have a legal obligation to notify Walsh University Campus Police of any Clery crimes (see below) made known to them and that have occurred on campus and/or within the University’s Clery Geography. CSAs are responsible for 1) accurately reporting Clery crime information to Campus Police in a timely manner, and 2) supporting the individual sharing their experiences with you and connecting them with options and resources. Under the Clery Act, CSAs are not required to report personally identifiable information of those involved in Clery crimes; however, per Ohio’s felony reporting law, a CSA may be required to provide this information to Campus Police when a Clery crime is also a felony. Clery Reportable Crimes include the following:

### **Criminal Offenses**

- Criminal Homicide: murder and non-negligent manslaughter
- Criminal Homicide: negligent manslaughter
- Sexual Assault: rape, fondling, statutory rape, and incest
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

### **Violation of Law (not University policies or regulations)**

- Liquor Law Violation (does not apply to public intoxication or DUI)
- Drug Law Violation

- Weapon Law Violation

### **Hate Crimes**

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damages/Vandalism of Property
- Criminal Offense (as described above)

### **Other Crimes**

- Domestic Violence
- Dating Violence
- Stalking

### **Reporting Clery Crimes on Campus**

- Louis Darrow, Chief of Campus Police - *Student Affairs | David Center (Suite 103) | (330) 490-7373 | [ldarrow@walsh.edu](mailto:ldarrow@walsh.edu)*
- Campus Police Officer on Duty - *Betzler Tower Residence Hall | Main Level | (330) 490-7474 | Cell: (330) 316-1088*

### **Clery Confidential Resources**

Campus Pastoral counselors and campus professional counselors - when acting in such a capacity - are not considered Campus Security Authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged – if and when deemed appropriate – to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Counselors include:

**Professional Counselor** - employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and is functioning within the scope of his/her license or certification.

#### **Counseling Services | David Campus Center (Suite 104) | (330)490-7348**

- Francie Morrow, LPCC-S | Executive Director of Counseling and Health Services
- Lisa Lutz, LPCC-S | College Counselor
- Megan Rhoads, LPC | College Counselor

### **NCAA GUIDELINES**

All athletic personnel are responsible to know, understand and abide by NCAA and conference rules. Violation of NCAA (and conference, if applicable) rules is prohibited and may result in disciplinary action up to and including termination of employment. As a condition of employment, you will act in a professional manner and be supportive of the Mission of the University.

### **SOCIAL MEDIA GUIDELINES**

#### ***Purpose***

This section outlines the publication policy for Walsh University’s social media pages, including Facebook, Twitter, Instagram, Snapchat, Flickr, Pinterest and YouTube. We expect all who participate in social media on behalf of Walsh University to understand and follow these guidelines as their use is a reflection of the University and must be consistent with all expectations contained in this handbook.

Social media platforms offer unique opportunities to connect and communicate with people across the globe. They create a place for people to come together online to post information, news and events. Walsh University’s social media presence is intended to provide the Walsh community with a venue to share thoughts, ideas and experiences through discussions, postings, photos and videos. Publication guidelines will be similar to any other media.

Walsh University pages should provide students and other community members with up-to-date University information and the opportunity to communicate with page administrators and other users. This policy is intended to outline proper use guidelines and ensure the most effective use of pages.

Contributors to Walsh University pages will follow the generally established employee and student guidelines. Oversight of all Walsh University-affiliated pages is the responsibility of the Office of Marketing and Communications, who will periodically review pages to ensure University policies are followed and that the pages are being produced in accordance with the best interest of the University.

Due to the ever-changing nature of Web technology, this policy may be adjusted to reflect issues that may arise in the management and implementation of the page or for any other reason that supports the University's priorities for the page.

### ***Department Social Media Sites***

Individual departments or organizations wishing to develop a social media presence should contact the Office of Marketing and Communications **before** developing any pages and/or accounts. Once departmental/ organizational pages are set up, that department or group is responsible for content management. For further guidelines on setting up an account, contact the Marketing Communication Manager.

### ***Responsible Parties***

The Office of Marketing and Communications is the primary administrator for the University's main pages on any social media site. Those who wish to contribute information or make suggestions for the Walsh University pages should e-mail the Marketing Communications Manager.

Student organizations are encouraged to develop a social media presence. When associated with the University, these pages should adhere to University policies. Developing "friendships" with the Official University pages and other student groups is strongly encouraged.

### ***Content Development***

All content must relate directly to University business, programs, and/or services. Content placed by administrators cannot promote individual opinions or causes that are not directly related to University purposes. Content should be short and written in active voice. Remember to consider the audience when choosing the style and tone of content.

### ***Logos***

General Walsh University logos are only to be used on the University's official social media pages, operated by the Office of Integrated Marketing and Communication (IMC). Department/organization logos may be used with permission from the Office of IMC.

### ***Photos and Videos***

Uploaded photos and videos must relate directly to the University and/or student life and should not be used as a promotional tool for programs, products or services outside the University.

All photos and videos must adhere to existing University policies.

### ***Advertising***

Please note that no departments are permitted to advertise on social media without the expressed, written consent of the Office of IMC. All paid advertising must funnel through the Office of IMC in order to ensure that marketing strategies are aligned with the overall priorities, goals and objectives of the University in a format that is consistent with Walsh's identity standards.

### ***Updating and Adding Content***

Pages should be regularly maintained and kept as up-to-date as possible. In general, the more frequently the content is updated, the more users will access the page. However, avoid over-updating. Publishing multiple posts rapidly or “salesy” post will turn away fans.

Also, avoid posting in ALL-CAPS. It’s perceived as shouting and is a breach of internet etiquette.

### **Confidentiality**

Do not post confidential or proprietary information about Walsh, its students, its alumni or your fellow employees. Use good ethical judgment and follow University policies and federal requirements, such as FERPA.

If you discuss a situation involving individuals on a social media site, be sure that they cannot be identified. As a guideline, don't post anything that you would not present at a conference or other public forum.

### **Other**

Because the Walsh University social media pages are interactive tools, administrators should monitor pages closely and frequently to supervise conduct. Any questionable conduct should be reported to the Office of Marketing and Communications.

Facebook terms and conditions, found at <http://www.facebook.com/terms.php> must also be strictly followed.

### **Before You Begin – Be Strategic**

Take a moment to consider the following elements of any effective, strategic communication before you begin.

- **Audience:** Whom are you trying to reach? - Potential students? Alumni? Parents? Community members?
- **Key Objectives:** What would you like your audience to do with you on social media? – Chat and share, learn about events, get news?
- **Frequency:** How often will you communicate with your audience?
- **Choice of Platform:** Can you use Twitter to send brief, timely updates and begin conversations with followers? Or would you like to build a fan base on Facebook and share photos, events and other information?

### **Official Walsh University Social Media Pages Operated by University Relations**

Facebook: [facebook.com/walshu](https://www.facebook.com/walshu)  
Twitter: [twitter.com/WalshUniversity](https://twitter.com/WalshUniversity)  
Instagram: [Instagram.com/walshuniversity](https://www.instagram.com/walshuniversity)  
YouTube: [youtube.com/OhioWalshUniversity](https://www.youtube.com/OhioWalshUniversity)  
Flickr: [flickr.com/walshuniversity](https://www.flickr.com/photos/walshuniversity)  
Pinterest: [pinterest.com/walshuniversity](https://www.pinterest.com/walshuniversity)

For help setting up a Walsh-related social media account, or for further information about Walsh’s social media policies, please contact the Marketing Communications Manager.

### **VERIFICATION OF STUDENT IDENTITY**

This policy applies to all credit-bearing courses and programs being offered by Walsh University, beginning with the application for admission and continuing through to a student’s graduation, transfer, or withdrawal from study.

The United States Federal Higher Education Opportunity Act (HEOA), Public Law 110-315 requires that Walsh University put policies in place to ensure that the student who registers in a distance education course is the same student who participates in, completes, and receives the academic credit. Walsh University has decided to apply this same standard to all courses that use our electronic course management system regardless of course modality.

The Red Flag Rules, created by the Federal Trade Commission in response to the Fair and Accurate Credit Transaction Act of 2003, requires that Walsh University put policies in place to mitigate the risk of student identity theft. Red flags are the potential patterns, practices or specific activities indicating the possibility of identity theft. Whether a

student tries to have someone else complete their course work or someone tries to steal the identity of a student for any number of purposes, this same policy will ensure that Walsh University verifies the identity of its students.

Walsh University fulfills these requirements by restricting student access to courses and administrative systems through the University portal and/or learning management system gateway page which requires a secure login and password.

### **Identity Verification**

The verification of a student's identity begins at the time of admission or initial course registration. Procedures related to student identity verification include registration, advising and transcript procedures as well as generation of a unique Walsh ID for each student. When a student is initially registered, a unique login and password is created that provides access to the secure University portal. Student access to the learning management system is through the University portal and requires the use of this login and password. Data transmission of login information is secured using standard encryption technology.

A student that requests assistance from the Student Service Center, or any other campus-based service organization, are required to show a photo ID before any in person service is rendered. If a student requests service remotely, they will be required to answer a series of personally identifiable questions using data that has been collected during their relationship with the University.

Personally identifiable information collected by the University may be used, at the discretion of the institution, as the basis for identity verification. For instance, a student requesting that their Walsh ID password be reset are required to either bring a photo identification to the University Help Desk or remotely answer a series of personally identifiable questions using collected data.

### **Responsibilities**

All users of the University's learning management and administrative systems are responsible for maintaining the security of usernames, passwords and any other access credentials assigned. This information may not be shared or given to anyone other than the person to whom they were assigned. Users are responsible for any and all use of their account. Access credentials may not be shared or given to anyone other than the user to whom they were assigned to for any reason. Users are required to change their passwords every 6 months to maintain security. They may choose to change their password more often at their discretion. Users are responsible for providing complete and true information for any identity verification process. Users are held responsible for knowledge of the information contained within the most recent University Catalog as well as the Student Handbook. Failure to read University guidelines, requirements and regulations will not exempt users from responsibility.

Faculty teaching courses hold primary responsibility for ensuring that their individual courses comply with provisions of this policy. Because technology and personal accountability may not verify identity absolutely or ensure academic integrity completely, faculty are encouraged, when feasible and pedagogically sound, to design courses that employ assignments and evaluations unique to the course and that support academic integrity.

Administrative staff members should recognize the warning signs of identity theft. When confronted with an identity theft Red Flag, the response should be appropriate to the level of threat detected. Some possible responses could be:

- Seeking additional verifying information
- Canceling a transaction
- Contacting the potential victim for verification of information and to inform them that identity theft was attempted using their information
- Changing passwords or other security measures that permit access to data or accounts
- Notifying local police

An identity theft compliance team will have the responsibility for determining the appropriate response for the level of threats detected. This team may establish standard operating procedures for administrative staff. When events

occur outside of those outlined, the team should be assembled to determine an appropriate response. The compliance team will include the head of Student Affairs, Financial Aid, Registration, Human Resources and Academic Affairs or their designated representatives.

## **WEAPONS**

Possession of firearms, knives, swords, arrows, or any other weapons are strictly forbidden in vehicles on campus or on any other University-owned or operated property. Possession or use of weapons in violation of this policy will result in immediate confiscation of the weapons and serious judicial action. Individuals who have applied for and successfully completed the application process for the Ohio concealed carry permit must follow the law as prescribed.

Firearms are not permitted to be carried on any University grounds or University-owned property.

## **SECTION E. ATTACHMENTS AND REFERENCE SECTION**

### Policy on Acceptable Use of Walsh-Managed Information Technology

Walsh University makes various computing resources available to employees, students, and certain contractors (hereafter referred to as **users**). These elements of information-technology (hereafter referred to as **Walsh IT**) are at the user's disposal and are meant to be beneficial tools in pursuit of University-related administration and academic activities. They include all University owned, operated, leased or contracted computing, networking, telephony and information resources, whether they are individually controlled, shared, standalone or networked. Examples include:

- Personal Computers (e.g., desktop or laptop units)
- Server Computers (e.g., e-mail, Banner, Walsh web sites...)
- Printers (locally attached or networked)
- Operating System Software (e.g., Windows 7, Windows 10, MacOS...)
- Application Software (e.g., Outlook e-mail, Word, Excel...)
- University-wide Data Network (providing electronic connectivity within the Walsh community)
- Access to the Public Internet (providing electronic connectivity with non-Walsh entities)

These computing resources are owned or managed by Walsh University. Their use, along with all information maintained in any form within the University's computer resources, is subject to various laws, regulations, contracts, licenses, policies and procedures, some of which are detailed in this statement. Infractions of this Acceptable Use Policy Statement may result in loss of access to Walsh IT resources, as well as other penalties, disciplinary measures and/or prosecution. Walsh University does not accept any liability for illegal activities on the part of users that circumstantially involve Walsh IT.

### ***User Rights & Privileges***

#### Intellectual Freedom:

The University is a forum for learning, understanding, questioning, and expressing new ideas. Recognizing that Walsh is a private, Catholic institution, and taking into account its mission, values and critical success factors, Walsh constituents are encouraged to use Walsh information technology as a conduit for this forum.

#### Intellectual Property Rights:

Certain Walsh-sanctioned activities on the part of faculty or students may result in the creation of electronic material that is explicitly or implicitly recognized as the personal property of the respective faculty or student. Although created via and perhaps stored on Walsh-managed computing resources, this does not imply Walsh co-ownership or liability for such material.

#### Freedom from Disruption:

Walsh University will strive to provide for all its constituents a computing infrastructure that is stable, accessible, and responsive during normal working hours. Potentially disruptive maintenance to the infrastructure will be planned in advance, and implemented during off-hours whenever possible. Disruptive activities on the part of other users will be addressed immediately by Walsh IT staff.

#### Privacy & Security:

It should be recognized that nothing is perfectly secure in the electronic world, but Walsh University will provide industry-standard mechanisms to protect the privacy and confidentiality of software, data and correspondence created by Walsh users. The user must assess the risk/rewards of electronically creating and storing such material using Walsh IT resources.

#### ***User Responsibility & Accountability***

The user of Walsh IT is responsible for knowing and abiding by all applicable laws, regulations, contracts, licenses, policies and procedures. Walsh University will utilize appropriate means to communicate to users on a timely basis any changes to this Acceptable Use Policy Statement. All users will be required to acknowledge that they have read, understand, and agree to abide by same.

Any recognition of infractions by others of this Acceptable Use Policy Statement should be brought to the immediate attention of Walsh Security and the Vice President of Administration.

The user is the steward of all information technology resources at his/her disposal. Common sense in the use/handling of all computing hardware and network components is expected. Any recognized damage or potential damage should be brought to the attention of Walsh IT staff.

The implementation of any unauthorized hardware, software or network components within the Walsh IT infrastructure is prohibited. Requests for authorization should be forwarded to Walsh IT administration. User-id and password are the principal components of privacy and security within the Walsh IT infrastructure. Users may not share their personal id with any other individual. Password secrecy is of paramount importance, and users are encouraged to change their password on a regular basis. Software rules are in place to limit the use of passwords that might easily be guessed. Users should not leave their workstation unattended while still logged into the network or onto an application. It should be standard practice to log out or lock the workstation to assure that the user's account will not be tampered with.

The user is expected to take reasonable precautions against importing and spreading of computer viruses. Walsh University will provide up-to-date software for virus detection and recovery, but the user must remain vigilant for potentially damaging e-mail or data files that may not be caught by software.

Users share a very complex computing infrastructure at Walsh University; therefore, accessibility and performance problems are inevitable. Users should report such events to the Walsh IT Help Desk (4357) immediately so that corrective action can be initiated.

The primary purpose of the Walsh IT infrastructure is to enable academic pursuits and administrative processes. Use of Walsh IT for personal, frivolous or entertainment purposes that impacts accessibility or creates performance problems should be immediately curtailed.

All users are expected to practice common courtesy in their use of Walsh IT so as to be minimally disruptive to others (e.g., audio levels).

#### ***General Policies and Guidelines***

Excepting the intellectual property rights of faculty and students, all software, data and correspondence stored within the Walsh IT infrastructure is owned or managed by Walsh University. Regardless of ownership, all software, data and correspondence are subject to this policy along with all laws, regulations, contracts and licenses that bind Walsh University. Walsh University reserves the right to randomly audit the contents of its computing resources for

infractions and to take appropriate action. Walsh University will cooperate with all legitimate law enforcement agencies in regards to their investigations and relevant search and seizure laws. Any use of Walsh computing resources for illegal activities is prohibited.

The user must not take any deliberate actions to cause interference to the Walsh computing infrastructure or to the work of others. Deliberate attempts to circumvent privacy and security safeguards or procedures are prohibited. Such activities will be viewed as criminal in nature under applicable state and federal laws and will be reported to the appropriate authorities.

Unauthorized possession, copying, use, disabling or destruction of Walsh-owned computer hardware, network components, software, user accounts or data is prohibited.

The user may not utilize Walsh IT resources for personal gain that has not been pre-authorized by the University. Any authorization may be further restricted by the regulations of Walsh maintaining a “.edu” internet domain. The user may not utilize Walsh IT resources for commercial gain, nor for solicitation, advertisement, or promotion of commercial services or products.

Except for University-authorized research, the user may not initiate or perpetuate any form of electronic communications or data storage with pornographic or otherwise offensive or harassing content as defined in the University’s policy on harassment. Sending or responding to “chain letters” is prohibited.

The user will not attempt to hide or misrepresent his or her identity as part of using any Walsh IT resources. This will constitute violation of applicable federal and/or state fraud or forgery laws and regulations. The user will not duplicate copyrighted electronic material without the expressed prior permission of the owner, except as permitted by “fair use” guidelines.

Users are required to uphold the terms of all contract and licensing agreements entered into by Walsh University for computer hardware and software.

# ***THE RESOLUTION BOARD***

## **COMPLAINTS**

The Resolution Board, a committee of University Senate, consists of 10 elected or appointed members, two from each of the following University constituencies: students, faculty, support staff, professional staff, and Vice Presidents. The Board exists to provide education to the University community, to investigate and resolve alleged incidents of discrimination and discriminatory harassment, and to guide members of the community towards the most appropriate channel of appeal in order to resolve a grievance in the most expeditious and judicial manner. The Board acts as an appellate body to members of the community who feel that they were denied due process in the pursuit of a resolution through the normal operating procedures of the University.

The purpose of Resolution Board is to provide a way that will allow an employee or student to bring to the attention of the University acts of discrimination or other grievances that do not fall under the jurisdiction of Title IX (all forms of sex discrimination). Cases of alleged discrimination involve sensitive issues and require special attention to confidentiality and fairness. Dissemination of information concerning allegations of discrimination will be strictly limited on a need-to-know basis. Reasonable efforts will be made to safeguard the privacy and reputation of all individuals involved, and to protect those involved from unprofessional, inappropriate, or retaliatory action resulting from an initial report or complaint, and any subsequent investigation or proceedings.

Students and employees may seek information and discuss an alleged incident of discrimination with any appropriate faculty member, department or division chair, or administrator. While the judicial system generally prefers complainants to exhaust internal procedures where possible (i.e., the internal chain of command and/or Resolution Board), individuals may choose to utilize external processes to resolve their complaints. Parties may contact the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, or the U.S. Department of Education, Office of Civil Rights. Individuals who choose to file a complaint directly with one of these external bodies must do so within 180 days (6 months) of the alleged incident of discrimination. The use of informal mediation-oriented procedures is voluntary and is not a prerequisite to making a formal complaint either within the University or with external sources such as those listed above.

### **Purpose:**

To provide a way that will allow an employee or student to bring to the attention of the University all issues/conflicts involving:

- supervisor/supervisee,
- faculty/student,
- co-workers,
- employee/student, or
- student/student)

### **Functions:**

- To educate and inform community members of approved Walsh University standards of conduct;
- To addresses alleged incidents of discrimination at Walsh University;
- To support community members who feel they were treated unequally. To support community members who feel they were treated unfairly;
- To assist community members in using the University's internal procedures;
- To educate and inform community members of approved Walsh University standards of conduct;
- To act as an appellate body when internal procedures fail;
- To act as an appellate body to members of the community who feel that the University policies or procedures were unfairly or inappropriately applied;

- To involve members of the community in further defining appropriate standards of conduct and promoting methods of resolution protective of a community member's Due Process rights.

### **Statement of Policy and Purpose of the Board**

1. To promote and promulgate the standards of conduct approved by Walsh University constituencies.
2. To involve members of the community in further defining appropriate standards of conduct and promoting methods of resolution protective of a community member's due process rights.
3. To guide members of the community towards the most appropriate channel of appeal in order to resolve their issues/complaints in the most expeditious and effective manner.
4. To act as an appellate body to members of the community who feel that the University policies or procedures were unfairly or inappropriately applied.
5. To receive, address, and resolve issues/complaints from all members of the Walsh community in the manner the Resolution Board deems most appropriate.
6. To make recommendations to the president in order to protect the rights of the student or employee through such means as appropriate, including, but not limited to, sanctioning members of the community (i.e. letter of reprimand, restitution, suspension, dismissal, etc.) or altering campus policies/procedures.
7. To make recommendations to advise the Chief Diversity Officer with an Early Complaint Resolution before applying for formal redress.
8. To make recommendations of any other mediation measure before applying for formal redress.
9. To appropriately identify and refer all cases where there is an allegation of sexual assault, dating violence, domestic violence, sexual harassment, stalking, or any other form of sex discrimination to the Title IX Office.

### **Retribution**

Every effort will be made to safeguard the privacy and reputation of all individuals involved, and to protect those involved from unprofessional, inappropriate, or retaliatory action resulting from an initial report or complaint, and any subsequent investigation or proceeding.

### **PROCEDURES**

Any employee or student who has an issue/complaint should do the following:

Informal and/or Formal procedures

- I. An employee or student who has a complaint should notify a member of the Resolution Board as soon as possible after the incident has occurred.
  - A. Depending on the parties involved, the Resolution Board member will request the presence of an additional Resolution Board member to hear the complainant, present the verbal complaint, or refer the complainant to another Board member.
  - B. Two Resolution Board members (max of 1 student) will be present and will explain the procedures to the complainant and answer questions.
  - C. All discussions are confidential as reasonably possible.
  - D. If the complaint is related to sexual assault, dating violence, domestic violence, sexual harassment, stalking, or any other form of sex discrimination, the Resolution Board member will notify the student that they are to be referred to the Title IX Office for addressing the concern. At that time, the complainant should also be made aware of all on and off campus resources related to Title IX.
- II. After consulting with the Resolution Board member, the complainant may decide to proceed with one of the following:
  - A. A consultation
    1. The complainant may want only to talk the situation over with someone and to not pursue the matter further.
    2. The Resolution Board member respects the decision of the complainant.

3. A brief summary of the meeting will be securely filed, and all records will be retained for a period of two years.
  4. A Resolution Board member may also suggest other mediation measures if deemed necessary.
- B. An informal procedure
1. The complainant must submit in writing an overview of the issue/complaint charges naming the respondent (alleged offender) and explaining the incident(s) and date(s) of occurrence.
  2. The Resolution Board members who agree to work with an informal procedure may seek consultation from the Chair or another Board member at any time during the process. Resolution Board members will provide prior notice, in writing, to the complainant of any consultation.
  3. The Resolution Board member's initial response will be to determine where, if appropriate, the student or employee should begin to pursue their issue/complaint within the procedures already in existence within the university policies. If the student or employee has begun this step on his or her own, the board member will determine if the student or employee has chosen any, or all of the appropriate channels of resolution, and, if so, whether they have exhausted these means. If the student or employee gives written permission, the individual board member may consult with the entire board for assistance in reaching such determinations.
  4. In no later than \* five (5) working days after receipt of the written complaint, the Resolution Board member will notify, in writing, the respondent of the complaint and arrange a time when the complainant, respondent, and Resolution Board members will meet to mediate the complaint.
  5. The Resolution board member's role is to resolve the complaint by acting as mediator between both parties. The complaint must be resolved to the satisfaction of all involved.
  6. Within \* ten (10) working days of reaching a satisfactory resolution, the Resolution Board members will provide all parties with a written summary of the outcome. The complainant, respondent, and Resolution Board members must sign this summary.
  7. The signed summary will be kept in a locked confidential file.
- C. A formal complaint/procedure
1. The complainant must submit in writing an overview of the issue/complaint charges naming the respondent (alleged offender) and explaining the incident(s) and date(s) of occurrence.
  2. The Resolution Board Chair or Vice Chair (if needed) will choose five (5) other Board members to hear the complaint and serve on the Review Board. Resolution Board Chair or Vice Chair (if needed) will serve or select a Review Board Chair.
  3. A representative of the Resolution Board may not be a member of the Review Board if he/she or kin is named in the complaint or has another conflict of interest.
  4. A respondent or complainant has the right to replace 1 individual of the appointed Review Board.
  5. If five (5) Review Board members cannot be assembled from the existing pool of Resolution Board members, the Chair will choose from an alternate pool of former Resolution Board members.
  6. Copies of the complaint will be distributed to the Review Board members and respondent.
  7. The Chair may consult with the Director of Human Resources and/or a person from the standing list of consultants with expertise in various categories of discrimination to advise the Chair as needed during the proceedings. The Chair may also consult the University's legal counsel for advice only after receiving permission from the University President to do so.
  8. Both the complainant and respondent may choose an advocate from the Resolution Board to assist them.

9. Both complainant and respondent have the right to submit relevant information and witnesses. Both parties will send the names of all witnesses and a brief description of their testimonies to the Review Board Chair at a predetermined date not less than 48 hours prior to the hearing. Lists will be forwarded immediately to the opposing parties.
10. At its discretion, the board may order discovery from all parties and/or order all parties to appear in front of the board to be interviewed.

*\* All time requirements are suggested guidelines and may be expanded by the Review Board or Appeal Committee in order to accommodate the academic calendar and/or the schedule of all parties involved (Review Board, Appeal Committee, complainant, and respondent) to insure a fair hearing.*

## **HEARING PROCEEDINGS**

- I. A closed hearing will be conducted within \* fourteen (14) working days after receipt of the written complaint. All information, testimony, and records are kept confidential as reasonably possible. The Review Board will send rules of the hearing to both complainant and respondent.
  - A. Either party may have an attorney present. However, his/her function is limited to consultation with his/her client only.
  - B. The Review Board Chair will preside over the hearing and read aloud the written formal complaint.
  - C. Each party will have one hour to present his/her respective case, beginning with the complainant. The Review Board, the complainant or respondent, and their advocates only can ask follow-up questions of each witness. The order of questioning will be: 1) opposing party (complainant or respondent), 2) advocate, and 3) Review Board.
  - D. The hearing will be recorded by the Review Board only. After all information and witnesses have been presented, the hearing will be adjourned by the Review Board Chair.

### II. Decisions

- A. The Review Board will meet after the hearing to consider the issues and reach a finding as to whether the act or acts alleged in the complaint occurred and whether such an act or acts violate University policy. If the Review Board finds that the act or acts violate(s) University policy, a penalty will be proposed.
- B. Penalties – The decision of the Review Board shall be designed to remedy the harm done to the complainant and to protect other members of the University community. Complaints often involve unique elements and the remedy fashioned will depend on the findings and the nature of the complaint. Penalties for students will be consistent with those authorized through the Student Handbook and a disciplinary system up to and including dismissal. The Review Board will recommend to the President (or Chair of the Board of Trustees should the President be the respondent) the proposed penalty. If the President (or Chair of the Board of Directors should the President be the respondent) rejects the recommended penalty of the Review Board, a meeting will be held between the Review Board and the President (or Chair of the Board of Directors should the President be the respondent) to attempt to reconcile the differences. Barring such reconciliation, the decision of the President (or Chair of the Board of Directors should the President be the respondent) shall stand.
- C. No later than \* three (3) working days after the hearing concludes, the Review Board shall report its finding(s) to the complainant and the respondent. A written report will be provided to all parties. One copy of the report will be locked in a confidential file in the University library archive area.
- D. All deliberations are confidential.

III. Standards of Proof – A violation of the policy on discrimination shall be found by the Review Board only when there is a preponderance of evidence that the violation occurred.

### IV. Implementation of the Decision

- A. The President (or Chair of the Board of Directors should the President be the respondent) will consult with appropriate University officials, as needed, in implementing the decision of the

Review Board. The decision of the Review Board with the agreement of the President (or Chair of the Board of Directors should the President be the respondent) is binding upon all parties and is reviewable or appealable only if due process has been violated.

- B. All pertinent information of the case will be locked in the confidential file four days after the final decision has been rendered, providing an appeal has not been filed. All documents given to the Review Board except those for the confidential file will be collected and shredded once the case is concluded.

## **APPEAL**

- I. Grounds for an appeal must be based on due process only; that is, that the process was flawed, and the person was denied a fair hearing. There is no appeal of the decision based on matters of judgment or the facts in the case. The appeal must take the form of a written statement clearly outlining the violation(s) of due process and how those violations materially affected the outcome of the case.
- II. An appeal must be submitted in writing to the chair of the Resolution Board within \* three (3) working days.
- III. The Chair of the Resolution Board will convene an Appeal Committee composed of:
  - A. Him/Herself (or in the event the chair was a member of the hearing in question another Resolution Board member).
  - B. A second Resolution Board member who was not a member of the hearing in question.
  - C. President of the University or designated employee.
- IV. The Appeal Committee will review any recordings and written information (or those portions thereof related to the due process challenge) pertaining to the hearing in question.
  - A. Within \* five (5) working days, the Appeal Committee will meet with the Review Board, complainant, respondent, and advocates to announce the decision.
  - B. Since the appeal process solely is based on due process considerations, findings of the appeal may result in one of the following outcomes:
    - 1. A finding that due process has been violated and that the case, in part or in whole, is remanded back to the Resolution Board for a rehearing in compliance with proper procedural due process; or
    - 2. A finding that a due process violation occurred but does not affect materially the outcome of the case, thus, the decision should stand; or
    - 3. A finding that no violation of due process occurred and, thus, the decision should stand.
  - C. All parties will receive a written summary of the Appeal Committee's decision.
  - D. One copy of this summary will be added to the other information pertinent to the case and locked in the confidential file. All documents given to the Appeal Committee except those for the confidential file will be collected and shredded once the decision has been made.
- V. The decision of the Appeal Committee is final.

*\*All time requirements are suggested guidelines and may be expanded by the Review Board or Appeal Committee in order to accommodate the academic calendar and/or the schedule of all parties involved (Review Board, Appeal Committee, complainant, and respondent) to insure a fair hearing.*

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## BENEFITS & PROTECTIONS

## ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

## REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

## EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

## ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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



For additional information or to file a complaint:

# 1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

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