



## **EMPLOYEE HANDBOOK**

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OFFICE OF THE PRESIDENT

Lawrence S. Bacow

Dear Colleagues:

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

Sincerely,

Lawrence S. Bacow  
President

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

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

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

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

Sincerely,

Kathe Cronin  
Vice President, Human Resources

## **INTRODUCTION**

This Handbook provides key information regarding Tufts University's policies and workplace standards for employees. It is intended to be an internal reference tool for University staff and is presented for informational purposes only. The Handbook applies to employees of the University who regularly work a minimum of seventeen and a half (17.5) hours per week, and are not faculty members or covered by collective bargaining. All references to "employee" or "employees" in this Handbook relate expressly to non-academic, non-unionized, staff employees.

There may be some policies or procedures unique to your specific work area that will be explained by your supervisor. In certain circumstances, a Handbook supplement for your work area may supersede this Employee Handbook. Additionally, some policies are modified for staff employed only during the academic year.

The content of this Handbook, and any other communication by Tufts University representatives, written or oral, is not intended to generate contractual obligations or rights between the University and its employees. This Handbook does not alter the at-will nature of an individual's employment with Tufts University, or in any way create a promise of continued employment. An employee or the University may terminate the employment relationship at any time, for any reason.

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

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

This version of the Employee Handbook supersedes all prior versions issued by the University and is effective **July 2008**.

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

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

No one, other than a Human Resources Representative, has the authority to enter into any employment agreement with you for any specified period or to make any promises or commitments contrary to the foregoing. Further, any employment

agreement entered into by Human Resources shall not be enforceable unless it is in writing.

### **EQUAL EMPLOYMENT OPPORTUNITY**

Tufts University is committed to the fundamental principle of equal opportunity and equal treatment for every prospective and current employee and student. It is the policy of the University not to discriminate on the basis of race, color, national or ethnic origin, age, religion, disability, sex, sexual orientation, gender identity and expression or status as a veteran.

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

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

Tufts encourages its employees to use the services of the Office of Institutional Diversity and their campus Human Resources Department if there are any questions about this policy.

### **AFFIRMATIVE ACTION POLICY**

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

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

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

*Effective: July 2008 (rev0708-1)*



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

## **DIVERSITY**

One of the cornerstones of the educational mission of Tufts University is to create a community comprised of people from a wide variety of backgrounds and with a wide range of experiences that emphasizes inclusiveness and excellence. We are committed to ensuring that all members of our community – staff, faculty members, and students - are able to be productive members of an increasingly heterogeneous, interconnected world. Thus, it is essential that we build a diverse community at Tufts so that we all have the opportunity to learn from each other. It is only through such diversity within our own community that we can gain the understanding of others that we will need in an increasingly global workplace. In this regard, diversity encompasses: race, color, national or ethnic origin, age, religion, disability, sex, sexual orientation, gender identity and expression, status as a veteran, language, socio-economic background, parental status, education, affiliations, and other qualities. As an institution, Tufts embraces diversity in its broadest forms and works to ensure that all members of the community develop a strong sense of the value and importance of diversity and its connectedness to excellence at Tufts.

## **SEXUAL HARASSMENT**

Sexual harassment is prohibited at Tufts University. Tufts is committed to creating and maintaining a community where all persons who participate in University programs and activities can work and learn together in an atmosphere free of all forms of harassment, exploitation, or intimidation. The University is strongly opposed to sexual harassment and such behavior is prohibited both by federal and state laws and University policy. Tufts University, its agents, supervisory employees, employees, and students shall be held liable for their actions if determined to be sexual harassment and are subject to appropriate University disciplinary action and personal liability.

Sexual harassment, whether between people of the same or opposite sex, includes, but is not limited to, unwanted sexual advances, unwelcome requests for sexual favors, and other behavior directed at a person because of his or her gender or gender identity or expression when:

1. Submission to such conduct is made either explicitly or implicitly a term and condition of an individual's academic status or employment; or
2. Submission to, or rejection of, such conduct by an individual is used as a basis for employment or academic decisions affecting him or her; or

3. Such conduct, whether verbal or physical, has the purpose or effect of unreasonably interfering with the individual's academic or work performance, or of creating an intimidating, hostile, or offensive environment in which to work or to learn.

#### The Following Behavior May Constitute Sexual Harassment

As stated in the Model Sexual Harassment Policy of the Massachusetts Commission Against Discrimination (MCAD):

While it is not possible to list all those additional circumstances that outline sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness: lewd remarks, whistles, or personal reference to one's anatomy; unwanted physical contact such as patting, pinching, or constant brushing against a person's body; subtle or overt pressure for sexual favors; persistent and offensive sexual jokes and comments; persistent and unwanted requests for dates; and e-mail messages of an offensive sexual nature.

#### Consequences of Sexual Harassment

Clearly, sexual harassment has long reaching affects on the victim of harassment. A student or employee may suffer a decline in performance, a disruption in his or her work or education, or in relationships with family, friends, colleagues, or professors. A student's educational goals may also be significantly affected if the student decides to avoid certain courses, change his or her area of study, or transfer to another institution. In addition, sexual harassment impacts the University and the department(s) involved. The University and department may experience an atmosphere of fear, declining work productivity and office morale, a loss of reputation, divisiveness, rumors, etc.

Misconduct constituting sexual harassment will be dealt with appropriately. Responsive action may include disciplinary action, up to and including termination or expulsion. In addition, under Massachusetts law, supervisors can be held personally liable for harassing behaviors.

#### Retaliation is Prohibited

It is unlawful to retaliate against an individual for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint of sexual harassment. Any person who retaliates against an individual reporting sexual harassment or filing a sexual harassment complaint is subject to University disciplinary procedures up to and including termination or expulsion by the University.

## Confidentiality

The University recognizes that individuals filing a complaint of sexual harassment may wish to remain anonymous. In some instances, the alleged harasser can be spoken to without the complainant being identified. In other cases, issues of confidentiality must be balanced against the University's need to investigate and take action. As such, the University cannot always promise confidentiality to the complainant.

## What Can You Do If You Feel You Are Being Sexually Harassed?

If you believe that you are the victim of sexual harassment, you should consider taking the following steps immediately.

1. Take immediate and appropriate action under this policy. Don't believe that if you wait the inappropriate behavior will stop.
2. Seek the advice of or report the incident to your supervisor, Director of OEO, your Human Resources Representative, or any of the individuals listed as Sexual Harassment Resource Persons (see OEO link below).
3. Keep track of dates, places, times, witnesses, and the nature of the harassment. Save any letters, cards, or notes in a safe place. Preserve any electronic evidence, *e.g.*, e-mail or voice mail messages.

For a detailed policy description, please refer to the [Office of Equal Opportunity and Affirmative Action's website](#).

Under Title IX regulations of the Education Amendments of 1972, Tufts has an obligation to take appropriate action to eliminate any instance of sexual harassment brought to its attention. As such, it is important that employees report sexual harassment when they become aware of it, even if the person reporting the incident(s) is not the victim of the harassment.

## **CONSENSUAL RELATIONS**

It is essential that those in a position of authority not abuse, nor appear to abuse, the power with which they are entrusted. Administrators (including all staff who supervise other staff or students) and faculty members exercise power over subordinates and students. Therefore, amorous, dating, or sexual relationships between administrators or faculty members and subordinates or students are highly discouraged when these administrators or faculty members have professional responsibility over the subordinate or student. Relations of a sexual nature that may appear to be consensual are still suspect, given the fundamentally unequal nature of the relationship. Moreover, other employees or students may be affected by the relationship, because the administrator is in a position to favor or advance one person's interest to the potential detriment of others. Therefore, it is

inappropriate for administrators or faculty members to engage in an amorous, dating, or sexual relationship with a subordinate or student where the administrator, or faculty member, will be required to make professional judgments about the subordinate's or student's work or academic performance. The University requires that the supervisory employee cease such conduct and/or divest himself or herself of the professional responsibility for supervision or oversight, should an intimate relationship develop.

A violation of this policy may result in disciplinary action.

#### Where to Find Help with Sexual Harassment Concerns

Contact the Office of Equal Opportunity at 617-627-3298 or go to its [website](#).

#### **AMERICANS WITH DISABILITIES ACT**

The University complies with overlapping federal requirements, which extend job protection to persons with disabilities and prohibit employment discrimination on the basis of disability. The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. Section 503 of the Rehabilitation Act of 1973, as amended, requires affirmative action to employ, and advance in employment, qualified persons with disabilities who, with reasonable accommodation, can perform the essential functions of a job. Section 504 of the Rehabilitation Act of 1973, as amended, bars employment discrimination in any program or activity that receives federal financial assistance.

If you are unable, or find it difficult, to do all the functions of your job due to a disability, please inform your manager, the Office of Institutional Diversity, or your Human Resources Representative.

We may ask for medical documentation of your disability. We also may need to follow up with your physician or health care provider to get more specific information to ensure that any reasonable accommodations requested will enable you to safely and effectively perform the essential functions of the job. We may also ask you to submit to an independent medical or other appropriate examination, at our expense, to help us assess your needs.

#### **IMMIGRATION REFORM CONTROL ACT**

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

As a condition of employment, all new employees must complete Section 1 of the Employment Eligibility Verification (Form I-9) with their name, address, date of

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

Employees must complete the I-9 no more than seven (7) days before the start of employment or within two (2) days after their date of hire.

Under current law, failure to provide the appropriate employment eligibility documentation or revoked or expired eligibility could result in termination of employment.

### **EMPLOYMENT CATEGORIES**

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

**Regular Part-Time:** Employees who are scheduled to work fewer than thirty-five (35) hours per week. Regular part-time employees who work between seventeen and a half (17.5) and thirty-five (35) hours per week are eligible for benefits, unless precluded from eligibility by the terms of an insured benefits contract. Regular part-time employees who work fewer than 17.5 hours per week are not eligible to receive benefits.

**Job-Sharing Team:** This arrangement permits two individuals to share one full-time position. Hours may be divided in various ways. Both members of a job-sharing team are eligible to receive benefits, unless precluded from doing so by an insured benefits contract. Benefits for these employees may be pro-rated.

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

**Temporary Employees:** Under certain circumstances, a manager may find it necessary to request temporary help for a specific period of time. Temporary workers are hired directly by a University department or through an outside agency and typically are not eligible for Tufts University benefits. Temporary workers who work in excess of one thousand (1,000) hours per year may be eligible for retirement contributions. For information, please contact the Human Resources Benefits Office.

**Exempt Employees:** These employees hold executive, administrative, or managerial positions, are paid on a salaried basis, and are not eligible for overtime compensation.

**Non-exempt Employees:** These employees hold positions which do not fall into one of the exempt categories, are paid on an hourly basis, and are eligible for overtime pay.

**Consultants:** These outside vendors are independent contractors, not employees, and are not eligible to receive university benefits. The relationship to the university is by contractual agreement. For more information, please see the [Finance website](#).

# EMPLOYMENT

## DEPARTMENT OF HUMAN RESOURCES

The Tufts Human Resources Department (HR) provides a number of service areas to support University employees.

Medford Human Resources	617.627.6272
Boston Human Resources	617.636.6600
Grafton Human Resources	508.839.7975

**Employee Relations/Employment:** This area focuses on attracting and retaining the best workforce possible for the University. In the event that you or your staff experience any employment-related problems, the Human Resources Representative assigned to your school or work area is your primary resource.

Employee Assistance Program: The Tufts University Employee Assistance Program (EAP) is available to employees, their dependents, and household members. The purpose of an EAP is to offer help to those who may be experiencing problems related to life changes or personal stress. Services include counseling, legal and financial advice, and a vast referral network for various work/life situations, such as day care and elder care resources. Tufts has contracted with an outside organization, Health Resources, to provide free and confidential counseling on both personal and professional problems, work and family life, health and wellness, and other kinds of work/life issues. Licensed, multilingual representatives are available twenty-four hours a day, seven days a week.

The EAP program can be reached at 800.451.1834, or through the [Tufts EAP website](#).

**Benefits:** The Benefits Office oversees Benefits programs for staff and faculty members and is based on the Medford Campus. A Benefits Representative visits each campus for orientation and also spends one day per week on the Boston and Grafton campuses. Employees may call the main Benefits number (617.627.3270) to set up an appointment with a Benefits Representative on their campus.

**Compensation/Systems:** The Compensation Group, located in Medford, plans and administers pay policies and practices for non-faculty employees. Our compensation program is designed to keep Tufts' wages competitive with the external market so that we can hire and retain talented employees. We use a

variety of pay programs to encourage employee development and to reward employee contributions. The Compensation Specialists in Medford and Boston (serving both Boston and Grafton) can be reached at the campus office numbers above.

The HR Systems Group provides HR reports of employee data to University departments, in addition to their role of providing computer support to HR users.

**HR Service Center:** The Human Resources Service Center, located on the Medford campus, maintains the systems, processes, and information used to pay Tufts employees, including personal information, job-related data, tax information, and employee benefits deductions. They process the weekly and semi-monthly payrolls for faculty members, staff, students, and temporary employees. They also manage Tufts' Employee Self Service application and other electronic applications used to hire employees and record time worked. The Service Center can be reached at 617.627.3075.

**Organizational Development & Training (OD&T):** The Tufts Organizational Development & Training Department offers a wide range of services to help administrative support staff and management staff develop managerial and professional skills to enhance individual and organizational success. OD&T provides organizational consulting as well as leadership, management, and professional development for individuals and work groups. All programs support the six Tufts organizational competencies and the six Tufts leadership competencies.

**OFFICE OF INSTITUTIONAL DIVERSITY:** The Office of Institutional Diversity (OID), located on the Medford campus but University-wide in scope, was created at the recommendation of the President, Provost, and other members of the Tufts community in the Spring of 2006. The Office was officially established January 1, 2007. The mission of OID is to lead a concerted and sustained institutional effort in the advancement, coordination, and development of diversity-related programs and policies at Tufts. OID works with the President and Provost, as well as Deans, Vice-Presidents, and Managers across divisions and schools, to infuse the campus community with an understanding of the centrality, importance, and complexity of diversity within all aspects of university life. OID's outreach and programmatic efforts underscore historical and emerging scholarship and research related to race, ethnicity, culture, sex, disability, sexual identity, gender identity, educational and socioeconomic status, age, religion, and national origin.

OID encompasses the Office of Equal Opportunity (OEO). The Director of OEO interprets and implements policy related to best practices in Affirmative Action and equal opportunity practices in employment and retention. The OEO staff monitors grievances and compliance-related issues. OEO also administers disability (ADA) services to staff and faculty members.



## **BACKGROUND CHECKS**

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

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

All background check information will be kept confidential.

## **EMPLOYMENT OF RELATIVES**

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

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

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

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

It is the obligation of the employees impacted by this policy to identify and bring any real or perceived conflict to the attention of their Human Resources Representative.

### **EMPLOYMENT OF MINORS**

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

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

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

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

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

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

## **ORIENTATION**

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

## **PROBATIONARY PERIOD**

There is a ninety (90) day probationary period for all new hires, beginning with the date of hire. This probationary period allows time for the new employee to become acquainted with his or her position and for the employee and his or her supervisor to evaluate each other in the new work situation. During this period, either the University or the employee may terminate the employment relationship without previous notification. Employees terminated during the probationary period may not contest their termination through the internal grievance process. Employees within the probationary period are entitled to paid time off for University-observed holidays only. They are not eligible for sick, vacation and personal days.

A supervisor, in consultation with the Human Resources Department, may extend an employee's probationary period for up to ninety (90) additional days. If this occurs, the supervisor must notify the employee in writing. The total probationary period should not exceed six (6) months.

If an employee is promoted or transfers to another position, a new probationary period will commence, with the exception that the employee will be eligible for sick and vacation benefits.

## **PERFORMANCE DEVELOPMENT PROGRAM**

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

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

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

*Effective: July 2008 (rev0708-1)*

## **TUITION REMISSION/TUITION REIMBURSEMENT**

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

The Tuition Remission program allows eligible employees to take classes in a number of Tufts' graduate and undergraduate programs. Regular employees who work at least seventeen and one-half (17.5) hours per week and who have been employed by the University for no less than three (3) months prior to the first day of the semester may participate in the program. Full-time employees may take up to two (2) classes per semester, and part-time employees may take one (1) course per semester. This benefit is also available to eligible dependents, which includes spouses, qualified same-sex domestic partners, and dependents. Under federal and state law, some or all portions of this benefit may be subject to [taxes](#).

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

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

## **JOB MOVEMENT WITHIN THE UNIVERSITY**

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

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

In some situations, the result of a promotion may not prove to be satisfactory to either the employee or the University. For this reason, there is a standard probationary period, during which time both the employee and the supervisor have the opportunity to evaluate the new situation. If expectations are not met,

every reasonable effort will be made to find the employee a more suitable position within the University. Employees within the probationary period because of a promotion retain all their benefits, including vacation, sick, and personal days.

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

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

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

The process for internal applicants at Tufts is as follows:

- If an employee is interested in an internal position, the first step is to apply online at the [Tufts University Career Center](#).
- After applying on line, the employee should contact the Human Resources Office on the campus where the job is located and identify himself or herself as an internal candidate who has applied for a position on that campus.
- A Human Resources Representative will contact the employee to discuss the basic requirements for the job. The Human Resources Representative will answer any questions the employee may have and help the employee assess if he or she meets the appropriate qualifications for the position.
- If the employee meets the basic requirements, the employee will be invited to interview with the hiring manager.
- The employee is encouraged, but not required, to notify his or her current supervisor before interviewing with the hiring supervisor for the new position. If an employee is identified as a finalist for the position, Human

*Effective: July 2008 (rev0708-1)*

Resources generally will contact the employee's current supervisor for a reference. The employee will be given the opportunity to speak to the current supervisor prior to the reference check.

### **JOB ABANDONMENT**

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

### **OUTSIDE EMPLOYMENT**

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

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

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

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

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

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

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

The Human Resources Service Center often receives calls from third parties regarding employment verification for the purposes of credit references, such as a mortgage. If the request is made by phone, we will verify current employment status, dates of employment, and salary, but only if such information is stated first

by the caller. Additional information will not be released without express written permission.

## **PROGRESSIVE DISCIPLINE**

The following steps cover the normal pattern of progressive discipline for non-exempt employees who have completed the probationary period. This policy does not apply to exempt employees.

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

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

1. **Verbal Warning:** The supervisor discusses performance problems with the employee, the necessary improvements, and a date by which corrections should occur. The supervisor will document the date and content of the conversation. No official record of discipline will be entered into the employee's personnel file at this time.
2. **First Written Warning:** If problems persist, the supervisor will have another discussion with the employee. If warranted at this time, the employee will be issued a written warning. This warning will contain a statement of the problem(s), what corrections are necessary, and a date by which the improvement(s) should occur. The employee will be asked to sign the form indicating that he or she has read it. A copy will be placed in the employee's personnel file in Human Resources, and a copy will be given to the employee.
3. **Second Written Warning:** If problems persist, a second written warning will be issued adhering to the format outlined in step two above.
4. **Termination:** If problems persist after the second written warning, disciplinary action, up to and including termination, may occur.

Written warnings are removed from the employee's file after two years of active employment if there have been no subsequent warnings.

Certain infractions may result in immediate suspension or immediate termination for cause. Such infractions include, but are not limited to, stealing or other acts of dishonesty, intoxication, threatening actions or language, unprofessional behavior, creating or contributing to a hostile work environment, workplace violence, violation of the [University Drug and Alcohol Policy](#), insubordination, sexual harassment, discrimination, breach of confidentiality, fraud, or clear cases of conflict of interest. In such cases, the decision to terminate an employee for cause must be discussed with the campus Director of Employee Relations/Employment prior to any action being taken. The University retains the right to omit steps in the disciplinary process for serious infractions.

## **GRIEVANCE PROCEDURE**

The University has established a grievance policy to ensure fairness and consistency in employee relations and to resolve misunderstandings as quickly as possible.

You are assured that your status as an employee of the University will not be jeopardized merely for seeking assistance with a problem. Only employees who have completed their probationary period are covered by this policy.

Issues considered appropriate for the grievance process include matters such as:

- Disciplinary actions against the aggrieved employee, such as written warnings or termination.
- A violation, misinterpretation, or inequitable application of policy or procedure affecting the employee.
- Discrimination against an employee because of race, color, religion, national origin, sex, sexual orientation, age, disability, or covered veterans. Discrimination complaints will be investigated by the Office of Equal Opportunity.

The following issues are not subject to the grievance process:

- Termination resulting from a reduction in force, or termination for reasons stemming from grants or contracts.
- The content of published University personnel policies and procedures.
- Performance evaluations.

The University has a four (4) -step grievance procedure:



### **Step I--Informal**

Most difficulties can be resolved by talking to someone. Employees are encouraged to discuss employment-related problems candidly with their supervisor. You should explore all possibilities for discussion before initiating the formal grievance procedure. You are encouraged to contact the campus Director of Employee Relations/Employment for consultation and for details on the procedure.

### **Step II--Formal**

A written statement of your grievance should be submitted to your supervisor no later than thirty (30) days following the circumstance giving rise to your grievance. A copy of the grievance statement must be sent to the campus Director of Employee Relations/Employment. If the grievance includes allegations of discrimination, it will be shared with the Office of Equal Opportunity and OEO will investigate those allegations. Statements submitted after thirty (30) days will be considered untimely and may not be processed.

### **Step III**

If you have not received a response to your written grievance within ten (10) working days, or if you are not satisfied with the written response, within the next five (5) working days, you may ask your supervisor to send a written statement of the grievance to the next level of management (e.g., Dean, Vice President, Chair or Department Head). The grievance will be investigated and every attempt made to resolve the situation. The investigation may involve a meeting between you, the Chair or Department Head, and the campus Director of Employee Relations/Employment. You can expect to receive a written response to your request within ten (10) working days unless a special extension is needed by the employer.

### **Step IV**

If you are dissatisfied with the outcome of the preceding steps, you may, within the next five (5) working days of receiving notice of the Step III outcome, contact the Vice President for Human Resources, or his or her designee, to request a hearing, which will be conducted by a committee.

The hearing committee will include three (3) University employees, one of whom will be selected by the employee grievant and one by the Dean, Vice President, Chair, or Department Head. These two members will select a third member from a panel of employees named by the President.

The hearing committee will elect a Chairperson by majority vote. The Chairperson's responsibilities include determining whether a formal hearing is required and how the investigation will be conducted. If it is determined that a formal hearing is necessary, the University will make

provisions for employees to appear as witnesses without loss of pay. The investigation will last for no more than twenty (20) working days. Within fifteen (15) working days after the end of the investigation, the findings of the hearing committee, along with its recommendations, will be communicated to the President. If a majority has not reached a consensus, the facts and recommendations, including minority opinions, will be communicated to the President by the Chairperson. The President or his or her designee will review the results of the proceedings and will notify the employee in writing of his or her decision within ten (10) working days.

The decision of the President is final and not subject to appeal.

Members of the Human Resources staff will assist you in processing a grievance and will answer any questions that you might have.

### **RE-EMPLOYMENT**

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

Only those who left the University in good standing are eligible for re-employment. Past performance is considered when a former employee applies for rehire. A re-employed employee is subject to the probationary period in his or her new job and will not carry over any sick, vacation, or personal days from prior employment at the University.

Individuals rehired within one (1) year of their departure date will retain the original date of hire for the purpose of vacation accrual, retirement vesting, and other seniority issues, except reduction-in-force benefits. For all other benefits plans, please contact the Human Resources Benefits Office for the specific policy details.

# COMPENSATION

## SALARY AND PAY POLICIES

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

The programs are designed to:

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

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

## WORK HOURS

**Customary Hours:** The customary work week at Tufts for full time employees is thirty-five (35) hours, seven (7) hours each day, Monday through Friday. The usual workday starts at 9:00 A.M. and ends at 5:00 P.M. This includes a fifteen (15) minute break during the day for non-exempt staff, and one (1) hour for unpaid lunch.

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

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

For payroll administration purposes the work week is considered to begin on Sunday at 12:01 A.M. and end Saturday at midnight.

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

Each week, an authorized department staff member will enter the hours worked for non-exempt employees (staff, student workers, and temporary employees) in that department into the University's Time Entry System. Access to this system is obtained through completion of an application and approval of the supervisor.

### **OVERTIME**

There are occasions when a temporary workload or other compelling reason may require that you work more than your regularly scheduled number of hours. By definition of the Federal Fair Labor Standards Act, non-exempt employees are eligible for overtime pay. Any hours exceeding your normally scheduled hours must be pre-approved by your supervisor. Exempt employees are not covered by this Act and do not receive overtime pay.

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

### **PAY PERIODS**

Friday is payday for non-exempt employees paid weekly. Weekly pay covers the period Sunday through Saturday of the previous week. Exempt employees are paid semi-monthly on the fifteenth (15<sup>th</sup>) and thirtieth (30<sup>th</sup>) day of each month. As required by law, the University withholds federal and state income taxes from an employee's earnings. Tax deduction amounts are determined by the exemption schedule filed by each employee on the W-4 form. In addition, the University will make authorized deductions for health/life insurance premiums, parking fees, credit union, etc.

### **DIRECT DEPOSIT**

Direct deposit is a condition of hire for regular employees. Accordingly, all employees must maintain a checking or savings account with a banking institution. With direct deposit, the net pay is deposited into a bank of your choice. However, every new hire will receive a check, not direct deposit, for the

first week on the payroll. This allows time for the bank to verify the accuracy of the direct deposit information.

### **EMPLOYEE SELF SERVICE WEBSITE**

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

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

### **ALTERNATIVE WORK ARRANGEMENTS**

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

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

### **JOB SHARING**

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

## **EARLY RELEASE**

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

## **EMERGENCY CLOSINGS**

Infrequently, the University may suspend operations for reasons such as national, state, or city emergencies, floods, fire, power failure, hazardous weather conditions, or severe transportation difficulties. Emergency closings are implemented by the Vice President of Operations on a campus-by-campus basis. Operations will serve as the central source of direction for emergency control activities and communications during a period of emergency. A decision to announce an emergency closing will be communicated to the appropriate individuals and areas of the University.

If you have reason to believe that an emergency situation may exist on campus, contact your supervisor immediately for further information or instructions. If you are at home or away from your work area, information concerning an emergency at Tufts will likely be broadcast over local television or radio stations that usually carry such information, the Tufts Information Line at 617.627.INFO (4636), and the [Tufts website](#).

The nature of the University's activities and the complexity of its operation require that certain services be provided at all times. Essential service areas include: animal farms and hospitals, Facilities, Computer Services Operations, Dining Services, patient care areas, Public Safety, the Switchboard, and areas conducting critical research. Employees working in these essential service areas are excused from work only with the specific authorization of their supervisors, regardless of other announcements. Supervisors should instruct essential employees beforehand regarding their obligations during emergencies and establish procedures to inform them whether they will be needed to work.

Employees in essential service areas who do not report to work during emergencies will not receive any pay during the closing, and may be subject to disciplinary action. If you must work during an emergency closing and are a non-exempt employee, you will receive your regular pay in addition to either compensatory time off during the same work week, subject to work requirements,

at the rate of 1 ½ hours for each hour worked or be paid at a rate of 1 ½ times your regular pay for each hour that you worked during the closing.

When an emergency closing is not in effect, all employees are expected to report to work. Employees unable to reach Tufts will not be paid, but may request use of a vacation or personal day. Those on vacation while an emergency closing is in effect will still have a vacation day deducted.

A hotline is available for updated information regarding the status of University operations, 617-627-INFO, or for the Grafton Campus, 508-839-6124. Employees may also check the Tufts website page [Inside Tufts](#) for campus closings. Local television and radio stations may also broadcast closings, such as WBZ (1030 AM), WHDH (850 AM), and WORC (1310 AM). Information is updated as early as 6AM.

## **WORKPLACE EXPECTATIONS**

### **BUSINESS CONDUCT POLICY**

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

### **FRAUD INVESTIGATIONS**

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

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

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

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



access this reporting option by visiting the Finance Division, Office of Equal Opportunity, Environmental Health and Safety, or Audit & Management Advisory Services websites and locating the links for anonymous reporting. Access is also available by dialing toll-free 1-866-384-4277.

Suspected research misconduct should be reported to the Associate Provost for Research. Any theft of physical assets should be reported to Tufts Police at 617-627-6911.

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

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

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

### **Drug-Free Campus and Drug-Free Workplace Policy**

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

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

Paper copies can also be obtained at any Public Safety or Human Resources Department Office on each campus.

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

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

### **WORKING WITH ONE ANOTHER**

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

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

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

Racial or ethnic slurs, swearing, sexually harassing remarks, threats of violence, and any other offensive comments, language, actions or violent physical behavior will not be tolerated. This includes acts such as, but not limited to, intimidating, threatening or hostile behaviors, harassment (including sexual harassment), vandalism, arson, sabotage, the use of weapons, carrying of weapons onto University property, violent events, or any act that in management's opinion is inappropriate in the workplace.

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

Tufts University will promptly investigate any physical or verbal attack, threats of violence, or other conduct by employees that threatens the health or safety of

other employees or the public. All incidents of physical or verbal attacks are treated as misconduct and may result in disciplinary action, up to and including termination of employment. Pending the results of an investigation, the University may suspend employees who are involved in physical or verbal altercations that result in injuries, create a significant risk of injury, or have an impact on productivity, safety, or morale.

## **PUBLIC SAFETY**

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

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

Individuals needing information or non-emergency assistance regarding a safe work environment are encouraged to contact Environmental Health and Safety staff at 617-636-3615 on the Boston campus, 617-627-3502 on the Medford/Somerville campus and 508-839-5303 on the Grafton campus, to reach staff members during regular business hours. Additional information can be found on the [Public Safety website](#). In case of an emergency after regular business hours, contact the University police at **6-6911**.

## **CONFLICT OF INTEREST**

As an employee of Tufts University, you should avoid situations where your own interests conflict, or appear to conflict, with the best interests of the University.

A conflict of interest may occur, for instance, if you or a member of your immediate family, business, or group with which you are associated would be affected materially by decisions you make as part of your duties or responsibilities at the University. Or, a conflict might occur if you, a family member, or associate stood to gain from confidential University information to which you have access, as part of your job. A clear case of conflict arises if you accept gifts or valuable favors from individuals or firms doing business with, or wanting to do business with, the University, or from any person or entity attempting to influence some University decision.

Should such a situation arise, employees are encouraged to discuss the situation with their supervisor. Employees may also discuss the situation with a Human Resources Representative.

Additional information can be found in the [Business Conduct Policy](#).

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

University employees are provided with the necessary resources to efficiently and effectively perform their job duties. The University expects employees to utilize these resources, responsibly, for University-related purposes, and in direct support of the institution. The [Tufts University Information Technology Responsible Use Policy](#), provides valuable legal and ethical constraints associated with using a University computer, computer system, or network. Some additional policies may apply to specific computers, computer systems, or networks provided or operated by specific units of the University.

When using any institutionally-provided resources, employees could legally be deemed to be acting as representatives of the University. Therefore, employees must conduct themselves appropriately when sending emails internally and externally. All communication, internal or external, utilizing Tufts resources is considered the property of the University and may be accessed, audited, and disclosed. They may also be used as a basis for disciplinary action.

Any use of University communication resources in conflict with the values of the University is unacceptable. It is the responsibility of all Tufts employees to respect the highest level of privacy for their colleagues and other members of the Tufts community. Employees deemed to have utilized systems or resources improperly, for example, in the case of sexually oriented materials, will be subject to disciplinary action, up to and including termination of employment.

## **ATTENDANCE AND PUNCTUALITY**

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

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

## **NO SMOKING POLICY**

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

## **ACCIDENT OR INJURY AT WORK**

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

## **WORKER'S COMPENSATION**

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

## **POLICY ON POLITICAL ACTIVITIES**

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

With regard to support of or opposition to candidates for election to public office, members of the University community are free to express their opinions and engage in political activities in their individual capacities but must avoid the

appearance that they are speaking or acting on behalf, or with support, of the University.

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

- The name, seal, insignia, marks, and letterhead of the University or of any of its schools, departments, or programs shall not be used on letters or other materials intended for partisan political purposes.
- No University office shall be used as a mailing address for partisan political mailings, nor shall telephone service that is paid by the University be used for partisan purpose.
- The University title of a faculty member or staff member or other person should be used for identification purposes only and, when there is any prospect that the use of the title could be mistaken as an endorsement by the University, should be accompanied by a statement that the person is speaking as an individual and not as a representative of the University.
- University services, equipment such as copying machines, computers, telephones, and supplies shall not be used for partisan political purposes.
- No University employee may, as part of his or her job, perform or be asked to perform political tasks.
- Invitations, subject to the following principles, may be extended by departments, programs, or recognized organizations to persons who are candidates for elective public office (or their representatives) to speak on campus. Access to the University, if granted, shall be made available on an impartial, non partisan basis, and:
  - (1) the invited speaker's appearance on campus shall have an educational or informational focus, and not be conducted as a campaign rally or similar event;
  - (2) no fundraising for the speaker/candidate shall occur in connection with the event; and
  - (3) the event must be conducted in a manner that avoids any unauthorized implication that it is sponsored, endorsed, or favored by the University.
- University facilities will not be rented to candidates (or their campaigns) for elective public office.

*Effective: July 2008 (rev0708-1)*

- Debates and forums may be conducted on campus only in accordance with pertinent legal standards, which require that the activity be conducted in a non partisan manner, provide access to all qualified candidates, and state that the views expressed by the participants are their own and not those of the University, and that sponsorship of the forum is not intended as an endorsement of any particular candidate.
- The University reserves the right to cancel any appearances by a political candidate if it is determined that such appearance is inconsistent with this policy.

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

### **SOLICITATION FOR DONATIONS, MATERIAL SALES, AND DISTRIBUTION OF LITERATURE**

In order to minimize distractions and interference with University business, guidelines have been established regarding internal and external solicitation for donations, sales, memberships and the distribution of literature on University grounds.

The University limits solicitation and material distribution. University employees may not use Tufts resources such as mail, email, supplies, or equipment to distribute materials or solicit donations unrelated to their job responsibilities. University employees may not post literature or other materials that are not job-related on University premises. Tufts prohibits non-employees from selling, soliciting, or distributing on University premises.

Employees are permitted to solicit other employees and distribute literature on University grounds for purposes not related to their work, only in non-working areas, and only during non-working hours.

Employees may solicit for gifts or expressions of sympathy for fellow co-workers, with prior approval from the appropriate manager. Such solicitation may take place during non-work time for the employee soliciting and being solicited. Such solicitation cannot be made on behalf of the University, and contributions must be voluntary.

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

### **TRAVEL ON UNIVERSITY BUSINESS**

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

*Effective: July 2008 (rev0708-1)*

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

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

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

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

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



# TIME OFF

## BONUS DAYS

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

## HOLIDAYS

The University observes the following paid holidays throughout the year:

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

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

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

## **HOLIDAY PAY**

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

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

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

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

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

## **PERSONAL DAYS**

Full-time Tufts employees receive two (2) personal days (14 hours) per fiscal year, July 1-June 30. Part-time and part-year employees receive pro-rated personal days based on their regular work schedule. These days must be used each year and do not accrue. Unused personal days are not paid upon termination. When scheduling a personal day, employees are expected to give their supervisor sufficient notice.

During the first year of employment, employees hired between July 1 and December 31 will receive two (2) personal days (14 hours). Employees hired between January 1 and March 30 will receive one (1) personal day (7 hours). Personal days may not be utilized during the probationary period.

## **SYMPATHY DAYS**

You may be granted up to three (3) days (21 hours) of paid leave if there is a death in your immediate family or individual living with you. Immediate family is defined as spouse, children (including stepchildren), daughter/son-in-law, mother/father-in-law, parent (including stepparent), brother or sister (including stepbrother and stepsister), brother/sister-in-law, grandparent, and grandchildren. Upon request, employees may be given sympathy leave of up to three (3) days (21

hours) in the event of the death of a family member of an individual living with them.

## **VACATION**

During the first year of employment, employees must complete at least ninety (90) days before taking any accrued vacation time. Vacation can be taken in partial day, day or week increments.

Full-time, non-exempt employees earn vacation at the rate of 1.25 days (8.75 hours) per month, which equates to an annual total of fifteen (15) days (105 hours). After completing ten (10) years of service a non-exempt employee's vacation accrual rate increases to 1.67 days (11.67 hours) per month, for an annual total of twenty (20) days (140 hours). Exempt employees earn 1.67 days (11.67 hours) of vacation per month, or twenty (20) days per year (140 hours). Those employees who have completed twenty-five (25) years of service begin to accumulate vacation at the rate of 2.08 days (14.58 hours) per month, or twenty-five (25) days per year (175 hours).

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

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

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

Vacation does not accrue during an unpaid leave of absence. Please consult your Human Resources Representative for additional information.

A vacation day is equal to the designated workweek hours for your position as stated in the HR records, divided by five (5). Employees receive their usual base pay during a scheduled vacation.

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

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

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

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

As of January 1, 2008, the University is changing to centralized tracking of vacation, personal and sick time, and will implement a maximum amount of vacation time an employee may accrue. Currently no balance should be carried over without EAD/VP approval if it exceeds the maximum accrual of thirty (30) days (210 hours) for a full-time non-exempt employee with less than ten (10) years of service, forty (40) days (280 hours) for a full-time exempt employee and a non-exempt employee with more than ten (10) years of employment, or fifty (50) days (350 hours) for a full-time employee with twenty-five (25) or more years of service. These balances are prorated for part-time and academic year employees.

Effective January 1, 2010, once the maximum accrual is reached, vacation time will stop accruing until it drops below the maximum accrual balance.

### **SICK DAYS**

Following the completion of the first ninety (90) days of employment, non-exempt employees are eligible for thirteen (13) sick days per year (91 hours). Every year on the anniversary of your date of hire, thirteen (13) additional days (91 hours) are added to your sick time accumulation. Exempt employees are eligible for up to six months (130 days or 910 hours) of sick time; sick time used is replenished based on a rolling calendar year, i.e., one year from the time used.

For both non-exempt and exempt employees, the maximum sick time balance an employee can accumulate is six months (130 days or 910 hours). Sick time is pro-rated for part-time and/or academic year employees based on the hours/months they are normally scheduled to work.

After a non-exempt or exempt employee has been sick for three (3) consecutive work days, he or she may be required to provide a doctor's note and be formally placed on a medical leave that may, in some cases, fall under FMLA. The employee's Human Resources Representative should be contacted when an employee is out for more than three (3) consecutive work days.

Under certain circumstances, a non-exempt or exempt employee may be required to provide a doctor's note for illnesses of less than three (3) consecutive work days.

### **FAMILY SICK DAYS**

In order to help employees balance their family responsibilities, Tufts employees may apply up to ten (10) sick days (70 hours) annually from their accrued sick time to care for a relative or an individual residing with the employee. Illness in family days are pro-rated for part time employees.

For the purposes of this policy, a "relative" is defined as a spouse, qualified same-sex domestic partner, children, parent, child, sibling, grandparent or grandchild of the employee or of the employee's spouse. Relatives also include "step" relationships such as stepchild and stepparent and in-law relationships, such as brother/sister-in-law, and mother/father-in-law.

## **LEAVES OF ABSENCE**

### **GENERAL INFORMATION**

A leave of absence may be granted for a specified, limited period of time after an employee has passed the probationary period. A leave of absence presupposes that you will return to work. No leave of absence should exceed twenty-six (26) weeks. All aspects of the leave, including eligibility for continuation of benefits and other pertinent details, should be discussed with your supervisor and your Human Resources Representative. Any leave request should be made with as much notice as possible. The employee's Human Resources Representative should be contacted when an employee is out more than three (3) consecutive days to discuss any potential need for a leave. For most leaves, the leave officially begins on the first day of absence.

**Job Protection During Leave of Absence:** When out on a leave your job is protected for a period of time based upon your length of service. You are entitled to two (2) weeks per year of service with a minimum of four (4) weeks and a maximum of twenty-six (26) weeks.

If you are able to return to work prior to the expiration of twenty-six (26) weeks but past the point where your job can be held for you, you will be given

preferential consideration for any comparable opening anywhere within the University.

**Returning to Work:** Before returning to work from a medical leave of absence, you may be asked to provide documentation from your healthcare provider certifying your medical fitness to return to work.

### **UNIVERSITY LEAVES**

The University provides leaves for employees that may run concurrently with, or separate from, state or federal requirements. Any employee planning a leave of absence should consult with his or her Human Resources Representative to understand how University policies and federal and state laws apply to their situation.

When an employee's need for leave, or its approximate timing, is not foreseeable, the employee (or the employee's representative) should give Tufts notice as soon as possible

University employees who meet the eligibility requirements of the Family Medical Leave Act (FMLA) should refer to the FMLA section of this Handbook and consult with their Human Resources Representative to determine which policies apply in their situation.

### **PERSONAL LEAVE**

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

### **JURY DUTY**

The University will pay the difference between the employee's regular University pay and jury duty pay for as long as the employee is required to serve, pursuant to a lawful jury summons.

### **RESERVE MILITARY DUTY**

The University will pay the difference between an employee's regular University pay and reserve military pay for up to two weeks per year. Contact your Human Resources Representative for information if an extended military leave is needed.

## **MATERNITY LEAVE**

The University grants a leave of absence for pregnancy, childbirth, recovery from childbirth, and breastfeeding. Employees who have completed at least one (1) year of service prior to the first day of the leave may take a leave of up to twelve (12) calendar weeks. During maternity leave, accumulated sick time is applied first. Should this accrued sick time be exhausted, the University will continue salary payment for the duration of the twelve (12)-week leave. Employees who have accrued sick time will be allowed to retain up to three (3) days of sick time for future use upon return from maternity leave; all other accumulated sick time will be applied to the leave.

Employees with less than one (1) year of service at the University may take a leave of up to eight (8) weeks. During this leave, employees are entitled to use sick time, earned vacation and personal time. Any portion of the leave not covered by sick, vacation, or personal time off will be unpaid.

Employees should contact their Human Resources Representative to discuss any details or questions that they may have.

## **ADOPTION/PATERNITY LEAVE**

Benefits-eligible employees who are primary caregivers will be allowed to apply up to four (4) weeks of available sick time to adoption and paternity leaves. This paid time off must be taken at the time of adoption or birth and must be taken consecutively.

## **MEDICAL LEAVE**

A medical leave can be paid up to the amount of the employee's accumulated sick time. In addition, an employee may elect to use his or her accrued vacation or personal days after sick days are exhausted. Employees should contact their Human Resources Representative to discuss details and any questions they may have.

## **EXTENDED ILLNESS LEAVE**

The Extended Illness Leave program supplements the full-time, non-exempt sick policy.

### **Eligibility**

All regular, full-time non-exempt employees who have been employed full-time by Tufts for at least one (1) continuous year are eligible. There is no cost to the employee.

## Benefit

All regular, full-time, non-exempt employees receive thirteen (13) sick days per year. Employees may bank unused days up to a maximum of six months (26 weeks). No leave may exceed six months (26 weeks).

Extended Illness Leave (EIL) commences after an absence of twenty (20) continuous work days due to illness, **or** after all accumulated sick days are used - whichever is later. EIL may continue up to a maximum of twenty-six (26) weeks, beginning with the first day of absence, provided the employee's health care provider certifies the medical necessity of the leave, and the employee completes the required paperwork and presents periodic updates regarding his or her current medical condition. All sick leave benefits (sick days plus EIL) will cease at the end of twenty-six (26) weeks. Employees who are participating in the University's Long Term Disability Plan (LTD) may apply for benefits under that plan while out on EIL. Contact the Benefits Office if this applies to you.

EIL income is equal to 60% of the employee's base salary (base salary excludes overtime, shift differential and supplemental pay). Employees may choose to apply accumulated vacation, bonus, and personal days to receive 100% of their salary prior to using EIL.

## Additional Information

Extended Illness Leave applies to a non-work related illness, injury or medical condition only, and cannot be used in coordination with Workers' Compensation.

The job protection policy will remain in effect as currently outlined in this Handbook. Employees who are cleared by their practitioner to return to work prior to job protection elapsing will return to their current position. Employees who are medically cleared to work after their job protection has expired may apply for any appropriate, available openings.

Vacation and sick days will continue to accrue while on EIL, provided the employee's job protection has not expired. University holidays will be compensated at 60% base salary rate while out on EIL.

Academic year, full-time employees are eligible for EIL; however, academic year employees will be compensated only for time normally worked. Other sick time benefits (ex. sick days) are prorated.

All leaves must be coordinated through your Human Resources Representative.

If there are questions regarding policy interpretations, Human Resources will make the final decision.



## **FAMILY AND MEDICAL LEAVE**

In accordance with the Federal Family and Medical Leave Act (FMLA), Tufts has established the following policy for employees covered by this Handbook.

### **Eligibility**

Eligibility guidelines require that an employee must:

1. Have been continuously employed for the last twelve months;
2. Have worked at least 1,250 hours over the previous twelve (12) month period in order to be eligible for FMLA;
3. Have not have used all available FMLA leave as determined using a rolling calendar year; and
4. Have a qualifying event.

Tufts employees regularly scheduled to work a minimum of twenty-four (24) hours per week qualify for this leave. Requests for leave by employees who regularly work less than twenty-four (24) hours per week, and thus may not satisfy the eligibility requirements, will be considered on a case-by-case basis. If a husband and wife both work for the University, and each meet the eligibility requirements for leave, they are entitled to a combined twelve (12) work weeks of leave for birth, adoption, foster care, and to care for a parent. Both employees are entitled to the full twelve (12) weeks for their own illness or to care for a sick child or spouse.

Eligible employees may take up to twelve (12) weeks of unpaid leave per twelve-month period for the following circumstances:

- The birth and care of an employee's newborn child;
- The placement of a child with the employee for adoption or foster care;
- To care for the employee's spouse, child or parent (but not parent-in-law) or University-registered same-sex domestic partner with a serious health condition. An employee with a same-sex domestic partner must have completed the required affidavit of domestic partnership, and the person being cared for must be identified in the affidavit; or
- When the employee's own serious health condition prevents him or her from performing the essential functions of his or her job, including periods when the employee is on worker's compensation leave. FMLA and worker's compensation leave run concurrently.

For purposes of this policy, a "serious health condition" is defined as an illness, injury, or physical or mental condition involving in-patient care or continuing treatment by a health care provider. Requests for leave for seriously ill family members or members of an employee's immediate household may be considered on a case-by-case basis. FMLA for the illness of a family member would end upon the death of the employee's critically ill or injured parent, spouse, child or qualified same sex domestic partner.

A "parent" does not include a family member who is "like a parent" unless that person actually housed, fed and clothed the employee when he or she was a child.

A "child" includes biological, adopted, foster, step, legal ward or a child of a person who stands in the shoes of the parent to that child (in loco parentis). The child must be under the age of 18, unless he or she is incapable of self care due to mental or physical disability.

#### Calculation and Definition of Allowable Leave

Based on certification and approval, a leave may be taken all at one time, intermittently, or on a reduced-schedule basis. FMLA leaves may be approved only for a maximum of twelve (12) weeks in a twelve-month period. For purposes of this policy, Tufts applies a "rolling" twelve-month period.

Job protection under FMLA may supersede an employee's job protection under University policy. However, job protection under University policy runs concurrently with an FMLA leave.

#### Requesting Family Care Leave

Whenever possible, employees are expected to give their supervisor at least thirty (30) days of advance notice of a request for an FMLA leave. In the case of planned medical treatment, an employee should make a reasonable effort to schedule treatment in a way that does not disrupt his or her work, or the work of his or her department.

Requests for FMLA leave require the completion of a medical certification form, which can be obtained by contacting your Human Resources Representative. Periodic confirmation of the need for continued FMLA absence may be required throughout the course of a leave. Failure of an employee to comply with requests for medical certification may result in the denial of an FMLA leave. Employees are expected to return the completed certification form to Human Resources no later than fifteen (15) working days after receiving it from Human Resources.

Under some circumstances, Tufts may require a second medical opinion, at the University's expense. If the first and second opinions differ, the University, at its own expense, may require the binding opinion of a third health care provider, approved jointly by the University and the employee.

In cases of reduced schedules or intermittent leave, a department supervisor may transfer the employee to an alternative position for the duration of the leave period, to accommodate the needs of the work area. In such cases, the employee's wage rate and benefits should remain the same. An employee should make a reasonable effort to schedule treatment in a way that does not disrupt his or her work, or the work of his or her department.

### Return to Work

An employee on leave should notify his or her Human Resources Representative of his or her intent to return to work no later than two weeks prior to the anticipated date of return, or of any medically necessary changes in the date of return. If the employee's leave was due to his or her own serious health condition, the employee may be required to provide a "fitness for duty" certification form from his or her health care provider, verifying their ability to return to work, with or without restrictions.

If an employee is medically released to return to work and fails to either return to work or call in with a satisfactory explanation, the University will treat this as a voluntary resignation. Tufts prohibits employees on medical leave for their own serious health condition from "moonlighting" at another job.

## **COORDINATION WITH OTHER LEAVE BENEFITS**

### Pregnancy/Childbirth/Foster Care Placement/Adoption/Paternity Leave

An employee may request an FMLA leave in the event of the birth of his or her child or the adoption or foster care placement of a child. This leave must be completed within twelve (12) months of the birth or placement of the child. Normally, this leave must be taken consecutively. Requests for a reduced schedule or intermittent leave will be considered on an individual basis, after approval of the supervisor and consultation with the Human Resources Office.

In keeping with current policy, employees eligible for a paid maternity leave must take their leave during pregnancy or at the time of childbirth, for the leave to be paid. Any accrued sick time will be applied to the paid leave.

Employees who have a child placed with them for foster care are eligible to apply for and complete an FMLA leave within twelve (12) months of the placement. Sick leave benefits are not applicable to this leave. Earned vacation and/or personal days may be used. For more details, see the University Leave of Absence policy.

Employees who have adopted a child, parents of newborn children, as well as those requesting paternity leave are eligible to apply for an FMLA leave within twelve (12) months of the placement or birth. Benefits-eligible employees who are primary caregivers will be allowed to apply up to four (4) weeks of available

sick time to adoption and paternity leaves. Normally the time for this leave must be taken consecutively.

#### Employee's Own Serious Health Condition

If a leave is requested for an employee's own serious health condition, available sick time and/or approved Extended Illness Leave (for non-exempt employees), shall be applied. Available sick time shall be applied for exempt employees.

#### Care of a Child, Spouse, Qualified Same-Sex Domestic Partner, or Parent Who Has a Serious Health Condition.

If a leave is needed to care for a seriously ill child, spouse, qualified same-sex domestic partner, or parent, available family sick days will be applied and accrued vacation time may be substituted for unpaid leave.

#### Continuation of Benefits During Family and Medical Leave

If an employee is already enrolled in health, dental, life insurance or long term disability coverage, such coverage will continue during approved FMLA leaves. Employees are responsible for remitting payments during their leave. Under IRS regulations, contributions to the Tufts University Retirement Plan are not allowed during an unpaid leave. Employee deposits to the Flexible Spending Account Programs also stop during an unpaid leave; however, incurred expenses may continue to be reimbursed for a limited period.

Employees should contact the Benefits Office for detailed information regarding benefits continuation and cost during an unpaid leave.

#### Confidentiality of Medical Records

The University is responsible for the strict confidentiality of medical records related to a staff member or family member's health condition. FMLA records are retained in a confidential file in the campus Human Resources Office.

#### Conditions of Return from FMLA leaves

Before an employee is reinstated following a leave for his or her serious health condition, a letter from his or her health care provider may be required, certifying that he or she is able to return to work and perform essential job functions. This letter should also indicate what accommodations, if any, are recommended. The University may deny reinstatement until such "fitness for work" certification is provided.

At the completion of the approved leave period, an employee will be reinstated to his or her former position or a position of equivalent classification and pay within his or her department. If the position has been eliminated (due to a reduction in

force or other operational change under circumstances applying equally to other similar positions in the department), the Reduction in Force Policy will apply, or efforts will be made to find other suitable employment at the University.

### **SMALL NECESSITIES LEAVE ACT**

Employees who are covered by the Family and Medical Leave Act (FMLA) are also covered by the Small Necessities Leave Act (SNLA). Under the SNLA, employees receive an additional twenty-four (24) hours of unpaid time off during any twelve (12) month period to:

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

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

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

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

# LEAVING THE UNIVERSITY

## REDUCTION IN FORCE

A reduction in force is the elimination of a position such as a change in a University program, department reorganization, budgetary restriction, or the expiration of a grant or contract. An employee may not be terminated for performance or disciplinary reasons under this policy. Reduction in force proposals are reviewed by the appropriate Dean or Director as well as by the campus Director of Employee Relations/Employment, to ensure that the reduction is implemented according to University policy. This policy does not apply to temporary lay-offs.

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

### Employees Under Grants or Contracts

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

### Notice of Reduction in Force

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

### Consideration for Other Employment

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

to purchase the services previously performed by University employees from an outside contractor, the new supplier will be encouraged to employ individuals affected.

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

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

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

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

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

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

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

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

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

#### **Step I**

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

The written request will be reviewed and investigated by the long-term service employee reduction in force committee. At the present time, the committee includes the Executive Vice President, the Provost, and a third member of the administration or faculty appointed by the President. The committee will review the decision to eliminate the position to ensure that it is not arbitrary. The committee will also consider whether there are practical alternatives to the reduction, such as whether employment with the University can be found by providing the employee with additional training, or by finding a comparable position within the University. As part of its investigation, the committee may request a personal meeting with the employee to obtain additional information.

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

## **Step II**

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

## **Rehire**

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

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

A rehired employee will still be subject to a probationary period in his or her new position and will not carry over any sick, vacation, or personal days from prior employment at the University.

## **SEPARATION FROM THE UNIVERSITY**

### **Resignation**

The University hopes that employees will develop long-term careers at Tufts that are both fulfilling and successful. However, if an employee feels the need to resign, he or she may do so, at any time, for any reason. Employees who choose



to voluntarily resign should submit a written notice to his or her supervisor, before leaving the University. This written notification should include the effective date of resignation, specific reason(s) for the resignation, the employee's position and department, and the employee's legal signature.

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

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

### Retirement

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

### Termination

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

### Effect of Separation on Benefits

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

### Exit Interview

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

### Vacation Pay upon Separation

If an employee leaves the University, and has completed ninety (90) days of employment, he or she is entitled to payment for accrued, unused vacation.

### **UNEMPLOYMENT BENEFITS**

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

*Effective: July 2008 (rev0708-1)*