



Personnel Handbook

January 19, 2021
Replaces Prior Versions

IMPORTANT NOTICE AND DISCLAIMER

****PLEASE READ THE DISCLAIMER AND THE PERSONNEL HANDBOOK CAREFULLY.
THE HANDBOOK CONTAINS SIGNIFICANT CHANGES.****

THE CONTENTS OF THIS HANDBOOK ARE PRESENTED AS AN OVERVIEW AND GUIDE TO SOME OF THE CURRENT PERSONNEL POLICIES OF PRESBYTERIAN COLLEGE ("PC" OR THE "COLLEGE") IN EFFECT AS OF THE DATE OF THIS HANDBOOK. THIS HANDBOOK SUPERSEDES AND REPLACES ALL PRIOR POLICIES, WRITTEN AND ORAL. FROM TIME TO TIME THE COLLEGE MAY, IN ITS SOLE DISCRETION, CHANGE, DELETE, OR ADD TO THE PROVISIONS OF THIS HANDBOOK WITHOUT PRIOR NOTICE.

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EACH EMPLOYEE IS COMPLETELY FREE TO LEAVE THE COLLEGE AT ANY TIME HE OR SHE CHOOSES AND THE COLLEGE HAS THE SAME RIGHT TO END THE EMPLOYMENT RELATIONSHIP WITH OR WITHOUT CAUSE AND WITH OR WITHOUT NOTICE. THE EMPLOYMENT RELATIONSHIP IS AT-WILL AND CAN BE TERMINATED BY EITHER THE EMPLOYEE OR THE COLLEGE AT ANY TIME, FOR ANY REASON OR FOR NO REASON, WITH OR WITHOUT NOTICE.

THIS DISCLAIMER EXPRESSES THE COMPLETE UNDERSTANDING CONCERNING YOUR EMPLOYMENT TERMS WITH THE COLLEGE. YOUR STATUS AS AN AT-WILL EMPLOYEE CAN BE CHANGED ONLY BY AN AGREEMENT PERSONALLY SIGNED BY THE PRESIDENT, PROVOST, OR THE CHAIR OF THE BOARD OF TRUSTEES OF THE COLLEGE. NO OTHER OFFICER, EMPLOYEE OR OTHER PERSON HAS THE AUTHORITY TO CHANGE YOUR STATUS AS AN AT-WILL EMPLOYEE.

**This Handbook supersedes all prior handbooks, manuals, procedures, policies and guides.
Effective January 19, 2021**

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Signature

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PRESBYTERIAN COLLEGE

Personnel Handbook

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Applicability and Purpose of this Handbook

This handbook describes some of the personnel policies and procedures of Presbyterian College and applies to (i) all College employees other than faculty across all divisions, schools, and graduate programs of the College unless otherwise specified herein, and (ii) all faculty in the School of Health Professions. In addition, this handbook supplements the School of Pharmacy Faculty Handbook and applies to Pharmacy faculty to the extent policies and procedures addressed herein are not addressed in the Pharmacy Faculty Handbook. In the event of a conflict between the terms of a policy or procedure in this handbook and those of a policy or procedure in the Pharmacy Faculty Handbook, the terms in the Pharmacy Faculty Handbook shall prevail.

This handbook does not apply to faculty of the College of Arts and Sciences. Policies and procedures for College of Arts and Sciences faculty, including non-tenure track faculty, are addressed in Presbyterian College's Faculty Handbook – College of Arts and Sciences.

Not a Contract of Employment

Neither the issuance of this handbook nor any of the policies or language contained within creates a contract of employment, expressed or implied, between Presbyterian College and any of its employees. No promise of continued employment is made or implied by this handbook. In the event that any mandatory language appears in this handbook, the terms of the disclaimer on Page i of this handbook shall govern over any such apparently mandatory language so that no contract is created.

Because it is our policy and a requirement of federal law, we recite in this handbook our opposition to any discrimination or harassment and our commitment to uphold other laws and regulations. This recitation of law, however, does not create a separate contractual obligation.

This handbook does not impose any contractual rights or obligations. It is merely a guide to some of the College's current policies and procedures affecting employees as of the date of its issuance. It is not all-inclusive. The College may interpret, update, amend, or rescind all or part of this handbook at any time, at its sole discretion, without prior notice, and without obtaining any employee consent or agreement.

Meaning of "At-Will" Employment

Absent a written employment agreement with the College personally signed by either the President, Provost, or the Chair of the Board of Trustees of the College stating otherwise, all employees of Presbyterian College are "at-will" employees, meaning that employment is for no definite period of time, and either the College or the employee may terminate the employment relationship at any time for any reason or for no reason, with or without prior notice.

Presbyterian College's History

Presbyterian College is a fully accredited, private, residential, baccalaureate institution related to the Presbyterian Church (U.S.A.). The College provides a liberal arts education within a community of faith, learning, and intellectual freedom.

In 1880, William Plumer Jacobs, pastor of Clinton's First Presbyterian Church, who had earlier established Thornwell Orphanage, founded Presbyterian College primarily to provide education at a higher level for orphans. For many years predominantly an institution for the education of men, Presbyterian College became fully coeducational in 1965.

The College now selects academically qualified students, a majority of whom rank in the top quarter of their high school class. While the student body typically represents more than 20 states and several countries, most of the students traditionally come from the Southeastern United States.

Presbyterian College sustains a Christian heritage of integrity and service not only by striving for academic excellence, but also by a comprehensive honor code, wide-ranging opportunities for volunteer service, and close attention to the needs of each student. The College grants Bachelor of Arts and Bachelor of Science degrees at the undergraduate level. At the graduate level, the College grants Master of Physician Assistant Studies, Doctor of Occupational Therapy, and Doctor of Pharmacy degrees.

Presbyterian College's Mission

The compelling purpose of Presbyterian College as a church-related college is to develop within the framework of the Christian faith the mental, physical, moral, and spiritual capacities of each student in preparation for a lifetime of personal and vocational fulfillment and responsible contribution to our democratic society and the world community. The following goals guide the College in its attempt to fulfill its mission:

- To help students gain a basic knowledge of humanities, natural sciences, and social sciences; a special competence in one or more particular areas of study; and an ability to see these studies as part of the larger search for truth.
- To develop in students the ability to think clearly and independently, to make critical judgments, and to communicate effectively in both speech and writing.
- To foster in students an aesthetic appreciation of the arts and literature.
- To acquaint students with the teachings and values of the Christian faith.
- To help students develop moral and ethical commitments, including service to others.
- To help students attain a sense of dignity, self-worth, and appreciation of other persons with diverse backgrounds.
- To encourage in students an appreciation for teamwork and for physical fitness and athletic skills that will contribute to life-long health.
- To foster in students an appreciation of, and concern for, the environment and natural resources.

It is important that each employee understands these goals and works with all of us toward achieving them. The College's success is certainly attributable to the support of friends, alumni, parents, and donors. Our success, however, is especially dependent on the quality and dedication of our employees.

Application and Employment Practices

Equal Employment Opportunity

It is the continuing policy of Presbyterian College to afford equal employment opportunities to all qualified individuals regardless of race, color, pregnancy, religion, national origin, sex (including pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation), age, disability, ethnicity, citizenship status, gender (including gender nonconformity, gender identity, status as a transgender or transsexual individual, or sexual orientation), veteran status, genetic information, or any other classification protected by federal, state, or local law unless a bona fide occupational qualification applies. Certain positions (for example, the Chaplain) at the College may, as a result of the College's relationship with the Presbyterian Church (USA) have a religious affiliation requirement.

This policy of equal opportunity encompasses all aspects of the employment relationship, including applications and initial employment, promotion and transfer, selection for training opportunities, wage/salary administration, recruiting, hiring, reassignments, sponsored training, compensation, benefits, layoff and rehires, and termination of employment and other terms and conditions of employment as provided by law.

The College, as part of its commitment to equal employment opportunity, intends to adhere to all local, state, and federal laws with respect to equal employment opportunity.

We must all realize that it is the responsibility of each and every employee of the College to give our policy of equal employment opportunity real meaning through our full support.

All members of the Leadership Team of the College or their designee are primarily responsible for seeing that the College's equal employment opportunity policies are implemented, but all employees share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

If you believe you have been discriminated against in any aspect of your employment with the College or otherwise denied an opportunity in violation of this policy, please follow the complaint procedures set forth in the No Harassment or Discrimination policy contained in this handbook or inform the College's Office of Human Resources as soon as possible.

Diversity Recruitment and Hiring

Presbyterian College is an Equal Opportunity Employer. The College seeks to hire the most qualified candidate and does not discriminate against any legally protected class. The College also recognizes, as set forth in its Diversity Aspirational Statement, that "a diversity of human experiences and viewpoints in our learning community strengthens the educational experience of all members of the PC community." Accordingly, the College seeks to "recruit, hire, and retain an increased number of faculty and staff with diverse backgrounds from the United States and abroad."

In furtherance of these commitments to Equal Opportunity and diversity, this Diversity Recruitment and Hiring Policy establishes the following best practices to govern faculty and staff recruitment and hiring efforts.

1. **Composition and Training of the Search Committee; Training of the Hiring Manager.** For positions requiring a search committee, the committee should, to the greatest extent feasible, be a diverse committee comprising faculty, staff, and/or administrators who bring multiple perspectives and an openness to new ideas. The Vice President of Human Resources and Title IX or his/her designee (the “Vice President of Human Resources”) should ensure that committee members are aware of the College’s diversity efforts and needs, as well as the College’s statements and policies on diversity.

For positions where a single hiring manager oversees the search, the Vice President of Human Resources should ensure that the hiring manager is aware of the College’s diversity efforts and needs, as well as the College’s statements and policies on diversity.

2. **Drafting the Position Announcement.** The search committee or hiring manager should (i) determine the essential responsibilities for the position; (ii) define the position as broadly as possible while still meeting the needs of the department or division; (iii) determine the knowledge and skills required, and in the case of a committee, reach consensus prior to beginning a search; (iv) clarify essential and preferred criteria, and in the case of a committee, reach consensus regarding how qualifications will be weighted; and (v) develop a position description and job announcement that accurately represent the responsibilities and expectations associated with the position.

The job announcement should be critically analyzed to ensure that it is geared towards inclusiveness and will enhance the diversity of the faculty and staff. Language in the announcement should be assertive in encouraging diverse groups to apply. In general, the job announcement should be written as broadly as possible so that it does not unnecessarily exclude a wide range of candidates.

3. **Publicizing the Position.** The search committee or hiring manager, in coordination with the Vice President of Human Resources, should work to ensure that a wide variety of appropriate outlets are identified in which to place the announcement and otherwise publicize the announcement. These efforts may include the following:
 - a. Advertisement in specialty journals, organizations, and job posting websites, such as those targeted to women, minorities, and persons with disabilities. The Vice President for Human Resources should maintain a database of such outlets, and should work with the search committee to identify others that may be applicable for a given search.
 - b. Consult relevant candidate databases (such as women and minority graduate and postdoctoral fellowship holders) to identify potential candidates.
 - c. Contact colleagues elsewhere for suggestions of promising minority, women, and other candidates. For faculty hires, search committee chairs may want to send letters to chairs of departments in the relevant field, inviting them to forward the position announcement to their colleagues and to advanced graduate students. These contact letters should invite suggestions of candidates who may be underrepresented in the field.
 - d. Seek candidates who may be competitive for the search but are at less highly-ranked or different types of institutions.

- e. Identify alumni from underrepresented groups in academia and industry, and contact them to evaluate interest in the position.
4. **Evaluation of a Candidate's Commitment to Diversity.** For faculty and officer level positions, as part of the initial application (or for those candidates under consideration for initial interviews), the candidate should be asked to submit a "Statement on Contributions to Diversity." This statement is intended to highlight the candidate's experience with, and interest in, the dimensions of diversity, a comfort level discussing issues of diversity, and an understanding of the challenges faced by certain groups, including elimination of barriers to full participation and advancement. The statement can also highlight how the candidate creates a welcoming environment for all students, address inclusive classroom strategies, outline efforts to engage persons with disabilities, discuss mentoring and professional development of underrepresented students, describe research focused on underserved communities, delineate professional or scientific associations or meetings that aim to increase diversity or address the needs of underrepresented students, staff, or faculty, and outline other research and service activities that remove barriers and increase participation of a diverse student body.

For all other staff positions, the candidate should be asked in the interview process about his or her understanding of and demonstrated commitment to diversity and inclusion efforts.

5. **Tracking Impact of this Policy; Modification and Revision.** The Vice President of Human Resources shall, to the extent feasible, preserve statistics concerning the racial and gender demographics of candidates (i) extended phone interviews and (ii) extended in-person interviews. These statistics shall be evaluated at least every two years, in conjunction with a review of this policy by a committee (hereinafter referred to as the **Review Committee**) consisting of the President of the College, the Director of Diversity and Inclusion and the Vice President of Human Resources and such others as they may determine are needed for the review. In the event that these statistics in the aggregate do not reflect that a diverse group of candidates is being considered for open positions, the **Review Committee** shall propose revisions to this policy designed to assist the College in furthering its commitments to diversity.

Application for Employment

This handbook does not describe the application for employment process. Please contact the Vice President of Human Resources and Title IX if you have questions about the application and hiring process. Also, please refer others not employed by the College to the Office of Human Resources if they have questions or want to apply for a position at the College. All positions approved for hiring are posted on the College's Office of Human Resource web page (www.presby.edu). Employment applications are only accepted for positions that have been approved to fill.

Hiring

The process of hiring is a joint effort between the department involved, the officer responsible for the department, and the College's Office of Human Resources.

Before beginning a search, advertising, or interviewing for any vacant or new position, it is important to first contact the Vice President of Human Resources and Title IX, as the College maintains, and requires compliance with, certain hiring guidelines and has implemented checkpoints for approval throughout the

hiring process. In particular, oral or written offers of employment must be cleared in advance by the Vice President of Human Resources and Title IX.

A request form to hire for a new position or fill a vacant position is required to be completed prior to any advertisement or recruitment efforts. To obtain such a form, go to the Office of Human Resources web page at www.presby.edu or contact the Human Resources Office.

Employment of Spouses, Children, Parents of Current Employees

To avoid the appearance of impropriety, favoritism, or conflict of interest, close relatives (including, but not limited to, parents, children, grandparents, grandchildren, siblings, and spouses) of employees typically are not permitted to work for the College in any role or job duty in which their relative has direct or indirect supervisory or assessment responsibility over him or her, nor in jobs between which separation of duties or other internal controls are, in the College's sole judgment, desirable.

The College has the right to assign or transfer employees to meet its goals and needs, including, without limitation, the need to avoid actual or perceived conflicts of interest and to maintain good internal audit control. Consistent with that right, and in no way limiting it, in certain instances when the College in its sole judgment deems it to be in its best interest, close relatives of employees may not be allowed to work in the same department. The College makes a reasonable effort to transfer current employees in such a case but is not obligated to do so. Each case is considered individually.

Regardless of their assignment, employees should not attempt to influence or participate in hiring decisions, or decisions regarding assignment, direction, coordination, disciplinary action, or evaluation of close relatives.

The President of the College, in conjunction with the Vice President of Human Resources and Title IX, makes any decisions needed if questions arise related to this issue.

Temporary or Student Help

Anyone seeking to employ temporary help in the summer or during the school year should first contact the Office of Financial Aid to see whether or not any of our own students, who have needs that could be met by work, are available and can fill the position.

Managers seeking to hire part-time employees to handle seasonal or project-related positions should discuss the need with the College officer responsible for their area. Managers should contact the Office of Human Resources and review and comply with the College's interviewing and hiring policies, which are located on the PC website (www.presby.edu).

Payroll Practices

Direct Deposits

Direct deposit of paychecks is currently required of all employees. Contact the Payroll Office for detailed information concerning this process.

Date of Pay

Employees who are classified as exempt and paid on a salary basis are currently paid on the last working day of each month.

Non-exempt employees, which include those paid on an hourly basis, are currently paid on a bi-weekly schedule. These employees receive payment approximately two weeks after the employee's time card for the period in question has ended.

If for any reason you believe your paycheck contains an error, you should immediately bring the matter to the attention of the Payroll Office.

Employees should review their statement of earnings each pay-period to verify hours worked, compensation, and deductions. It is the responsibility of the employee to immediately notify The Payroll Office if an error is discovered so that it may be corrected.

Advances

The College does not typically make advances on salary or wage payments.

Deductions from Paychecks

There are certain items that must be deducted from gross wages: Federal Insurance Contribution Act (FICA, social security, and Medicare) taxes, federal withholding tax, state withholding tax, and other deductions required by law, if any. In addition, you may elect to have one or more deductions from your gross wages such as your portion of the health insurance costs, retirement plan contributions, etc. Before any deductions from employees' wages are made, other than those mentioned above as required by law, employees must authorize the deduction in writing. No deduction will be made without advance written authorization. Requests to stop voluntary deductions must also be in writing. Forms for authorizing, stopping, or changing a voluntary deduction are available by contacting the Payroll Office.

The amount of federal and state withholding is affected by the number of exemptions claimed on Form W-4, Employee's Withholding Allowance Certificate. If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, an employee must deliver a new Form W-4 to the Payroll Office to change the number of exemptions claimed for federal and state taxes. The Payroll Office has a supply of these forms. Some timing rules affect deductions (for instance, annual elections required for some benefit plans). The Payroll Office can help you understand the options available to you.

Each payment of wages that employees receive will include a statement of the deductions that have been made from the employees' gross earnings to arrive at the net amount of the wage payment. This statement can be accessed through Employee Self Service. Should employees need a more comprehensive explanation of the reason for a deduction or how the deduction amount was calculated, they should contact the Payroll Office.

If an employee fails to return College equipment or property, and for any other theft, loss, malfeasance, or other amounts owed by the employee to the College payment may be deducted from the employee's

paycheck or final paycheck to the maximum extent permitted by law. Signing for this Handbook provides the College with authorization to make those deductions to the maximum extent permitted by law. It is the policy of the College to comply with the salary basis requirements of the Fair Labor Standards Act. Therefore, we prohibit making any improper deductions from the salaries of exempt employees. If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Payroll Office. The College intends to promptly investigate reports of improper deductions. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

Non-Exempt and Exempt Employees

At the time of hiring, all employees are classified as either “exempt” or “non-exempt,” as expressly defined under the Fair Labor Standards Act (FLSA). This is necessary because, by law, employees in certain jobs are entitled to overtime compensation for hours worked in excess of forty hours per work week, not including paid or unpaid personal time off, vacation, sick, or holiday hours. These employees are referred to as “non-exempt” in this handbook.

To qualify as “exempt,” an employee must generally be a salaried employee engaged in an executive, administrative, professional, outside sales, computer, or teaching position or other exempt classification as defined by the FLSA. Exempt employees are not entitled to overtime pay under the FLSA and/or applicable state law.

If you have any questions as to your status under the FLSA, please see the Vice President of Human Resources and Title IX.

Duties and Normal Work Week

Employees are responsible for duties assigned to them by their supervisor. Accordingly, an employee’s best source of information about specific job duties is his/her supervisor. While job descriptions may be created for certain positions, and employees are responsible for any duties set forth in a written job description for their position, the College reserves the right to amend any written job description and adjust or reassign job responsibilities as it deems best to meet objectives. Employees should ask their supervisors any questions that arise regarding job duties. Supervisors are responsible for modifying written job descriptions as necessary and submitting them to the vice president of the Supervisor’s department for approval. All written job descriptions or modifications thereto must then be submitted to the Office of Human Resources for final approval.

In addition to satisfactorily and effectively performing their regular duties, whether set forth in a written job description or otherwise, employees may be asked to serve on College committees as assigned or elected and to assume duties typically assigned to other Presbyterian College employees.

The current regular operating hours are 8:30 a.m. to 5:00 p.m., Monday through Friday. The normal workday is 7.5 hours for non-exempt employees, (as this time factors in a mandatory one hour lunch period) with 37.5 hours constituting a normal work week. However, some non-exempt employees such as maintenance, library, and public safety staff may be required to work a 40-hour week schedule that

may include weekend hours. Exempt employees generally work the same hours, but may be required to work more hours as the work dictates or based on the needs of the College. While employees are generally expected to work the number of hours stated above, the College does not guarantee that non-exempt employees will actually work that many hours in any given day or week (or to be paid for such hours if they do not work that many hours), and some employees may be required to work weekend hours. Your particular hours of work will be designated and assigned by your supervisor upon hire and may change depending on the business and operational needs of the College. Your work schedule is designed to provide proper staffing coverage and it is essential that you report for work on time.

Non-exempt hourly, and salaried employees are required to accurately record all hours worked through the College's electronic timesheet system, which tracks hours worked as well as time spent on lunch/work breaks and time taken as sick or vacation leave.

Exempt employees are not required to track actual hours worked but are required to submit a monthly record of sick or vacation leave taken during the month via the College's Employee Self Service system.

Each employee's supervisor must approve all hours worked and taken as leave.

Non-exempt employees are prohibited from working "off-the-clock." Any non-exempt employee that is asked to work "off-the-clock" by a supervisor must report the incident to the Office of Human Resources so that a proper investigation can be conducted.

Employees are prohibited from engaging in any conduct to falsify their own or another employee's hours worked. Tampering with, altering or falsifying time records, and recording time for another employee, are serious infractions of policy and may result in disciplinary action, up to and including termination.

Overtime

There may be times when a non-exempt employee is requested to perform work in excess of his/her regularly scheduled hours. Non-exempt employees who are scheduled to work 37.5 hours per week will be paid their regular hourly rate for any additional hours worked between 37.5 and 40 hours.

Overtime is defined as hours worked by a nonexempt employee in excess of 40 hours in a workweek. Non-exempt employees will receive overtime pay of one-and-one-half their regular hourly rate of pay if they exceed 40 hours in a normal workweek not including any vacation, sick, holiday, or other paid/unpaid leave taken during that workweek. The workweek covers seven consecutive days beginning on Sunday and ending on Saturday. Overtime will be kept to a minimum; however, overtime is considered a condition of employment and refusal to accept it may result in disciplinary action, up to and including termination.

The employee's supervisor must approve in advance all hours worked over the typically scheduled hours. Any unapproved overtime may result in disciplinary action. Exempt employees are not eligible for overtime pay.

Evaluations

The College attempts to give each employee, insofar as practical, a performance review on a semi-annual basis. During the first months of employment, performance reviews may be given on a more frequent basis. The performance reviews typically are given in December or January and in May or June of each year. However, the frequency and timing of the reviews may vary at the discretion of the College for many reasons, including but not limited to, length of service, job position, past performance, changes in job duties, or recurring performance problems.

Most employees are asked to develop, with their supervisor's input and approval, annual objectives for their work. Where appropriate, the strategic goals of the College and the annual College operating objectives inform the drafting of individual objectives. The performance appraisal typically covers progress toward these individual objectives.

The performance appraisal typically includes, but is not limited to, such factors as the quality and quantity of work, attendance record, and employee attitude. Special projects or assignments may also be included in the performance appraisal process. A positive evaluation of an employee or the College's failure to evaluate may not preclude disciplinary action, as determined at the sole discretion of the College.

If a review is given, the employee is asked to sign the appraisal simply to acknowledge that it has been presented and discussed. The employee is given the opportunity to submit a written statement that is kept on file with the evaluation.

If at any time there are questions about the job or performance, employees should speak with their supervisor.

Transfers

Transfers are based on an individual candidate's qualifications without regard to race, color, pregnancy, religion, national origin, sex (including pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation), age, disability, ethnicity, citizenship status, gender (including gender nonconformity, gender identity, status as a transgender or transsexual individual, or sexual orientation), veteran status, genetic information, or any other classification protected by federal, state, or local law unless a bona fide occupational qualification applies. Certain positions (for example, the Chaplain) at the College may, as a result of the College's relationship with the Presbyterian Church (USA), have a religious affiliation requirement.

All inter-college personnel changes must be discussed by the current and proposed supervisors with the Vice President of Human Resources and Title IX before the change is offered and must be approved by the VP of Human Resources along with the vice president of each area.

An internal hire is the hiring of a current College staff member to fill another posted position within the College. Officers or designated hiring coordinators are encouraged to consider competitively qualified, current College staff members to fill vacant positions.

Staff members should have satisfactory performance reviews to be considered for internal moves. Staff members must have at least nine months of continuous service in their current positions to be eligible for transfer. The President at his/her discretion can waive the nine month service rule.

Employees interested in a transfer must submit their application and updated resume to the Office of Human Resources. Application and resumes will be reviewed by the Vice President of Human Resources or their designee. Applications and resumes that meet the position requirements will be sent to the officer or designated hiring coordinator for review.

Current employees may have an initial interview with the officer or designated hiring coordinator after consultation with the VP of Human Resources. If a second interview is granted or the officer or designated hiring coordinator indicates that they are seriously considering the employee for the position, then the employee must notify his or her department head or ask the VP of Human Resources to make the notification of the possible pending transfer or promotion to the appropriate offices.

In the event of a transfer or promotion, an employee typically retains all accrued vacation/sick leave.

Employees transferred may be expected to help train new personnel in their previous position.

Conflicts of Interest

All Presbyterian College employees are in positions of trust and responsibility. Accordingly, they have a duty to see that the College's operations are always conducted in conformity with the highest business standards and to avoid any relationships, activities, conduct, or interests which conflict with the legitimate business interests of the College.

College employees are expected to make prompt and full disclosure to the President or the Vice President of Human Resources and Title IX of any situation that conflicts with the operations or interests of Presbyterian College. All disclosed information will be treated as confidential, to the extent possible and as permitted by law.

Some employees who have supervisory or financial responsibility are asked to sign an annual conflict of interest disclosure statement. If this applies to you, the President, Vice President for Finance and Administration, or the Vice President of Human Resources and Title IX will contact you with a copy of the disclosure form.

Outside employment which competes with the College or which interferes with the employee's ability to perform his or her job at the College is not permitted.

No Harassment or Discrimination Policy

Presbyterian College's commitment to diversity and inclusivity is grounded in the College's Mission and Diversity Aspiration Statement and welcomes the contributions of divergent voices as we seek to foster a deep, shared sense of purpose.

The College seeks to foster mutual respect and understanding among and for all people of different cultures, ethnicities, races, religions, sexual orientations, genders, ages, national origins, socioeconomic backgrounds, abilities, and worldviews, among others; for we believe a diversity of human experiences and viewpoints in our learning community strengthens the educational experience of all members of the PC community.

Accordingly, the College does not authorize and will not tolerate any form of harassment or discrimination of or by any employee in the workplace, including discrimination based on race, color, ethnicity, sex (including pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation), religion, age, national origin, pregnancy, physical or mental disability, veteran status, citizenship status, genetic information, gender (including gender nonconformity and status as a transgender or transsexual individual, or sexual orientation), or any other classification protected by law. This No Harassment or Discrimination Policy applies to all terms and conditions of employment with the College, including but not limited to, compensation practices. The College recognizes that harassment and discrimination via social media is a serious matter and intends to treat such claims the same as other claims, as set forth below.

As used in this policy, the term “discrimination” includes, but is not limited to, detrimental or demeaning conduct.

Employees can anonymously fill out the Bias Incident Reporting Form to report any intentional or unintentional display of hostility on the basis of race, color, ethnicity, sex (including pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation), religion, age, national origin, pregnancy, physical or mental disability, veteran status, citizenship status, genetic information, gender (including gender nonconformity and status as a transgender or transsexual individual, or sexual orientation), or any other classification protected by law.

Unlawful workplace harassment includes, but is not limited to, verbal harassment (epithets, derogatory statements, remarks about an individual's body, degrading words used to describe an individual, demands for sexual relations or sexual contact, threats or insinuations that the person's employment, wages, promotional opportunities, work assignments or other conditions of employment may be adversely affected by not submitting to sexual advances or improved by submitting to those advances, unwelcome jokes, slurs, etc.), physical harassment (touching or physical interference with normal work), visual harassment (leering, making sexual or inappropriate gestures, displaying sexually suggestive posters, cartoons, or drawings), and innuendo.

Harassment can occur in person, online, on College premises, and off College premises.

Sexual Harassment

One form of unlawful workplace harassment is sexual harassment. Unlawful “sexual harassment” includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal or physical conduct, visual forms of harassment of a sexual nature, or other harassing or unwelcome comments or conduct of a sexual nature when submission to that conduct is either explicitly or implicitly made a term or condition of employment or is used as the basis for employment decisions, or when that conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented “kidding”, “teasing” or “practical jokes”, jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another’s body; or reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.

How to Report Instances of Harassment or Discrimination

The College cannot resolve matters that are not brought to its attention. Any employee, regardless of position, who feels that he or she has been discriminated against or harassed by anyone, including supervisors, managers, employees or even non-employees, including students, in the course of the employee’s work at the College must immediately report any and all instances of harassment or discrimination to the employee’s supervisor, the employee’s supervisor’s manager, or the Vice President of Human Resources and Title IX so that an investigation of the complaint can be undertaken. Further, any employee who observes conduct by another supervisor, manager, employee, or non-employee which he or she believes to be harassing, retaliatory, or discriminatory must report such conduct as outlined above.

How the College Will Investigate Complaints

The College will thoroughly and promptly investigate all claims of discrimination. Complaints of discrimination or harassment that implicate the College’s Sexual Misconduct Policy will be addressed under the procedures of that Policy.

For all other complaints, following an investigation the College will meet with the complaining employee to discuss the result of the investigation and, where appropriate, review the proposed resolution of the matter. If an investigation confirms that discrimination has occurred, the College may take corrective action, including such discipline up to and including immediate termination of employment, as is appropriate. Complaints of discrimination will be kept as confidential as possible under the circumstances. Information will be released only on a “need to know” basis, as determined by the College. In determining whether to release information, the College may consider, among other factors, the need to protect witnesses and prevent cover ups, evidence destruction and/or the fabrication of testimony. Such decisions will be made on a case-by-case basis. Individuals who knowingly provide false information in an investigation will be subject to adverse employment action, up to and including suspension or immediate termination in the sole discretion of the College. An employee who remains unsatisfied during or after the investigation of his or her discrimination complaint or believes that an investigation was untimely or insufficient should promptly seek review by The President of the College.

Any employee who engages in conduct that violates this policy, or whose conduct would violate this policy if allowed to continue, is subject to disciplinary action up to and including suspension or termination.

Non-Retaliation

The College prohibits retaliation or discrimination against any employee who complains in good faith of sexual or other harassment or discrimination or provides truthful information in connection with any such complaint. No employee or applicant for employment is subject to restraint, interference, coercion or reprisal for seeking information about harassment or discrimination, filing a harassment or discrimination

complaint or serving as a witness with respect to such complaint. Any employee who believes that he or she has been retaliated against in violation of this policy should immediately report the matter to the Vice President for Human Resources and Title IX.

The College also prohibits retaliation against any person for making a report, requesting guidance or providing information about any matter the employee reasonably believes constitutes a violation of law, or for participating in, cooperating or assisting in any investigation, or providing testimony in any governmental proceeding. The College's policy also prohibits retaliation against a person who provides truthful information relating to the commission or possible commission of a federal offense or who reasonably believed that what he or she reported constituted a violation, even if it later turns out that the person was mistaken in reporting the matter originally. The College prohibits intentionally filing a knowingly false report. If an employee suspects that he or she or someone else has been retaliated against, the employee should report the matter promptly to the Vice President for Human Resources and Title IX.

Sexual Misconduct Policy

The College's Sexual Misconduct Policy (dated August 14, 2020) can be found on the College's website <https://www.presby.edu/doc/hr/SexualMisconductPolicy.pdf>. This policy is used to address and resolve allegations of Sexual Harassment, Sexual Exploitation, and Sexual Intimidation, as these terms are defined under the Policy.

The Sexual Misconduct Policy has been adopted pursuant to Title IX of the Educational Amendments of 1972 and its implementing regulations at 34 CFR § 106.

While new Title IX regulations issued in 2020 contain specific requirements for how to respond to reports of sexual harassment, which is newly defined by the regulations, the preamble to the new regulations provides flexibility for the College to continue responding to and investigating reports of conduct that is outside of the scope of the new regulations but still in violation of College policy. If the College determines that reported conduct falls outside the scope of the new regulations, it will be addressed under the standard policies in this Handbook for resolving discrimination and harassment.

PC remains deeply committed to responding appropriately to all allegations of sexual assault or sexual harassment, including those that do not fall within the scope of the new Title IX regulations, such as conduct that does not meet the narrowed Title IX definitions, and will continue to address reports of sexual and gender-based harassment and violence in a manner that is empathetic, fair, and equitable.

Civility and Anti-Bullying Statement

Statement of Aims

Bullying and a lack of civility can foster a climate of fear and disrespect that seriously impairs physical and psychological health and creates conditions that can negatively affect any living, learning, and/or working environment. Presbyterian College's Mission Statement affirms that "the compelling purpose of Presbyterian College, as a church-related college, is to develop within the framework of Christian faith the mental, physical, moral, and spiritual capacities of each student in preparation for a lifetime of personal

and vocational fulfillment and responsible contribution to our democratic society and the world community.” This guiding statement specifically calls upon our community “to help students attain a sense of dignity, self-worth, and appreciation of other persons of diverse backgrounds.”

In accordance with these core aims, Presbyterian College is issuing this statement to educate our College community about bullying and to promote civility and respect for everyone. The College’s conduct policies were already designed to protect community members from any such behaviors, as defined below, taken against a community member, including those based on any federally protected class, including race, gender, sexual identity/orientation, ability/disability status, class, religion or culture, or based on affiliation with any College recognized group or organization. Such behaviors are antithetical to our community and can cause substantial harm. Accordingly, serious cases could give rise to severe penalties. The purpose of this statement is to establish clear expectations, and to emphasize the applicability of the College’s longstanding rules to the particular problem of bullying.

A. DEFINITIONS

1. Bullying is defined as the unwelcome acts of an individual or group of individuals that are intended to humiliate, harass, mentally or physically injure or intimidate, and/or control another individual or group of individuals, and which are sufficiently severe or pervasive to have a material impact on the ability of a reasonable member of the community to participate in the living, learning, and/or working environment of Presbyterian College.
2. Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents, and may be observed in the following forms, which are not exclusive:
 - Physical Bullying includes striking, pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; or damaging a person’s work or living area, personal property, or work product.
 - Verbal/Written Bullying includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual’s known intellectual or physical vulnerabilities.
 - Nonverbal Bullying includes directing objectively threatening or intimidating gestures toward a person or invading personal space after being asked to move or step away. Nonverbal bullying may also involve stalking, unconsented photography or recording of private acts, and/or the disclosure of private facts or images of a person as to which the person has a reasonable expectation of privacy.
 - Cyber bullying is defined as bullying an individual using electronic media or devices, including but not limited to the internet, interactive and digital technologies, social media, and/or personal electronic devices. Cyber bullying may include verbal/written bullying and/or nonverbal bullying.

B. ACADEMIC FREEDOM, FREE SPEECH, AND NORMAL SOCIAL INTERACTION

Freedom of expression and thought are as essential for a thriving academic community as are the guiding principles of our mission statement that emphasize civil social conduct. As a community of imperfect human beings who learn, live, and work together, Presbyterian College must honor both goals.

Honestly held and reasonable differences of opinion are protected at Presbyterian College, in and out of the classroom. Discussion of an academic subject, even when the ideas are controversial, is protected. Disagreements and criticism, even when strongly asserted, are not bullying if they are aimed at ideas and actions, rather than at hurting or humiliating individuals. And while kindness and civility are virtues and aims of the College, not every unkind or uncivil remark or act is punishable. Social interactions sometimes result in hurt feelings. This is always unfortunate, but a social slight, criticism, or rebuff is not bullying unless it satisfies the definition above.

C. REPORTING AND ADDRESSING INCIDENTS

The College will address conduct of students, faculty, or staff who engage in bullying. All incidents of bullying should be immediately reported to a member of the Campus Life Staff (Student incidents), the Faculty Advocate (Faculty incidents), and/or Human Resources (Faculty and Staff incidents). As in any case of emergency, immediately contact Presbyterian College Campus Police if you feel you are in danger.

For Faculty and Personnel Handbooks: Employee behavior that has been reported as bullying will be addressed under the appropriate handbook and policies as published by Human Resources.

Garnet Book: Student behavior that has been reported as bullying will be referred to Student Conduct for handling. Charges for bullying conduct may include: Computer and Technology Misuse, Discrimination and Harassment, Disorderly Conduct and Disruption of College Activities, Harm to Person/Threat to Safety or Well-Being, and/or Stalking. These can be serious charges with sanctions up to and including Suspension or Expulsion as possible outcomes.

Discipline and Termination

We believe that our employees are and will continue to be good citizens, both in the community and in their positions. We also believe that our employees ordinarily will not engage in acts contrary to the best interests of themselves, other employees, students, or the College. All employees are expected to observe common-sense rules of honesty and adhere to generally accepted standards of conduct. Employees shall conduct themselves in a manner that will bring credit to themselves and to Presbyterian College.

In instances in which an employee engages in conduct contrary to these interests, the employee may be disciplined, up to and including suspension with or without pay or immediate termination. The College has no obligation to use any particular form of discipline. Because the circumstances of each situation are different, the College may handle each disciplinary situation differently without setting a precedent for future cases. Nothing herein constitutes a contract of employment or guarantees that your employment will continue for any specified period of time.

Behavior for which the College may choose to discipline includes among other things: absenteeism; chronic tardiness; unexcused absences; inappropriate conduct on College property; theft; poor work habits; misuse or abuse of College property; incompetence; inability to function in job capacity; harassment, abuse or endangerment of visitors, fellow employees, or students; dishonesty; insubordination; violation of College policies; reporting to work under the influence of illegal drugs or alcohol; possession, use, sale, trade, or distribution of illegal drugs; bringing a firearm into the workplace or carrying a firearm on campus without coordination through and express, written permission from the Director of Public Safety; abuse of benefits; and gross negligence of duty.

The list is not intended to include all offenses for which an employee may be disciplined or discharged. Improper conduct of any type may result in discipline, up to and including immediate termination at the sole discretion of the College, with or without notice, even though the conduct in question is not specifically mentioned in this handbook.

Suspension for Misconduct

An employee may be suspended without pay for misconduct at the sole discretion of the College. The extent of the misconduct is a factor taken into account when making the decision.

The College has no obligation to use any particular form of discipline. Nothing herein constitutes a contract of employment or guarantees that your employment will continue for any specified period of time.

Resignation

If an employee plans to terminate his or her employment, that person is expected, but is not required, to give the College a minimum of two weeks' notice.

Employees who have been terminated or who have voluntarily resigned are compensated for any accrued but unused vacation time, subject to limits in the College's then-current vacation policies.

Employees are not paid in lieu of any accrued but unused sick leave balance at the time of resignation or termination of employment.

Open Door Policy

It is the intention of the College to maintain open communications with all its employees.

If you have any questions, issues, or concerns regarding your employment, the College encourages you to discuss the matter with your immediate supervisor. If this does not resolve the issue (or if the issue involves your supervisor), the director or officer to whom your supervisor reports is available and accessible to meet with you to address any questions, issues, or concerns. Employees are encouraged to seek guidance and consultation from the Vice President of Human Resources and Title IX, if at any time concerns are not being properly addressed. In addition, the Vice President of Human Resources and Title IX is available to discuss any issue employees are uncomfortable addressing with other members of management.

Documentation of such matters may be incorporated in the employee's personnel file.

Attendance and Leave Policies

Because of the nature of your work, punctual and regular attendance is an essential function of each employee's job and is important for the College to function. Employees must schedule time off in as far in advance as possible. Although illness cannot be predicted, prompt notice is required when an employee is out for sick leave. It is a good idea to let your family (or those who would assist you in an illness) know how to contact your supervisor.

The College currently provides paid leave (for instance, paid vacation, paid holidays, and paid sick leave) to employees who typically work a full 30- to 40- hour workweek on a year-round schedule. In a more limited fashion, some forms of paid leave may be available to part-time and seasonal employees who typically work fewer than 30 hours per week or whose normal work schedule is not year-round.

Certain categories of employees do not accrue paid vacation, sick leave, or receive other types of paid leave. These include coaches, assistant coaches, athletic trainers, assistant athletic trainers, employees who work fewer than 20 hours per week, and temporary employees.

The following sections outline current eligibility and limits. These benefits are subject to change at the discretion of the College.

Vacation

Accruing Vacation

All full-time employees who typically work on campus 30 or more hours per week, 12 months per year, will accrue vacation according to the following schedule:

<u>Accrual Limit</u>	<u>Hours per month 37.50 work week</u>	<u>Hours per month 40 hour work week</u>
10 days	6.25 (75.00 hrs. per yr.)	6.66 (80.00 hrs. per yr.)
15 days	9.38 (112.56 hrs. per yr.)	10.00 (120.00 hrs. per yr.)
20 days	12.50 (150.00 hrs. per yr.)	13.33 (160.00 hrs. per yr.)

- Full-time employees who typically work on campus 30 or more hours per week, 12 months per year, may earn paid vacation up to the following accrual limits:
 - Administrative Officers may earn up to 4 weeks (20 days) vacation per fiscal year
 - Administrative Directors or Deans with less than 5 years of continuous employment with the College as of June 30 of the prior fiscal year, may earn up to 3 weeks (15 days) vacation per fiscal year
 - Administrative Directors or Deans who have completed 5 or more years of continuous employment with the College as of June 30 of the prior fiscal year may earn up to 4 weeks (20 days) vacation per year in subsequent fiscal years
 - Staff with less than 5 years of continuous employment with the College as of June 30 of the prior fiscal year may earn up to 2 weeks (10 days) vacation per fiscal year

- Staff who have completed 5 or more years of continuous employment with the College as of June 30 of the prior fiscal year may earn up to 3 weeks (15 days) vacation per year in subsequent fiscal years

Part-time employees who typically work on campus 20-29 hours per week, 12 months per year, may also accrue paid vacation in proportion to the number of hours they are regularly scheduled to work. Examples:

- Part-time employees who work 20 hours per week (4 hours/day, 5 days/week) and have been continuously employed at the College for less than 5 years of continuous employment as of June 30 of the prior fiscal year will earn 10 four-hour days of vacation
- Part-time employees who work 20 hours per week (4 hours/day, 5 days/week) and have been continuously employed at the College for more than 5 years of continuous employment as of June 30 of the prior fiscal year will earn 15 four-hour days of vacation

Part-time employees who work fewer than 20 hours per week are not eligible for paid vacation.

Seasonal employees who typically work fewer than 12 months per year (even if paid over 12 months), regardless of the number of hours worked per week, are not eligible for paid vacation.

Employees who work full time from home will, at the discretion of their supervisor, be allowed up to 2 weeks (10 days) per fiscal year of paid vacation time. Notwithstanding anything to the contrary in this policy, these weeks will not be allowed to carry over into the following fiscal year. (The working from home vacation policy may be amended by the Leadership Team.)

Part-time regular employees accepting full-time regular employment may receive credit for accumulated service based on the circumstances of each case.

Vacation credits are not earned or accrued for any period of time when an employee is on any leave of absence without pay (including FMLA leave). Vacation accrual stops during certain leaves of absence such as FMLA. Consult the Office of Human Resources if you have questions about your vacation accrual.

Taking Vacation

Vacation must be scheduled as far in advance as possible. Approved time off is paid at the employee's regular rate of pay. Vacation cannot typically be taken in advance of being earned. At the College's discretion, an employee may be allowed to take vacation before it is earned, provided that the employee agrees in writing to reimburse the College for any unearned but used vacation should the employee leave the College before completing enough service to earn the amount of vacation advanced.

Also:

- Employees may not receive pay in lieu of earned vacation.
- College holidays occurring during a vacation period are not counted as vacation days.
- Serious illness occurring during vacation is considered sick leave and is not charged to vacation unless all sick leave has been exhausted.

Unused Vacation

To ensure an accurate record of accumulated vacation leave, employees are required to record all time away from their work. Failure to properly record time off is against College policy.

If an employee retires or voluntarily terminates employment, the employee is currently paid for accrued but unused vacation at the employee’s final rate of pay, subject to the limits in the College’s then-current vacation policy. Employees who are terminated involuntarily forfeit any accrued but unused vacation.

An employee may carry forward into the new fiscal year previously earned but unused vacation as indicated below.

Employees hired prior to July 1, 2020, may carry forward into the next fiscal year previously earned but unused vacation time as indicated below:

Vacation Earned	Maximum Amount of Unused Vacation Time to Carry Forward to Next Fiscal Year
July 1, 2019 to June 30, 2020	2 times the amount earned during this period to FY21
July 1, 2020 to June 30, 2021	1.5 times the amount earned during this period to FY22
July 1, 2021 to June 30, 2022	1.25 times the amount earned during this period to FY23
July 1, 2022 and beyond	1.0 time the amount earned during this period to FY24 & beyond

Employees hired July 1, 2020, or after may carry forward a maximum of 1 time the amount of vacation days the employee was allowed to earn during the previous fiscal year.

Substitution of Paid Leave

Presbyterian College requires the employee to substitute applicable accrued paid leave (both vacation and/or sick) to cover some or all of the situations covered by FMLA.

Sick Leave

The College currently provides paid sick leave in the event of an illness, a visit to a licensed healthcare provider, or an accident that is not work related or covered under the workers’ compensation laws of South Carolina. Sick leave is not to be used as additional personal time off.

Accruing Sick Leave

- Employees who typically work at least 30 hours/week accrue sick leave at a rate of one day per month worked, up to 12 days per fiscal year.
- Coaches, athletic trainers, and Sports Information employees accrue sick leave at a rate of one day per month (August through May), up to 10 days per fiscal year.
- Employees who typically work between 20-29 hours per week accrue sick leave at the same rate as regular employees only in the proportion that their typically scheduled hours bears to 40 hours per week. (For example, an employee who typically works four hours per day would accrue four hours of sick leave eligibility per month.)
- Sick leave eligibility does not accrue for periods of time when an employee is on leave of absence without pay, including FMLA leave.
- Temporary employees or employees who typically work fewer than 20 hours per week are not eligible for sick leave.

Taking Sick Leave

Sick leave may be used for an employee's personal illness or wellness visit to a licensed healthcare provider. Sick leave may also be used for illness and well-care of an employee's spouse or dependent children.

“Dependent children” means children up to the age of 26 who are eligible for coverage under the College’s health insurance plan regardless of whether or not coverage is actually elected. Contact the Office of Human Resources you have questions about eligibility.

Employees must notify their supervisor as far in advance as possible when sick leave is taken. If an employee is out for more than three consecutive days, the supervisor and employee must notify the Human Resources Office. A notice from the employee’s healthcare provider may be needed to return to work.

Also:

- Sick leave may not be used in advance of being accrued.
- Sick leave is paid only to the extent of the normal work period. No overtime is paid for sick time taken. (Example: a person who typically works a 40-hour work week, works 37 hours in four days during one week, then becomes ill and takes a sick day. That individual would receive regular pay for 37 hours and 3 hours of sick leave pay for the week.)
- College holidays occurring during non-FMLA paid sick leave are not charged to sick leave.
- Sick leave shall not be taken in less than one-hour increments.

Unused Sick Leave

Unused sick leave may be carried forward from year to year up to a maximum of 132 working days.

At the time of resignation or termination of employment for any reason, employees are not paid for accrued but unused sick leave.

Substitution of Paid Leave

The College requires the employee to substitute applicable accrued paid leave (both vacation and/or sick leave) to cover some or all of the situations covered by FMLA.

Family and Medical Leave Act (FMLA)

Under the Family and Medical Leave Act of 1993, as amended (FMLA), employees may be eligible for a period of job-protected unpaid leave for certain family and medical reasons as described below. This Family Medical Leave Act Policy (“Policy”) provides an overview of employees’ rights and responsibilities under the FMLA as well as Presbyterian College’s own policies regarding FMLA Leave. Presbyterian College has posted notices of the FMLA where other employment notices are routinely posted. The information in those posters is incorporated into this policy by reference.

The information listed below briefly outlines the general rights and obligations of employees and employers under the FMLA. This information is intended to be a short summary, not a full description of how an individual employee might be subject to or benefit from FMLA. An employee who thinks his/her situation might be affected by FMLA should contact the Vice President of Human Resources and Title IX

for specific, personalized information. In each case, the precise rights and obligations of employees and Presbyterian College will be governed by the law itself.

General Eligibility

To be eligible for FMLA Leave under this Policy, an employee must have worked at Presbyterian College for at least 12 months and must have worked at least 1,250 hours during the 12-month period prior to the commencement date of any leave requested under this Policy. Eligibility will be determined as of the date the FMLA leave commences. Employees who work at a site at which fewer than 50 employees are employed within a 75-mile radius are not eligible for leave under this Policy. When a request for FMLA is made, Presbyterian College will advise of the employee's eligibility and the employee's rights and responsibilities.

Presbyterian College uses a 12-month "rolling" period to measure backward from the date an employee uses any FMLA leave.

Types and Duration of FMLA Leave

Bonding Leave; Serious Health Condition Leave; Leave to care for a family member with a Serious Health Condition; Active Duty Leave

An eligible employee may take up to 12 weeks of unpaid leave during a rolling 12-month period (measured backward from the date an employee uses FMLA leave) for the following reasons:

the birth of the employee's child and to bond with the child; or for placement through adoption or foster care and to bond with the newly placed child. Such leave must be concluded no later than 12 months after the birth or placement of the child with the employee;

to care for an immediate family member (spouse, child under 18 years old or a child 18 and over who is incapable of self-care because of a disability, or parent) with a serious health condition;

because of a serious health condition which renders the employee unable to perform the functions of his/her job; or

because of any qualifying exigency arising out of the fact that an employee's spouse, son (of any age), daughter (of any age) or parent, who is serving in any branch of the US military (including the National Guard or Reserves), has been deployed or called to active duty in a foreign country ("Active Duty Leave").

Military Caregiver Leave

An employee also may be eligible for Military Caregiver Leave to care for a spouse, son (of any age), daughter (of any age), parent or next of kin who is: 1) a current member of the Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, which is incurred in the line of duty (or for a pre-existing injury or illness which is aggravated in the line of duty) and that renders the service member medically unfit to perform the duties of his or her office, grade, rank or rating, or 2) a veteran who was a member of any branch of the Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or

therapy, for a serious injury or illness that occurred in the line of duty (or for a pre-existing injury or illness which was aggravated in the line of duty) at any time within 5 years preceding the treatment, recuperation or therapy. A covered veteran incurs a serious illness or injury for purposes of this paragraph when one of the following occurs:

1. The injury or illness makes him or her medically unfit to perform the duties of his or her office, grade, rank or rating.
2. It causes the service member to have a VA Service Disability Rating is at 50% or greater.
3. It is a mental or physical condition substantially impairs their ability to obtain gainful employment.
4. The VA enrolls the employee in the Department of Veteran Affairs Program of Comprehensive Assistance for Family Caregivers.

Eligible employees are entitled to a total of 26 weeks of unpaid Military Caregiver Leave during a single 12-month period. This single 12-month period begins on the first day an eligible employee takes Military Caregiver Leave (as long as it is within 5 years of the covered service member's active duty) and ends 12 months after that date. Military Caregiver Leave applies on a per-covered service member, per-injury basis, so that an employee may be eligible to take more than one 26 week period of Military Caregiver Leave, but no more than 26 weeks of leave may be taken during any one 12-month period.

An eligible employee is entitled to a combined total of 26 workweeks of leave for all FMLA qualifying reasons during the single 12-month period described above. For example, if an employee takes 10 weeks of FMLA leave due to his/her own serious health condition, the employee may take only 16 weeks of Military Caregiver Leave during that same 12 month period.

Definitions

- A. A "serious health condition" as referred to above means an illness, injury, impairment, or physical or mental condition that involves:
 1. in-patient care (i.e., an overnight stay) in a hospital or other medical care facility (including any period of incapacity or any subsequent treatment in connection with such in-patient care);
 2. a period of incapacity of more than three (3) consecutive full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves: (i) treatment two (2) or more times by a health care provider or under the supervision of a health care provider the first being within seven (7) days of the onset of the incapacity and the second being within thirty (30) days of the start of the incapacity, or (ii) treatment by a health care provider on at least one (1) occasion within seven (7) days of the start of the incapacity which results in a regimen of continuing treatment under the supervision of a health care provider;
 3. any period of incapacity or treatment due to pregnancy, or for prenatal care;

4. any period of incapacity or treatment due to a chronic serious health condition requiring periodic visits of at least twice a year for treatment by a health care provider;
 5. a period of incapacity or treatment which is permanent or long-term due to a condition for which treatment may not be effective, during which the employee (or family member) must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
 6. any period of absence to receive multiple treatments by a health care provider or under the supervision of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that will likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.
- B. A “qualifying exigency” referenced above under “Active Duty Leave” refers to the following circumstances:
1. Short-notice deployment: to address issues arising when the notification of a call or order to active duty is seven (7) days or less;
 2. Military events and related activities: to attend official military events or family assistance programs or briefings;
 3. Childcare and school activities: for qualifying childcare and school related reasons for a child, legal ward or stepchild of a covered military member;
 4. Care of the covered military member’s parent if the parent is incapable of self care;
 5. Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member;
 6. Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
 7. Rest and recuperation: to spend up to fifteen (15) calendar days for each period in which a covered military member is on a short-term rest leave during a period of deployment; or
 8. Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90 days after a covered military member’s active duty terminates or to address issues arising from the death of a covered military member while on active duty.

When Spouses Work Together

If both spouses are employed by Presbyterian College and are eligible for leave under this policy, they are eligible for a combined total of 12 weeks of leave within the applicable 12-month period when the leave is due to the birth or placement of a child or to care for a parent who has a serious health condition, or a combined total of 26 weeks within the applicable 12-month period when the leave is due to the birth or placement of a child or to care for a parent who has a serious health condition and for Military Caregiver Leave. (However, in no event shall the spouses take more than a combined total of 12 weeks of leave

within the applicable 12-month period for the birth or placement of a child or to care for a parent who has a serious health condition).

Notice of Need for FMLA Leave

An employee who wants to take FMLA must follow and comply with any rules of Presbyterian College regarding the reporting of absences. Failure to adhere to normal Presbyterian College call-in procedures can result in discipline, as with any other type of leave.

If FMLA applies or believed to possibly apply, the employee will be required, thereafter, to contact the Human Resource Office to complete a request for leave. The employee will be required to fill out prescribed forms requesting leave.

To avoid a delay in FMLA protection, the employee must give notice as soon as possible and practicable under the circumstances of enough facts to advise the person receiving the call that FMLA may apply. Employees are always required to give notice as soon as practicable and possible, but, except for instances of active duty leave, an employee is not required to provide more than thirty (30) days advance notice.

If an employee fails to give the required notice with no reasonable excuse, FMLA coverage may be delayed for a period of time. This can result in discipline for absences taken prior to FMLA coverage commencing.

Employees should make every reasonable effort to schedule foreseeable medical treatments so as not to disrupt the ongoing operations of Presbyterian College.

Substitution of Paid Leave for Unpaid FMLA Leave

Employees must concurrently exhaust any short-term disability benefits, workers compensation benefits, accrued vacation and/or sick leave, or any other form of applicable paid leave for FMLA leave. All substituted paid leave that is being concurrently exhausted will be counted against an eligible employee's FMLA leave entitlement.

Intermittent FMLA Leave

Intermittent or reduced schedule leave is leave at varying times for the same qualifying condition. Intermittent leave or reduced schedule leave may be available if the need for leave is due to an employee's serious health condition or an employee's immediate family member's serious health condition and when the need for intermittent or reduced schedule leave is certified by a health care provider. Intermittent or reduced schedule leave is not available for the birth or placement of a child for adoption or foster care, unless the College agrees. Military Caregiver Leave may be taken intermittently or on a reduced leave schedule when medically necessary. Active Duty Leave may also be taken on an intermittent or reduced leave schedule.

Employees who take foreseeable intermittent or reduced schedule leave must attempt to schedule their intermittent or reduced schedule leaves so as not to disrupt the operations of Presbyterian College and in some instances, Presbyterian College may require employees taking foreseeable intermittent or reduced schedule leaves to transfer temporarily to an alternative position for which the employee is qualified and which better accommodates the employee's leave schedule. Pay and shifts would not be affected by a change to an alternate position. Time worked in the alternate position would not count towards the employee's FMLA leave entitlement.

Employees taking unforeseeable intermittent leaves must follow and comply with any rules of Presbyterian College regarding the reporting of absences, absent unusual circumstances.

Documentation Supporting FMLA Leave

An employee requesting leave for a serious health condition must provide a completed FMLA Certification of Health Care Provider Form supporting the need for the leave. A request for reasonable documentation of family relationship verifying the legitimacy of a request for FMLA Leave may also be required.

The employee will have fifteen (15) days in which to return a completed Certification form following College's request for the certification. If the employee fails to provide timely certification after being required to do so, covered leave may be delayed moving forward until the certification form is finally submitted. Absences counted against the employee for a late certification will not be reversed absent exceptional circumstances. If an employee never returns the completed form, the FMLA will be denied and the absences will be unprotected. If the Certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will be given a period of seven (7) days to provide the necessary information.

In some circumstances, a second opinion, at the expense of Presbyterian College, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of Presbyterian College, may be required. The opinion of the third health care provider, which the College and the employee jointly select, will be the final and binding decision.

A request for Active Duty Leave must be supported by the Certification of Qualifying Exigency for Military Family Leave form as well as appropriate documentation, including the covered military member's active duty orders.

A request for Military Caregiver Leave must be supported by the Certification for Serious Injury or Illness of Covered Servicemember form or Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave form as well as any necessary supporting documentation.

Providing false information to Presbyterian College in an attempt to obtain FMLA leave will result in no FMLA protection, and it may also constitute a policy violation and result in discipline up to and including discharge.

Once Presbyterian College has received a complete and sufficient certification form from the employee, the College will advise the employee whether he or she has been approved or denied FMLA and, if possible, will advise how much FMLA will be used.

Recertification

In the following circumstances, Presbyterian College may, in its sole discretion, require recertification of the qualifying reason for FMLA: (1) where the employee needs more leave than the original certification justified; (2) where circumstances and facts cast doubt on the employee's need for FMLA; or (3) when the need for FMLA extends beyond 6 calendar months. In these situations, the employee will have fifteen (15) days in which to provide a completed Recertification form.

Restoration To Position And Benefits

Healthcare benefits will be maintained while an employee is on FMLA, subject to the payment of premiums explained in this paragraph. For all other benefits, they will be maintained similarly to others on similar forms of leave (paid/unpaid). Employees on paid FMLA (because they are concurrently exhausting a paid leave benefit) will continue to have their premium payments deducted from their paycheck as if they were on non-FMLA paid leave. Employees on an unpaid FMLA leave (for which no paid leave is substituted or after all paid leave has been exhausted) will need to maintain the benefits they accrued prior to commencement of the leave by making premium payments. If the payment is not received on the due date or thereafter, Presbyterian College will provide the employee written notice of non-payment and provide 15 days to make the payment. If the payment is not made within the 15 day window, and at least 30 days have passed from the due date, then coverage under the benefit plan will lapse, retroactively to the original due date.

Employees are permitted to return to whatever position they would have held had they not taken FMLA leave. Generally, this means employees returning from FMLA leave within 12 weeks will be returned to the job position that they held when they went on leave, or a substantially similar one. If the employee would have lost their position even if they had not taken the leave, then there exists no reinstatement right. For example, if the employee's position is eliminated because of a reduction in force, then no reinstatement right exists.

If an eligible employee fails to pay his or her portion of the required premium payments for benefit coverage, and Presbyterian College elects to make the employee's portion of premium payments to keep benefit coverage in effect during a period of paid or unpaid FMLA leave for medical and dental benefits, and/or a period of unpaid FMLA leave for other benefits, Presbyterian College may recover the amount of the premium payment from the employee regardless of whether the employee returns to work. Presbyterian College may recover its own share of the premiums paid for maintaining an employee's medical and dental benefit coverage during any period of unpaid FMLA leave if the employee fails to return from leave after entitlement has expired, provided the employee failure to return to work for a reason other than the continuation, recurrence, or onset of a serious health condition was unrelated to the qualifying reason the employee took FMLA leave.

For all other benefits, they will be maintained similarly to others on similar forms of leave (paid/unpaid), which is currently as follows:

- Vacation/Sick Leave: may not be accrued during a period of FMLA
- Holiday, Inclement Weather, Funeral, and Jury Duty Pay: will not be paid while on FMLA
- College-Paid Life and Disability Insurance: will generally be continued subject to the employee's specific situation
- College Contributions to Retirement: will be continued as long as the employee is receiving a paycheck since the amount of contributions is a percentage of employee's base pay
- Flexible Benefits: may continue if the employee pays the premiums since the employee bears the full cost of benefits provided under a flexible benefit plan; however, continuation of such benefits is subject to the plan document
- Tuition Remission/Exchange: due to the complexities of federal/state financial aid regulations, admission practices of other institutions (in the case of tuition exchange), questions concerning the eligibility and continuation of the tuition remission/exchange benefit must be directed to the HR office and the Office of Financial Aid.

- Other Benefits: questions regarding the continuation of other benefits must be directed to the Human Resources office.

Return To Work

FMLA leave must be used for its intended purpose. If the qualifying reason for taking leave ends, then the employee must contact the Human Resource Office and make arrangements to return to work. Employees on FMLA leave must periodically inform the Office of Human Resources of their status and intent to return to work while on FMLA leave. Employees returning from FMLA leave must be able to assume all of the essential functions of their jobs upon return. Presbyterian College will provide time for the employee to learn of any changes or new technology implementations. As a condition to restoring an employee whose leave was based on the employee's own serious health condition, the employee must provide certification from the employee's health care provider stating that the employee is able to resume work. This return to work statement is required for all serious health conditions unless the employee has previously provided one for that condition within the past year. If safety issues exist, Presbyterian College may require a return to work statement every thirty days.

Failure To Return From Leave

Unless required otherwise by law an employee granted a leave of absence under these provisions who fails to return to work upon expiration of the leave will no longer have protected absences. Further absences would count against the attendance policy.

Key Employees

An employee who qualifies as a "key employee" may be denied restoration of employment after a period of FMLA leave if holding the employee's position would cause Presbyterian College grievous economic injury. A "key employee" is an employee who is salaried and is among the highest paid ten percent of the work force within 75 miles of the place where the employee reports to work. Upon requesting FMLA leave, an employee will be notified by Presbyterian College of his/her status as a "key employee" if there is a possibility that the College may deny reinstatement after leave.

FMLA Noninterference/Non-Retaliation Policy Statement

Presbyterian College does not: (a) interfere with, restrain, or deny the exercise of any right provided under the FMLA; (b) discharge or discriminate against any person for opposing any practice made unlawful by the FMLA; or (c) discharge or discriminate against any person for his or her involvement in any proceeding under or relating to the FMLA.

Contact Person

Employees with questions about their rights and obligations under the FMLA are encouraged to contact the Office of Human Resources.

Holidays

List of Holidays

Presbyterian College recognizes certain holidays each academic year. A holiday schedule will be sent to employees each academic year by the Office of Human Resources. The College reserves the right to amend the holiday schedule during the academic year.

Holiday Pay

Employees who typically work at least 20 hours per week receive their normal daily rate of pay for holidays on which they do not work. In other words, they are paid as if they had worked their normal day or shift; however, these hours are not included in computation of overtime pay.

Temporary employees receive no compensation for a holiday unless they actually work on that day, in which case they are compensated at their normal pay rate.

The College may ask some employees to work on a holiday. While the College typically seeks volunteers for such duty, the supervisor may choose which employees are needed to fill the requirements of the job, and those employees are given another paid day off to be taken within the next 30 days.

Hourly employees, except Campus Police, who are asked by their supervisors to work on Christmas Day, New Year's Day, or Thanksgiving Day receive one and one-half times their regular pay for the time worked, in addition to another paid day off, to be taken within the next 30 days.

Campus Police employees who work on holidays during Thanksgiving and Christmas fall under a separate holiday pay schedule due to their 12-hour shift. The policy is maintained in Human Resources Office and may be amended by the College at its discretion.

Employees who are on leave of absence without pay, including FMLA, do not receive holiday pay or credit toward another paid day off.

Other Absences or Leave from Work

Notice of Absence is Required

All employees are expected to report for work on time every working day. Because of the nature of the work at PC, punctual and regular attendance is an essential function of each employee's job. Unnecessary or excessive absenteeism and lateness are expensive and disruptive, and place an unfair burden on other employees. Unsatisfactory attendance may also result in disciplinary action, including suspension and discharge.

We define an absence as failure to report and remain at work as scheduled; this includes late arrival at work and leaving early. Absence includes all time lost from the job whether excused or unexcused, avoidable or unavoidable. The only exceptions to this definition of absence are College recognized holidays, vacations, sick leave, death in the immediate family, workers' compensation cases, jury duty, approved leaves of absence, and days for which no work is scheduled.

If you are experiencing personal problems that interfere with normal attendance, you are encouraged to contact your Supervisor or the Office of Human Resources to discuss options. Supervisors are responsible for tracking attendance and following proper disciplinary procedures when necessary.

If you are going to be late or absent from work for any reason, you are required to notify your supervisor in as far in advance as possible. Notification should be given as soon as it is apparent that you will be late or you are unable to work. Absences on successive days must be reported each day. It is your responsibility to ensure that proper notification is given. If possible, you must call and personally speak

with your supervisor. Asking another employee, friend, or relative to give this notification is not considered proper, except under emergency conditions. If a voicemail message is left with your supervisor, a return phone number must be provided. It is ultimately your responsibility to verify that the supervisor received the message, so a follow-up phone call should be attempted. Any employee who fails to give such notification under this policy is charged with an unexcused absence.

Excessive lateness or absenteeism (excused or unexcused) may result in disciplinary action, up to and including termination. Each situation of excessive absenteeism or lateness is evaluated on a case-by-case basis. If any employee is absent from work for two consecutive days without proper notification, the College may reasonably assume that you have decided to voluntarily terminate your employment without notice and take action accordingly. The College typically attempts to contact you if you are absent or do not return from leave, but it is not obligated to do so. It is your responsibility to notify the College if you need to be absent from work.

Temporary employees receive no pay for absences. Employees who typically work at least 20 hours per week receive pay for certain approved absences as set forth below.

Funeral Attendance

Eligible employees may be granted paid leave for a maximum of three workdays at their scheduled rate and normal hours for a death in their immediate family. These days need to be taken within 45 days of the death. Immediate family includes the employee's husband, wife, son, daughter, mother, father, mother-in-law, father-in-law, son-in-law and daughter-in-law, brother-in-law and sister-in-law, brothers, sisters, grandparents, and grandchildren. This policy also applies to step- relationships where applicable.

Jury Duty

Employees selected for jury duty or subpoenaed to serve as court witnesses are granted time off without loss of pay. The employee is expected to report to work when doing so does not conflict with court obligations. Employees may be required to present satisfactory evidence to their supervisor and the Office of Human Resources.

Military Leave

Employees who require time off from work to fulfill military duties are treated in accordance with applicable requirements of state and federal laws. Employees are expected to notify the College of upcoming military duty by providing their supervisor and the Office of Human Resources with a copy of military orders as soon as possible.

Weather

When the College has canceled or delayed classes due to weather, announcements are made over local television and radio stations. Employees may also receive the information over the College Rave Alert system. These announcements inform employees when the College will be closed.

Directors, campus police supervisors, physical plant supervisors, and certain other departments may determine that some employees are needed during a weather closing or delay. The directors or supervisors will make the decision of how many and which employees must work.

If the College is officially closed, employees will receive regular wages for the closed hours. Any employee who does not come in at the designated starting time will be allowed to take a vacation day if a notice goes out indicating that the College will open at a later starting time.

Benefits

The College seeks to provide benefits in excess of salary to eligible employees. The following is a general description of certain benefits as of the time of publication. Questions about benefits should be directed to the Office of Human Resources. The College reserves the right to unilaterally modify, terminate, suspend, or otherwise change benefits as it sees fit.

Health Insurance

The College allows eligible employees and their eligible dependents to participate in a group health insurance plan. The College pays a portion of the cost of the plan.

Employee premiums may generally be paid with pre-tax dollars, to the extent permitted by law and College policy.

The terms of the health insurance plan, including eligibility, coverage, waiting periods, deductibles, and co-payments, are set out in the written Plan Document and Summary Plan Description issued to employees. The plan document, which is subject to amendment from time to time, supersedes all other descriptions or characterizations of the plan, including anything in this handbook. **In the event of any contradiction between information appearing in this handbook and in the Plan Document and Summary Plan Description or master documents, the latter govern.** There are stringent legal requirements regarding enrollment, changes to elections, allowable expense reimbursement, and withdrawal once you are a participant. You should carefully study the plan documents before you elect to participate.

If you have questions about the plan, or your eligibility for it, contact the Office of Human Resources.

Filing Health Insurance Claims

If you are already enrolled in the plan and have questions about a claim or need to seek precertification for hospital admission, call the plan administrator at the numbers printed on your health insurance card (and also in the plan document).

Continuation of Coverage

Continuation of health insurance coverage for employees and certain dependents no longer eligible for coverage under the College's plan may be available under Continuation of Coverage. Election of continuation of coverage generally must be made within 60 days of the event causing the employee and/or dependent(s) to be ineligible for College health insurance coverage. Continuation of coverage is paid totally by the employee (this includes the cost the College contributes plus the employee's portion). Contact the Office of Human Resources for detailed information of this provision.

Flexible Benefits Plan

Eligible employees may elect to participate in the College's flexible benefits plan (also known as a "cafeteria plan"). The cafeteria plan may allow you to pay for any eligible family coverage under the College health insurance plan with pre-tax dollars. The cafeteria plan also allows employees to obtain

reimbursement for certain eligible medical expenses and childcare expenses with pre-tax dollars. See the plan document or consult the Office of Human Resources for details. This employee handbook is not a substitute for or a binding addition to the plan document.

Subject to the plan document, in order to participate, you must elect which coverages you want and agree to a payroll deduction.

The terms of the cafeteria plan are set out in the written Plan Document and Summary Plan Description issued to employees. The plan document, which is subject to amendment from time to time, supersedes all other descriptions or characterizations of the plan, including anything in this handbook. In the event of any contradiction between information appearing in this handbook and in the plan document or master documents, the latter govern. There are stringent legal requirements regarding enrollment, changes to elections, allowable expense reimbursement, and withdrawal once you are a participant. You should carefully study the plan documents before you elect to participate.

Life Insurance

Employees who typically work at least 30 hours per week are presently eligible for life insurance coverage at the College's expense.

Eligible employees receive group life insurance equal to one times their annual gross salary rounded to the next highest thousand dollars. For example, an employee receiving a gross annual salary of \$18,300 receives \$19,000 of term life insurance. The College pays the premium for this insurance. Some portion of the premium may be taxable to the employee if the amount of the insurance exceeds IRS limits.

In addition, the College provides each eligible employee with accidental death and dismemberment insurance. Details of individual coverage are available from the Office of Human Resources.

Coverage becomes effective when the employee's application is accepted by the insurer but not before 30 days of continuous service.

Disability Insurance

Employees who typically work at least 30 hours per week are presently eligible to be covered by the College's long-term disability insurance when the employee's application is accepted by the insurer. The College pays the premium. Details of this coverage are available in the Office of Human Resources.

Retirement Benefits

Basic Program

Presbyterian College makes available a basic retirement program to all otherwise eligible regular full-time employees.

The basic program is administered by the Teachers Insurance and Annuity Association (TIAA) and the College Retirement Equities Fund (CREF).

Please contact the Office of Human Resources for details. The College reserves the right to unilaterally modify, terminate, suspend, or otherwise change benefits as it sees fit.

Supplemental Retirement Program

Full-time regular employees may make individual contributions, through payroll deductions, to one of the supplemental retirement programs approved by the College regardless of their participation in the College's basic retirement program, so long as there are otherwise eligible under the Plan documents.

Within the limits established by the Internal Revenue Service, such contributions can be tax-sheltered by being made in the form of salary reductions.

Questions about eligibility should be addressed to the Office of Human Resources.

Educational Assistance

Presbyterian College encourages its employees to pursue their educational goals and interests. To this end, Presbyterian College offers a reduction in tuition to eligible employees and to the spouses and dependents of eligible employees. The terms of this program are set forth below. The program is subject to amendment or termination by the College at any time and for any reasons. This policy supersedes all previous statements, policies, or practices regarding tuition remission.

The following policy guidelines became effective to all eligible employees (faculty and staff) effective June 1, 2020. No tuition remission will be awarded to any eligible person for Maymester or study-abroad experiences.

Eligible Employees

The following "eligible persons" shall be eligible to participate in the tuition remission program:

- All full-time employees who, as of the first day of the academic semester in question, are regularly scheduled to work at least 30 hours per week for 12 months a year or a 9-month full-time faculty member;
- Eligible spouses, partners (as defined in the partner benefit policy) and dependent children (as properly claimed as a dependent on the two most recent tax returns of the employee) of an eligible employee provided that the person seeking the benefit is a legal spouse, partner, or dependent as of the first day of the academic year in question; and
- Surviving spouses and dependent children of eligible employees at the time of their death for two years after the eligible employee's death.

Amount and Application of Benefit

Each eligible person may enroll tuition-free in the undergraduate program of the College, subject to the other conditions and limitations of this policy.

Coordination with Other Sources of Aid

Each eligible person is required to apply for all other reasonably available sources of aid whether need-based, residency-based, merit-based, or otherwise. All such other aid shall be applied to the eligible person's tuition bill before any tuition assistance is granted pursuant to this policy. In no circumstance will

benefits under this policy be granted in an amount which, when added to other tuition aid, results in a payment to a student greater than the tuition charge for the semester in question.

Caps on Benefit

The College may impose aggregate limits on the amount of benefits it will pay under this policy for a given semester or academic year. If such a limit is in place, and the aggregate tuition remission that would otherwise be granted to eligible persons would exceed that limit, the College will reduce the benefits of all eligible persons seeking remission for the period in question on a pro-rata basis.

Scope and Limitations of Benefit:

- Tuition remission is granted under the College's guidelines to eligible persons for fall and spring semesters and summer school terms only.
- Tuition remission is not available for Maymester terms, study abroad, or fleximesters. In addition, tuition remission is not available for any other course in the fall, spring, or summer semesters for which faculty salary or reimbursement is determined by student enrollment and the person otherwise eligible for tuition remission would be included in the count for making the class or section.
- To receive tuition remission, the person must apply to and be accepted for admission by the College.
- No person who has already received a bachelor's or higher degree is eligible for tuition remission under this program.
- The maximum benefits available under this program to any one person shall be remission for eight semesters of study. Exceptions will be made for those employees or spouses/partners taking one course per semester to complete their degrees. Permission to exceed the eight semesters of study will require the approval of the employee's supervisor, Director of Financial Aid, and the Vice President Human Resources and Title IX.
- Tuition remission is not available for courses in any of Presbyterian College's graduate programs.
- Tuition remission is not available for any online courses with the exception of online courses taught during summer 2020 sessions and 2020 spring/fall semesters (provided that each class makes with non-tuition remission students).
- Employees may not typically take courses during their scheduled work hours. An exception to this restriction may be made for good cause with the prior approval of the employee's supervisor and the office for the area submitting the request. Hours away from work will need to be made up by the employee with the approval of the employee's supervisor.
- This benefit is available only to current employees as of the first day of the semester in question, and to the then-current eligible spouses, partners, and dependents of such employees. If an eligible employee's employment is terminated during a semester in which an eligible person is receiving benefits under this policy, then (i) the benefits will continue through the end of the semester in question if the employee retired, died, was terminated as part of a reduction in force, or was approved for long-term disability; (ii) the benefits will be revoked and the employee will be responsible for paying the College the full amount of tuition if the employee was terminated for any other reason.
- Benefits under this policy apply to tuition only and not to room, board, books, or other fees.

Process for Applying

Tuition remission is not automatic and must be applied for and coordinated through the Office of Financial Aid.

Application for this program must be made to the Vice President of Human Resources and Title IX no later than March 31 for the upcoming academic year. The Director of Financial Aid will provide application forms. Applications must be submitted for each academic year.

All applicants for tuition remission MUST also submit by March 31 an application for the South Carolina Tuition Grant. Any tuition grant awarded shall be used to offset the college portion of the tuition remission. Tuition remission and the SC Tuition Grant combined shall not exceed tuition.

In order to receive other need-based aid, a staff member MUST complete the Free Application for Federal Student Aid (FAFSA). The need figure provided by the federal government calculations from the FAFSA will be used by the Office of Financial Aid to award need-based aid.

Tuition Exchange with Other Institutions

Presbyterian College also participates in tuition exchange programs with a number of other colleges. Through these programs, dependent children of eligible employees may be able to attend--tuition free--one of the colleges or universities who are also members of the exchange programs. Availability is not automatic, is often very limited, and is subject to approval and restriction by both PC and the other college/university. For information about applicable waiting periods, availability, and other program details, employees should contact the PC Office of Financial Aid.

Other Benefits

Admission to Certain College-Sponsored Events

Employees and their dependents are eligible to use the College's facilities as available and in accordance with published regulations. For information on facility use contact the Office of Auxiliary Services.

Free admission is available to employees and their dependents to certain cultural and athletic events at the College.

Social Security

Social security coverage is extended to all College personnel. Deductions are made from the individual's salary, and the College makes contributions in accordance with applicable law.

Workers' Compensation

All employees are covered by workers' compensation insurance in accordance with the South Carolina Workers' Compensation Laws. Coverage is provided for accidental injury and occupational disease arising out of and/or in the course of employment. Employees are required to report to the Office of Human Resources at once all work-related injuries and illnesses, regardless of severity.

Workforce Assistance

All employees are insured under the South Carolina Department of Employment and Workforce Unemployment compensation benefits are paid to insured workers who are unemployed and meet all

eligibility requirements. Eligibility requirements include being able to work and being available to work. Claims are filed with the South Carolina Department of Employment and Workforce.

Selected Business and Financial Policies

The following sections outline some basic expectations of employees dealing with College-related business situations. This section does not attempt to cover all financial policies; rather, it outlines some of the common situations employees may face.

Financial policies and procedures change over time. These sections are based on the policies and procedures in effect when this handbook was printed. Consult the PC Business Office for current policies and procedures on financial matters, including purchasing, accounts payable, College credit cards, and travel. Go to the College's website for policies and forms.

It is the responsibility of each employee to become familiar with the College's financial policies and procedures, many of which are posted on the College's web site. In addition, employees should review the section of this handbook entitled "Conflicts of Interest."

Outside Contracts

Employees are prohibited from committing the College to contracts (verbally or in writing) unless they have been authorized to do so by an officer of the College. Large contracts, construction contracts, multi-year contracts, and contracts calling for insurance or indemnification by the College must be signed by the Vice President for Finance and Administration or by the President.

Moving Expenses

The College may reimburse new employees for moving expenses under certain limited circumstances established by the College and in compliance with IRS guidelines and regulations. Since, under IRS regulations, certain moving expenses may be considered taxable income, employees should consult their personal tax advisors for guidance. The College does not give tax advice.

College Vehicles

All drivers on behalf of the College must have a valid driver's license. In addition, special training is required before an employee may drive a 15-passenger van or bus.

The current policies on the use of vehicles are available in the Office of Public Safety and on the Campus Police Forms web page.

No vehicle may be purchased or leased on behalf of the College without the approval of the President or the Vice President for Finance and Administration. The Vice President for Finance and Administration may establish other guidelines and requirements governing the use of any College-owned or leased vehicle.

Motor Vehicle Accidents

The following procedures apply when an employee is involved in an accident with a College vehicle, while driving any vehicle on College-related business, or while otherwise performing services for the College:

- An appropriate law enforcement officer and emergency medical assistance should be summoned immediately.
- To the extent of their expertise, employees should render first aid and help to the injured.
- An effort should be made to secure the names, addresses, and telephone numbers of any witnesses.
- Employees should not admit, make statements about, or express opinions regarding the cause of the accident or liability.
- The employee involved should immediately contact the Office of Public Safety at the College (864 833-3949). Public Safety will notify Human Resources immediately to report the incident.
- The employee must turn in the “Verification of Insurance” report required by state law to Public Safety.
- When requested to do so, the employee must submit a written report to Public Safety and Human Resources and submit to drug or alcohol testing. Failure to submit to testing when requested may result in reduction or loss of worker’s compensation benefits and other disciplinary actions, up to and including termination.

Substance Abuse/Drug-Free Workplace Policy

The Drug Free Schools and Communities Act Amendments of 1989 requires all schools and colleges to adopt and implement a drug prevention program for its students and employees. As a part of this program, the College is required to distribute annually a statement detailing standards of conduct, a description of applicable legal sanctions, a description of health risks, available counseling, and disciplinary sanctions which may be imposed as they relate to the use of illicit drugs and the abuse of alcohol. This statement will be made available to you.

The College is committed to providing a safe and healthy workplace and establishing policies that promote high standards of employee health and safety. Each employee has a responsibility to co-workers, PC students, and to the public to deliver services in a safe and conscientious manner. Even limited quantities of narcotics, abused prescription drugs, or alcohol can impair an employee’s reflexes and judgment. This impairment, even when not readily apparent, can have catastrophic results. For these reasons, it is PC’s policy that all employees must report to work and remain completely free from the presence and effects of unlawful drugs, lawful drugs used inappropriately, and alcohol.

This policy covers all employees at all times and places when the employee is in the process of doing work for the College. Accordingly, this policy covers employees in the following places: PC’s own premises including the parking lots and other public or semi-public spaces near PC’s facilities, all places where the employee's presence or performance is necessary to perform the work required by PC, in or around a vehicle owned, rented or leased by PC, and any vehicle used during the scope of an employee’s duties. For purposes of this policy only, these places are referred to collectively as “PC Property.”

No part of this policy, or any of the procedures hereunder, is intended to adversely affect the College’s right to manage its work place or to discipline its employees. Nor is it a guarantee of employment, continued employment, or terms or conditions for employment. Absent an employment agreement with PC personally signed by the President, Provost, or the Chair of the Board of Trustees stating otherwise, employees are employees at-will and may be immediately terminated at any time in the sole discretion

of PC; and, the follow-up testing, counseling and other provisions of this policy are not limitations on that right.

PC reserves the right to require drug and/or alcohol screening for the purpose of enforcing this policy. This screening may consist of any or all of the following types of testing, if appropriate:

- Pre-employment
- Post-accident
- Periodic and/or Random
- Reasonable Cause
- Fitness for Duty

Drug Use/Distribution/Possession/Consumption/Impairment

All employees are prohibited from manufacturing, cultivating, distributing, dispensing, possessing, selling, using or being Under the Influence of Drugs while on PC Property or while otherwise performing their work duties away from PC. The term “Drugs” includes, but is not necessarily limited to, illegal drugs (as classified under federal, state, or local laws), unauthorized or mind-altering or intoxicating substances, and lawful controlled substances which have been illegally or improperly obtained or, which if properly obtained, are not being used in compliance with the prescription or doctor’s orders.

Alcohol Use/Distribution/Possession/Consumption/Impairment

All employees are prohibited from distributing, consuming, dispensing, possessing, using or being Under the Influence of alcohol while at work or on duty. From time to time, PC may permit or sponsor social or business-related events at which alcohol is served. This policy does not prohibit the use or consumption of alcohol at such events. However, if employees choose to consume alcohol at such events, they must do so responsibly and maintain their obligation to conduct themselves properly and professionally at all times with colleagues and/or current or prospective clients; current, prospective, or former students; or others with whom they come into contact at such events. Employees must also comply with all relevant federal, state, and local laws.

For purposes of this policy, the term “Under the Influence” means having a measurable trace of Drugs or alcohol in the employee’s system.

Off-Duty Conduct

Off-duty possession, use, sale or purchase of Drugs may reflect unfavorably on PC and affect an employee’s job performance and is prohibited. Accordingly, PC reserves the right to take disciplinary action against an employee (up to and including suspension or termination) for such use.

Prescription Medication

The proper use of over-the-counter medicine or medication prescribed by an employee’s physician is not prohibited; however, PC prohibits the misuse of prescribed and over-the-counter medication. Employees using medications at the direction of a physician should notify their supervisor if these prescribed or over-the-counter medications affect job performance, i.e., by causing dizziness or drowsiness. It is the employee's responsibility to determine from his/her physician whether a prescribed medication may impair job performance.

Notification of Impairment

It is the responsibility of each employee who observes or has knowledge or reason to believe that another employee is in a condition that impairs or may impair the ability of the employee to perform his or her job duties, or who presents or may present a hazard to the safety and welfare of the employee or others, or is otherwise in violation of this policy, to promptly report that fact to the appropriate supervisor or the Office of Human Resources.

Testing

PC, as of the date of the revision of this Handbook to include this Substance Abuse/Drug-Free Workplace policy, reserves the right to conduct drug/alcohol tests of any employee in the following circumstances:

Pre-Employment Drug Testing -- PC may conduct Drug testing of all applicants tentatively selected for employment. This testing may be done prior to the first day of employment, or an applicant may begin employment pending a negative Drug test as soon as feasible.

Post-Accident or Incident Testing -- An employee may be tested for Drugs or alcohol if:

The employee suffers an on the job injury of any kind;

The employee causes injury to a fellow employee;

The employee is involved in any type of on the job accident, even if there is no apparent injury; or

There is damage to PC Property or business, provided that employee Drug or alcohol use is likely to have contributed to the accident or incident, and the Drug or alcohol test can accurately identify impairment caused by Drug or alcohol use.

Periodic and/or Random Drug Testing – All employees may be subject to periodic or random Drug testing at any time in the sole discretion of PC, in accordance with applicable law.

Reasonable Cause Testing – PC may require an employee to submit to testing whenever it reasonably suspects that an employee's performance or on the job behavior may have been affected in any way by using Drugs or consuming alcoholic beverages, or the employee is Under the Influence of Drugs or alcohol.

A reasonable suspicion to justify Drug or alcohol testing may be based on the employee being involved in an incident or otherwise acting in such a manner that suggests the employee is working Under the Influence of alcohol or Drugs.

Other examples of suspicion sufficient to justify Drug or alcohol testing include, but are not limited to, direct observation by a supervisor of things such as: (1) slurred speech; (2) unsteady walk; (3) impaired coordination; (4) violent or aggressive behavior; (5) being unduly argumentative or improperly talkative; or (6) loud or uncontrolled laughter. Reasonable suspicion also may be based upon information provided by other sources and relied on by PC in its sole discretion. A reasonable suspicion could be based upon job performance behaviors over a period of time where continued deterioration of job performance has resulted in a pattern of events that calls into question the possibility of Drug or alcohol use. However caused, PC reserves the right to determine when and under what conditions a reasonable suspicion occurs.

Fitness For Duty – An employee may be required to submit to Drug Testing upon return to work after a leave of absence of any duration.

Testing Procedure – Signing appropriate consent forms or providing a specimen when requested is a condition of employment. Employees who refuse may be subject to discipline up to and including suspension or discharge.

Searches – While on PC Property, employees are subject to searches from PC should PC have reasonable cause or suspicion that one or more employees is in possession of or has stored Drugs or unauthorized alcohol on PC Property. Further, PC may conduct searches of all areas of PC Property, including, but not limited to, work areas, desks, lockers and vehicles, and personal articles, purses, briefcases, etc. without prior notice.

Employees are subject to adverse employment action, up to and including suspension or immediate termination in the sole discretion of PC, for refusing to cooperate with searches or investigations, refusing to submit to screening or failing to execute consent forms when required by PC.

Positive Test Results

A positive test for purposes of Drug and alcohol testing is the cutoff levels adopted by the United States Department of Health and Human Services in its Guidelines for Federal Workplace Drug Testing Programs. If a cutoff level has not been established for a particular Drug, PC applies standards adopted by the National Institute on Drug Abuse or as otherwise recommended by the testing laboratory.

PC has “Zero-Tolerance” for violation of this Substance Abuse/Drug-Free Workplace Policy. Anyone testing positive for Drugs or found to be in violation of this policy in any way is immediately terminated without further warning. If for any reason a negative test result is not received from the Drug testing laboratory within 48 hours of giving the sample, the employee donor is suspended from work until such test results are made known either as a confirmed negative or positive test.

Miscellaneous

Employees must report any conviction under a criminal drug statute for violations occurring on or off PC Property. A report of a conviction must be made within five (5) days after the conviction. Conviction for the manufacture, distribution, or sale of Drugs may result in immediate discharge. Depending on the circumstances, PC reserves the right to discipline an employee, including immediate termination and/or suspension without pay upon being criminally charged and pending resolution in the matter. PC will evaluate each matter on a case-by-case basis after investigation and analysis of the total situation and circumstances.

Employees who possess a commercial driver’s license (CDL) are subject to the U.S. Department of Transportation’s requirements for substance abuse testing in addition to this policy.

Confidentiality and Privacy Matters

The College maintains certain confidential business-related information (including, but not limited to information related to financial matters, courses, students, parents, employees, and donors) in both

electronic and printed form. Electronic information includes that stored in word-processing documents, spreadsheets, databases, and electronic mail (email). Much of this information is covered by state and federal privacy laws, to include the Family Educational Rights and Privacy Act (FERPA) of 1974, or is considered confidential or proprietary business data. Consequently, information contained within these systems should be disclosed only to authorized individuals. Unauthorized disclosure of confidential information may lead to discipline up to and including discharge.

If you have any questions about what information may or may not be disclosed to someone else, consult your supervisor. Do not assume that information may be released to students, parents, other employees, or third parties.

Certain employees may be required to sign a confidentiality statement.

Computers, Internet, Email and Voicemail

The College's communications systems, including computers, software, email, copiers, fax machines, telephones, voice mail, communication tools, and various online services, are the property of the College and are intended to support the College's management, information, educational, and operational needs. Limited personal use of these systems by employees is permitted; however, such use should not interfere with the College's primary needs for the equipment or the employee's performance of his or her job. Illegal use, personal use that interferes with business use, personal use for profit, or use that brings disrepute or runs contrary to the mission and goals of the College is not permitted. This includes the use of one's PC email address in the conduct of personal business.

All communications and information transmitted by, received from, or stored in the communications systems are College records and property of the College. Although the College does not routinely monitor employee usage of its systems, there may be cases when the College, in its sole discretion, may elect to do so. By way of example, such cases might include, but not be limited to, an investigation of harassment, violation of College policy, or suspicion that a virus or illegal software is installed on a College-owned system.

Therefore, the College always has and does still reserve the right to monitor its communications systems. The College may inspect the computer files on any College-owned computer (including office computers) at any time, with or without notice, at its sole discretion. The responsibility and authority to inspect computer files, devices, email and voicemail is vested in the President or his or her designee.

Employees whose duties allow them administrative access to the College's computer and voicemail systems are expected to use that access only as necessary to maintain the systems in good working order, perform the functions of their jobs, and implement the policies of the College.

To repeat, although the College does not routinely monitor or inspect files, employees do not have a personal privacy right in any matter created, received, or sent through the College's communications systems. Employees should have no expectation of privacy regarding files and data residing on College computer systems, networks, servers, disks, or voicemail.

Some employees may wish to attach their personally owned computers to the College's network. Privately owned computers connected to the network are subject to the same policies as College-owned equipment.

Email sent from College accounts, however generated, bears the "presby.edu" designation in the electronic envelope and must adhere to the College's acceptable use policies. Always be careful in electronic messages sent from a College account to avoid the appearance of speaking on behalf of the College when not authorized to do so.

Employees must not abuse the privilege of access to the internet. The College's systems may not be used to violate the law or download or distribute pirated media; software; or threatening, illegal, obscene or pornographic material.

Employees are to exercise care when downloading or installing software on College-owned systems. Consult the Director of Information Technology for guidance.

Improper usage of the College's communications systems may lead to discipline up to and including discharge.

Social Media Policy

At PC, we recognize that social media is an increasingly important form of communication for our institution, faculty and staff, students, community, and the world at large. Our goal is to use social media as tools for PC to inform and interact with its diverse audiences.

To use these mediums effectively, the College has developed a social media policy to serve as a guide for any faculty and staff operating an official social media account created to represent the College, departments, programs, or offices.

The policy provides information about the various platforms (Facebook, YouTube, etc.) to which it pertains, explains in detail the policies regarding creating, managing, and monitoring official PC accounts; and policies regarding the general use of the accounts by faculty, staff, and students.

The guidelines apply to personal and professional activity that is not part of official Presbyterian College communication. The policy applies to those who identify themselves as PC employees, either in their bios, in comments, or by using your presby.edu email address.

The complete and most up-to-date version of the guidelines are located at <https://www.presby.edu/doc/communications/SocialMediaGuide.pdf>.

Student Honor System

A College goal is to educate students to help them grow into responsible members of a community and as such students must abide by the policies established in the Presbyterian College Blue Book and the Garnet Book.

The Honor Council, led by students, faculty, and the Dean of Academic Programs, investigates allegations of Honor Code violations outlined in the Blue Book. Student conduct hearings, led by students, faculty, and the Associate Dean of Students/Director of Residence Life, investigates allegations of student misconduct outlined in the Garnet Book. All employees are expected to support our students in maintaining the integrity of these policies and to report any suspected violations.

Questions about academic matters may be directed to the Dean of Academic Programs and questions regarding student life may be directed to the Vice-President for Campus Life.

Communicable Diseases & Health and Safety Regulations

Presbyterian College is concerned about the health of all members of the College community and, therefore, wants to protect individuals from the spread of communicable diseases. In order to help protect the health of community members, the College intends to implement the rules and regulations of the South Carolina Department of Health and Environmental Control regarding communicable diseases. Further, Presbyterian College intends to follow the requirements of applicable law to protect information regarding the health status of its employees.

Compliance with all health and safety protocols and rules established by the College, including any protocols or rules designed to limit or prevent the spread of pandemic diseases like COVID-19, is mandatory for all employees. Failure to follow such protocols or rules may result in appropriate discipline up to and including termination.

Whistleblower Policy

It is the policy of Presbyterian College to adhere to all laws and regulations that apply to the College and the College expects its employees to do the same in their work. This includes, but is not limited to, matters involving accounting standards, the College's internal rules and policies, and rules of accrediting agencies and athletic conferences and organizations.

If you are having problems with co-workers or supervisors, or disagree with their judgment but are not alleging that some policy, practice, or activity of Presbyterian College or any of its employees is in violation of a law, regulation, or a clear mandate of public policy, this Whistleblower Policy is not applicable to your situation. Please follow the conflict resolution guidelines in this handbook or discuss the matter with your supervisor or with the Office of Human Resources.

Having reviewed the above guidance, if you have information that some policy, practice, or activity of Presbyterian College or any of its employees acting in the course of their duties is in violation of a law, regulation, or a clear mandate of public policy, you are encouraged to bring such information to the attention of the College. You may file a written report with the appropriate official of the College. Officials to whom you may report are:

- Provost
- Vice President for Finance and Administration
- Vice President for Campus Life/Dean of Students
- Vice President of Human Resources and Title IX

- Athletic Director
- Dean, School of Pharmacy
- Director of Physician Assistant Studies
- Director of Occupational Therapy

Ideally, the complaint should include enough detail to identify the policy, practice, person, persons or offices involved, the approximate date or dates, and any explanation or documents you think will be helpful to the investigation.

If desired, reasonable efforts will be made to maintain the confidentiality of the reporting employee. However, some disclosure may be a necessary part of the investigation.

Presbyterian College will not retaliate against an employee who has made a report under this policy in good faith. Knowingly false reports or reports made with reckless disregard for their truth are improper.

Please note: Presbyterian College has established specific policies and reporting procedures for cases of harassment. Those policies should be followed where harassment is suspected.

College Property

College property, including lockers, vehicles, desks, and filing cabinets, must be maintained according to College rules. They must be kept in reasonable order and are to be used only for work-related purposes. To ensure compliance with its rules and regulations, the College reserves the right to inspect all College property without prior notice to the employee and/or in the employee's absence.

An employee's personal property, including, but not limited to, tool boxes, packages, purses, clothing, and vehicles, if brought to campus, may be inspected upon reasonable suspicion of unauthorized possession of College property, property of another employee or customer, weapons, or illegal drugs.

Federal Limitations on Advocacy by Tax Exempt Organizations

Presbyterian College is a 501(c)(3) tax-exempt organization and, as such, is prohibited by federal law from engaging in prohibited political activity, including political campaigns, and places limits on most lobbying activity. This does not, of course, apply to an employee's actions as a private citizen. However, employees must be careful to avoid the appearance of speaking for the College on political matters or using the resources of the College in furtherance of private political or lobbying activity. Unless informed otherwise by the President of the College, lobbying or political advocacy activities are not a part of your duties as an employee. All lobbying or public advocacy undertaken on behalf of the College should be explicitly approved in advance by the President or the Vice President for Enrollment and Marketing.

Patent and Copyright

Presbyterian College is dedicated to teaching, research, and dissemination of knowledge generated within the College community. Thus, one goal of our policies concerning intellectual property generated at Presbyterian College is to promote the development of knowledge and to ensure that discoveries,

inventions, and creations generated by our faculty, staff, and students are used in ways most likely to benefit the larger academic community and society in general.

Consistent with this goal of academic and intellectual service, Presbyterian College also recognizes the right of the PC community members to appropriate rewards for their intellectual and creative labor. This right is balanced by the rights and interests of PC, arising out of the use of its facilities and resources and by contractual obligations.

All of these interests are best served by policies that clarify the ownership of intellectual property created at PC and by members of the PC community.

(a) Copyrightable Works. Pursuant to US copyright law, copyright protection exists for any work of authorship fixed in a tangible medium of expression. The types of works covered by the copyright law include text, pictures, photographs, visual arts, architectural works, music and other such works, whether in paper, electronic or other media. Copyright laws only protect the creative expression embodied within a particular work, not general ideas. Generally, under the “work for hire” doctrine, works of authorship created by employees within the scope of their employment automatically belong to the employer.

i. Works by Faculty Members.

- 1) *Traditional Academic Work*. For purposes of this policy, “Traditional Academic Work” refers to any copyrightable pedagogical, scholarly, literary, or artistic work created by a faculty member (including full-time, part-time, and adjunct faculty members) as part of traditional academic activity. Examples of Traditional Academic Work include, but are not limited to, books, journal articles, reviews, course syllabi, tests, course assignments, monographs, scholarly papers, musical compositions, works of art, digital resources, unpublished manuscripts, and recordings or transcriptions of lectures or performances. Specific provisions regarding courses are set forth below.

In accordance with academic tradition, and unless otherwise provided in this policy, PC does not claim copyright ownership of Traditional Academic Work. Copyright ownership of the Traditional Academic Work will remain with the faculty member who created the work. The general rule regarding faculty ownership of copyrights in Traditional Academic Work is subject to the following exceptions:

- a. In consideration of the foregoing, all faculty members automatically grant to the College a non-exclusive, royalty-free, perpetual license to materials that are developed for College courses or curriculum for all traditional, customary or reasonable academic, research, internal, or archival uses of the material. In addition, see the discussion of Courses hereinafter.
- b. When multiple faculty members create a Traditional Academic Work, those faculty members will be joint copyright owners of the work unless they have entered an enforceable agreement specifying otherwise.
- c. When a Traditional Academic Work is produced pursuant to the terms of a written (or otherwise binding) agreement and that agreement specified ownership in the

work, then that ownership provision shall govern copyright ownership, as between the parties to the agreement.

- d. Copyright ownership of Traditional Academic Work supported by grants or sponsorships shall, where the grant or sponsorship specifies ownership in the work, be governed according to the terms and conditions of such grant or sponsorship.
- e. The College shall own the copyright in any Traditional Academic Work produced with exceptional use of College resources, unless there is a written agreement, signed by an officer of the College, providing for different ownership. Exceptional use of College or Pharmacy resources exists when PC has provided substantial support specifically for production of the work in question in the form of resources or concessions of a degree of nature not routinely made available to faculty or staff. Such exceptions must be approved first by the Provost, Dean or appropriate Executive Staff member and signed by the Vice President for Finance and Administration. Examples of such support might include, but are not limited to, unusual reduction of teaching loads or similar College activities; significant funding in support of the work's creation; or use of specialized College facilities. Routine use of office space, office equipment, library materials, or materials stored on a server would not, absent other factors, be considered exceptional use of College resources.
- f. Faculty members are also encouraged to disseminate their works for the public good and to promote Presbyterian College.

2) *Courses.*

- a. Copyrights arising in courses developed by faculty and approved for offering by the College ordinarily belong to their individual creators, but rights may vest in the College when the course or some part of it falls within the exceptions set forth above.
- b. With respect to each such course, the College shall possess a permanent non-exclusive, royalty-free license to make all traditional, customary or reasonable academic uses of the course content of a particular course (the "Course License"). The course content of a course includes both the planned and structured content and the ideas and the expression arising extemporaneously as the course is actually taught and delivered to students. This also includes when the course is recorded simultaneously with the initial delivery of the course content.
- c. The Course License shall grant students duly enrolled in a course the right to take class notes for their personal use; but notes in or recordings of a course shall not be taken or disseminated for commercial purposes unless approved by the instructor.
- d. Faculty may give permission to students to make audio recordings in the classroom for personal use or for conventional learning purposes pertaining to that class. The Course License also gives the College the right to allow recordings as part of an accommodation for a disability. Faculty may make audio or video recordings in the classroom for any educational purpose consistent with the mission of the College. For commercial purposes, classroom recordings must be approved by the Provost in advance.
- e. The Course License also shall include a right of the College to offer the course, or to develop and offer derivative courses of instruction, in both conventional and non-conventional settings (including courses intended for use in Internet distance education projects). These courses may be provided at the College or elsewhere. The

License shall continue to be available to the College even if the faculty member in whom individual rights otherwise vest should leave the College.

3) *Online Education.*

- a. A faculty member who intends to enter into any non-College online education project in which he or she proposes to teach a course shall first obtain permission in advance from his or her Department Chair (or designee) and the Provost, who will examine the proposed undertaking in order to ensure that no conflict of interest or time will arise.
- b. A conflict of interest or commitment will be presumed to arise under this Policy when a proposed non-College internet or similar course: is substantially equivalent to a course the faculty member is regularly assigned to teach at the College.
- c. The review and approval process for non-College online education courses shall be repeated annually with respect to a faculty member's continuing participation in any project.

4) *Administrative Work.* For purposes of this policy, "Administrative Work" is any copyrightable work by faculty that is not Traditional Academic Work and that is made at the direction or request of the College or for the benefit of the College, or prepared in the performance of any administrative duty for the College. Copyright ownership of Administrative Work shall belong to the College. Examples of Administrative Work could include, but are not limited to, computer programs created to perform administrative tasks for the College; artwork or text to be included in marketing or recruitment materials; or musical works for performance at College functions. Databases and similar collections of information which are obtained primarily on behalf of schools or departments rather than individuals, or which involve issues of privacy, shall be owned by the College.

5) *Conflicts of Interest.* Faculty members with full-time appointments shall not, during their employment at the College, use (or permit others to use) their works in ways that compete with the College's courses. Works should also not be used to the disadvantage of the College and its legitimate interests; or create a situation that would put the College at a competitive disadvantage, unless prior written permission is obtained from the Provost or his/her designee. If the faculty member receives written approval of the Provost or Dean to teach at another college or College, then this approval also grants the faculty member permission to use his/her works in the teaching of the course. This provision does not apply to works created in conjunction with professional activities in conformance with academic norms such as, but not limited to: sharing syllabi or other course materials with colleagues at other non-profit educational institutions; ordinary outside consulting; participation in professional or scholarly organizations; scholarly presentations and publications; pursuit of future employment opportunities; and public service.

- ii. Non-Faculty Employees. Where a copyrightable work is developed by non-faculty College personnel in the course of employment (or, in the case of a student, in conjunction with a member of the faculty or other College employee), the College will own the work (subject to any other arrangement contained in a binding agreement among the parties). This rule will typically be consistent with the "work for hire" doctrine under federal law.

iii. Work by Students. Students own the copyright to the academic work they produce unless a binding contract denotes otherwise. Academic work includes class papers, theses, dissertations, artistic and musical works, and other creative works made by PC students.

- 1) Work produced by students as College employees, either as a work study or regular employee, as part of work duties, is owned by the College.
- 2) If a graduate research assistant is involved in assisting faculty with producing Traditional Academic Work, then the faculty should have a written agreement with the student that clearly states the copyright interest, if any, of the student in the work. If the student is a significant contributor to the work then the assumption is that he or she should be considered as a co-author, co-inventor, or co-creator and share appropriately in rights to the work.

iv. Work by Independent Contractors. Work produced for the College by independent contractors, excluding Sponsored Program Work as defined below, shall be owned by the College and shall be considered work-for-hire. As matter of policy, any person contracting on behalf of the College for work to be produced by an independent contractor shall ensure that the contract is reviewed by the College Office of Sponsored Projects and, as needed, by College counsel to ensure the contract contains a provision that the College shall own copyrighted works produced pursuant to the contract. This policy requirement may be waived only by an officer of the College.

v. Sponsored Program Work. A “Sponsored Program Work” is any type of work developed using funds supplied under a contract, grant, or other arrangement between the College and third parties, including sponsored research agreements. In consultation with the faculty or staff member, copyright ownership shall be determined by written agreement between the College and the third party.

vi. Independent Work by College Staff. PC does not claim ownership of intellectual property that is produced by staff on their own time, that does not involve the use of PC facilities or resources, and that is outside the scope of the creator’s employment with PC.

(b) Patents and Non-Patentable Inventions. Patent rights arise under federal law and give an inventor the right to exclude all others from making, using, selling or importing the subject matter defined in the claims of the patent throughout the United States, its territories and possessions for a period of time. Patentable subject matter is limited to new or improved processes, apparatuses, products, or compositions of matter.

Patentable and non-patentable inventions are defined and protected under various state laws. These laws protect secret business information against unauthorized use or disclosure by one who obtained the information through improper means or through a confidential relationship. A trade secret consists of information that: (a) derives economic value from not being generally known to others, and (b) is the subject of reasonable efforts to maintain its secrecy. Information generally known to the public or easily learned by proper means is not a trade secret. Trade secrets may be used to

protect forms of intellectual property which do not readily fall under the scope of trademark, copyright or patent law protections. Trade secrets may be protected as long as the owner successfully prevents them from becoming widely known. If information becomes common knowledge, it ceases to be a trade secret.

Consistent with its larger mission to develop and disseminate knowledge, PC believes that faculty and staff members who develop a patentable invention or other valuable non-patentable invention should have an appropriate opportunity to benefit financially from such an invention, subject to the further recognition that many such inventions may also reflect significant investments of College resources. The goal of this Patent and Trade Secrets Policy section of the College's Intellectual Property policy is to balance these interests and to define the relative rights of faculty and staff members as inventors, and of PC, in a variety of circumstances in which a patentable subject matter or a non-patentable trade secret (collectively, an "Invention") has been created. The Intellectual Property policy (and the related Patent and Non-patentable inventions section) are to be included in the College's faculty and non-faculty handbook.

Students, graduate assistants, contractors, and all others who may work with PC personnel on a patentable or non-patentable invention or process that may result in the need for disclosure will, before work commences, sign a binding agreement to abide by the College's intellectual property policy in its entirety. This policy also applies to students who are part of the College's work study program, the Summer Fellows program, the PSRI program (PCSP), and any student doing research or scholarship work with or without direct supervision from a faculty or staff member.

- i. Responsibility for Disclosure. Any member of the PC faculty or staff who believes that he or she, alone or in association with others, may have created an Invention is responsible for disclosing the Invention to the College. This disclosure shall be made when it can be reasonably concluded that an Invention has been created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for action that would protect rights to the Invention for the creator and the College. This disclosure must be made without regard to whether the Invention was devised on College premises or with the use of College facilities. Disclosure shall be made to the Office of Sponsored Projects who are responsible for reporting the disclosure to the Vice President for Finance and Administration.

Faculty and staff members engaged in outside consulting activities authorized by PC are excused from this reporting requirement to the extent that those activities are governed by initial confidentiality agreements that expressly prohibit disclosure to the College.

- ii. Inventions resulting from wholly personal research: These are Inventions that a faculty or staff member has devised while working off College premises, without the use of College facilities or resources, outside his or her working hours, and that have no other connection to his or her duties as a College employee.

Rights to these Inventions and the proceeds therefrom belong exclusively to the inventor. In the event that he or she seeks College assistance in perfecting, protecting, and/or marketing (hereinafter "development of") the invention, an allocation of rights and proceeds will be negotiated between the inventor and PC.

- iii. Inventions resulting from use of generally available PC facilities and resources: These are Inventions that a faculty or staff member has devised in connection or arising out of with his or her regular duties as a College employee, making use only of College facilities and resources that are generally available to faculty and staff, and in quantities or amounts normally available. Such generally available resources would include assistance of routinely available secretarial and administrative services, College computer support, general laboratory facilities, library materials, and the like.

At the inventor's option, the inventor may claim exclusive rights to these Inventions and the proceeds therefrom. Sole ownership of rights in inventions of this category may be claimed, at his or her option, by the individual inventor. In that case, PC will cede any claims that it might otherwise have to the invention in question. If the inventor wishes to have the assistance of the College in development of the Invention, the inventor may so request. In the event that PC agrees to provide the requested development assistance, the net proceeds (after payment of expenses of development) of such commercialization will be shared between PC and the individual inventor on terms mutually agreed between them. In the absence of such agreement, PC will be entitled to a 50% share of the net proceeds, with the inventor or inventors sharing the remaining 50%.

- iv. Inventions resulting from the use of special PC resources: These are Inventions (other than "PC Commissioned Works" described below) that a faculty or staff member has devised, making use of special College facilities or resources not generally available to faculty and staff or of resources in amounts not generally available to faculty and staff. Examples of special College facilities or resources include, but are not limited to: direct financial support specific to the project; use of specialized equipment or equipment purchased for the project; extraordinary involvement of PC employees, etc.

Rights to these Inventions and the proceeds therefrom shall be shared between PC and the inventor. It is recommended in such cases that the parties attempt to agree on an allocation of ownership and proceeds, and any such binding agreement shall be honored. In the absence of such an agreement, PC will be entitled to a 50% share of the net proceeds, with the inventor or inventors sharing the remaining 50%.

- v. PC Commissioned Works: These are Inventions that a faculty or staff member has devised at the direction or request of the College or for the benefit of the College, or devised in the performance of any administrative duty for the College. PC Commissioned Works would include, but not be limited to, material devised by administrators or staff in the course of employment duties that constitutes work for hire under federal law.

PC will be entitled to 100% ownership of all PC Commissioned Works.

- vi. Inventions resulting from authorized consulting activities external to PC: These are Inventions that a faculty or staff member has devised while pursuing projects on behalf of entities other than PC, as permitted by College policies on outside consulting activities.

Ownership of rights in Inventions of this category is governed by the agreement between the inventor and the entity for which the work that gave rise to his or her invention was performed. PC claims no share in any proceeds from such Inventions. In the event that PC agrees to provide the development assistance with respect to the Invention, the net proceeds (after payment of expenses of development) of such commercialization will be shared between PC, the individual inventor, and the other entity on terms mutually agreed between them.

- vii. Inventions devised in the course of performance of external grants or contracts administered by PC: These are Inventions that a faculty or staff member has devised in the course of activities undertaken with external financial support.

The ownership of rights in Inventions of this category will be governed, in the first instance, by the terms of the grant or contract in question. When those terms permit the retention of rights by the contractor or grantee, the inventor and PC each will be entitled to a 50% share, unless there has been an agreement varying this share.

- viii. Determination of Disputed Claims. A policy such as this one cannot anticipate all cases that may arise or dictate exactly how each case will be categorized in terms of that policy when it does arise. Under this policy such determinations are to be made by the Provost and Dean in consultation with the Office of Sponsored Projects and the Vice President for Finance and Administration.

Where this policy provides for negotiations between a faculty or staff researcher and PC concerning the allocation of rights in an invention or the proceeds from its exploitation, the officer negotiating on behalf of PC shall seek the advice of the Office of Sponsored Projects, the Vice President for Finance and Administration, and the College's IP counsel concluding any final agreement. In such event, the Patent Committee may advise for or against the conclusion of an agreement on particular terms, or recommend additional or alternative terms.

Employee Acknowledgment Form

Presbyterian College is issuing this Personnel Handbook on January 19, 2021, and is revoking all prior versions or editions, effective January 19, 2021. A copy of the Handbook may be found electronically at <https://www.presby.edu/doc/hr/PersonnelHandbook.pdf>. This Handbook is intended to help you become acquainted with some of the current policies of Presbyterian College in effect on the date of this Handbook. This Handbook serves as a guide; it is not the final word in all cases. Individual circumstances may be handled on an individual basis at the College's sole discretion. This Handbook and the policies described in this Handbook may be changed at any time at the sole discretion of the College without notice.

By my signature, below, I agree that:

- I have received a copy of the Presbyterian College Personnel Handbook, dated January 19, 2021, and have been advised that I may access it electronically by going to <https://www.presby.edu/doc/hr/PersonnelHandbook.pdf>.
- I have read, signed, and understand the Notice and Disclaimer, located on Page i of this Handbook;
- I further understand that my employment is "at-will" which means that I can leave the College at any time with or without notice and with or without cause, and the College has the same right to end my employment at any time without notice and without cause as long as it acts lawfully.
- I understand that this Handbook is not a contract of employment, that the language and policies contained in it do not create contractual obligations, and that no circumstances arising out of my employment can alter my "at-will" employment relationship unless an agreement expressly altering the "at-will" nature of my employment is set forth in writing, and personally signed by the President, Provost, or the Chair of the Board of Trustees of the College and by me.
- I understand that this Handbook replaces and supersedes all prior versions and previous handbooks, and that the policies, rules, and benefits described in it are subject to change at the sole discretion of the College at any time without prior notice. Accordingly, the College may amend, add to, or delete from this Handbook at any time, in the College's sole discretion, and without giving me prior notice or obtaining my consent. In the event that any mandatory language appears in this Handbook, the terms of the disclaimer on Page i of this Handbook shall govern over any such apparently mandatory language so that no contract is created.
- I am aware that during the course of my employment confidential information may be made available to me. I understand that this information is critical to the success of the College and must not be disclosed or used outside of the College's premises or with non-authorized employees. I agree that I may be held liable for damages resulting from my disclosure or unauthorized use of such information. In the event that my employment is terminated, no matter how the termination is caused, I hereby agree not to use, utilize, or disclose this information with or to any other individual or entity.
- I understand that if I have questions about this Handbook, now or in the future, I can discuss them with the Vice President of Human Resources and Title IX or the Director of Human Resources Operations.
- I understand my signature below indicated that I have received a copy of the College's Personnel Handbook.

Employee Signature

Printed name and date signed