



Fairfax University  
*of America*

# EMPLOYEE HANDBOOK

v. 4.0 – REV JAN 2020

# Welcome to FXUA!

We are pleased with your decision to join Fairfax University of America (“FXUA” or “the University”) and extend our warmest welcome.

This Employee Handbook is general in nature and is designed to explain important FXUA policies, procedures, and benefits and to serve as a reference tool for you in your employment with FXUA. The Handbook is not exhaustive of all policies and procedures governing the University. If there is anything in the Handbook that you do not understand, please request clarification from your supervisor or Human Resources.

This Employee Handbook will grow and change with FXUA. In anticipation of changes in circumstances and situations, FXUA reserves the right to deviate from the policies, procedures, and benefits described in this Handbook. Furthermore, the University reserves the right to withdraw or change the policies, procedures, and benefits described in this handbook at any time, for any reason, and without prior notice.

The University will make every effort to notify employees when an official change in policy or procedure has been made, but employees are responsible for their own up-to-date knowledge about University policies, procedures, and benefits.

No provision in this Employee Handbook can be waived without written permission from the University’s President, or designee. Such a waiver, if granted, applies only to the employee for whom the waiver was granted at the time of the waiver.

***Employment at FXUA is on an at-will basis, which means that either you, the employee, or FXUA, may terminate the employment relationship at any time, for any reason, with or without cause.*** Only a written agreement, signed by the President of FXUA, can change the at will nature of the employment of any individual. This Employee Handbook is not a contract of employment nor is it intended to create contractual obligations for the University of any kind.

FXUA values the talents and abilities of our employees and seeks to foster an open, cooperative, and dynamic environment in which employees and the University alike can thrive. We extend our best wishes for your success and happiness at FXUA.

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# Section 1: Overview of FXUA

## About FXUA

Fairfax University of America (FXUA) was established in 1998 with the goal of providing affordable and high-quality education for students preparing to meet the ever-evolving needs and opportunities of the 21st century. Since its founding, Fairfax University of America has made significant progress in operating an institution of higher education. Following the demand of a rapidly growing student population, FXUA expanded its programs, campus, staff, and faculty in less than 15 years. Today students from more than 60 countries chose to pursue their education at FXUA. Seven different schools at FXUA offer a variety of academic and non-academic degrees at undergraduate and graduate levels on campus and online: the School of Business, School of Computer Information Systems, School of Education, School of Public and International Affairs, School of Language Studies, School of Online Education, and the School of Continuing Education.

## Our Mission

Virginia International University's mission is to deliver academic programs at the graduate, undergraduate, and certificate levels that provide students from around the world with the knowledge to achieve excellence in research, scholarship and creative endeavors; to engage highly qualified and culturally diverse faculty and staff; and to promote a culture of intellectual curiosity, critical thinking, and creativity.

## Our Philosophy

As a community of students, staff, and faculty drawn from diverse national, cultural, and social backgrounds, FXUA aims to improve the environment in which freedom of thought and diverse interpretations of human experiences are cherished. It is our hope and expectation that each member of the university will develop a greater awareness of, and responsiveness to, fellow members as well as to those beyond our campus who are less privileged. In the fulfillment of this mission, the university shall seek an efficient use of all available resources to ensure the highest quality of service to its students, faculty, and staff. The ultimate goal of FXUA is no less than to graduate scholars of moral, intellectual, and professional excellence who will not only make a better life for themselves and their families, but who will lead the way to a better world for everyone.

## **Section 2: Employment Policies**

### **Equal Employment Opportunity**

FXUA prohibits discrimination and harassment and provides equal employment opportunity without regard to an individual's age, color, physical or mental disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, marital status, citizenship status, veteran status, political affiliation, childbirth or related conditions, or any other factor protected by federal, state, and/or local laws.

Pursuant to Title IX of the Education Amendment of 1972, FXUA prohibits discrimination on the basis of sex in any of its educational programs or activities.

Equal employment opportunity notices are posted in break rooms, and on the FXUA intranet. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes that he/she has been discriminated against.

Management is primarily responsible for seeing that FXUA's equal employment opportunity policies are implemented, but all employees share in the responsibility by assuring, through their personal actions, that the policies are effective and apply uniformly to everyone.

Any employees, including supervisors, involved in discriminatory practices will be subject to termination.

### **Americans with Disabilities Act & Rehabilitation Act**

FXUA is committed to providing equal opportunity employment opportunities and reasonable accommodations for qualified individuals. FXUA acts in accordance with the Americans with Disabilities Act (ADA) and the Rehabilitation Act which prohibit discrimination against a qualified person with a disability in employment practices such as job application procedures, hiring, promotion, termination, compensation, training, benefits, and other conditions of employment. These acts also require that employers provide reasonable accommodations to qualified individuals with disabilities.

#### Requesting Reasonable Accommodations

FXUA will provide reasonable accommodations for all employees with disabilities, religious beliefs, pregnancy, and related medical issues, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on FXUA.

The following steps outline the process involved in considering requests for reasonable accommodations:

Any employee who anticipates needing any type of reasonable accommodations should submit a completed Reasonable Request for Accommodation Form to the Human Resources department.



A representative from the Human Resources department will meet with the employee to review the documentation and determine if impairment rises to the level of a disability and recommended accommodation.

If the impairment rises to the level of a disability, the HR representative will request an Essential Job Function Analysis Form from the employee's supervisor.

The Human Resources department will contact the employee's supervisor to discuss recommended accommodations and to determine if the employee's department is able to implement the requested accommodations.

If the department is able to implement the requested accommodations, the employee and supervisor should meet to discuss how the accommodations will be implemented.

If the department is *not* able to implement the requested accommodations, the supervisor must give a detailed description of the business necessity that prevents them from implementing the accommodations.

If the employee's requested accommodation is not able to be implemented due to business necessity, FXUA will work to reassign the employee to a vacant position that is equivalent in terms of pay, status, or other relevant factors if the employee is qualified for the position. If there is no vacant equivalent position, FXUA will reassign the employee to a vacant lower level positions for which he/she is qualified.

## **Immigration Reform and Control Act**

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, FXUA is committed to employing only individuals who are authorized to work in the United States.

All offers of employment are contingent on verification of your right to work in the United States. On your first day of work you will be asked to provide original documents verifying your right to work and, as required by federal law, to sign Federal Form I-9, Employment Eligibility Verification Form. If you, at any time, cannot verify your right to work in the United States, FXUA may be obliged to terminate your employment.

If an employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the University.

FXUA follows federal and state requirements and utilizes E-Verify to provide further eligibility verification of employment. If E-Verify does not confirm eligibility, FXUA will notify the employee and provide you with written instructions and an opportunity to contact DHS and/or the SSA before taking adverse action against you, including terminating your employment.

FXUA will not use E-Verify to prescreen job applicants and will not limit or influence the choice of documents presented for use on the Form I-9.

If you leave FXUA and are rehired, you must complete another Form I-9 if the previous I-9 with FXUA is more than three years old; if the original I-9 is not accurate; or if we no longer have the original Form I-9.

If you have questions or want information on the immigration laws, please refer to the Immigration section of this handbook.

## **Employment Applications**

FXUA relies on the accuracy of the information you put on your employment application. The University expects that you and your references will give accurate and true information during the hiring process and throughout employment. Any misrepresentations, falsifications, or material omissions found to be in any of the data provided may result in an applicant being rejected or, if the person has already been hired, termination of employment.

## **Criminal Background Check**

FXUA requires a criminal background check for all employees upon hire once a conditional offer of employment has been extended. The employee must authorize this background investigation prior to a background check being conducted.

Although disqualification is possible, in accordance with federal and state laws, a previous conviction does not automatically disqualify an applicant from consideration for employment with FXUA. Depending on a variety of factors (e.g., the nature of the position, the nature of the conviction, age of the candidate when the illegal activity occurred), the candidate may still be eligible for employment with FXUA.

However, if an applicant attempts to withhold information or falsify information pertaining to previous convictions, the employee will be disqualified from further employment consideration in any position with the University due to falsification of an application.

An offer of employment may be extended to an applicant prior to the completion of the criminal background check. However, the applicant's first day of work in the position must not be prior to the satisfactory completion of the criminal background check.

## **New Hire Orientation**

Newly hired employees will be asked to complete paperwork and a variety of onboarding tasks in the days preceding their first day of work to expedite the onboarding process. During the first week of employment, all staff will participate in a new hire orientation program to go over university policies and procedures, learn about university resources, and to ask any questions that they may have. All new employees may contact the Human Resources department with any questions that were not answered during orientation.

All new employees will be scheduled to meet with a Human Resources representative after 30, 60, and 90 days of employment to give feedback, ask questions, and express any concerns during their probationary period. It is the expectation of the university that all employees will receive the feedback and resources that they need to transition and perform successfully within the university. The Human

Resources department will use the data collected in these meetings to identify and resolve any concerns the employee may have during his/her probationary period.

## Employee Categories

Employees are divided into the following categories for the purpose of compensation and benefit eligibility. FXUA policies apply to all categories of employment.

- **Regular Full-Time Employee:** Employees hired to regularly established classifications for a period in excess of nine months who is regularly scheduled to work 30-40 hours a week. This category also includes an employee who is currently in his/her 90-day trial period following a transfer or promotion.
- **Regular Part-Time Employee:** Employees hired to regularly established classifications for a period of at least nine months or the academic year that are scheduled to work at least 20 hours per week, but less than 30 hours per week. This category includes an employee who is currently in his/her 90-day trial period following a transfer or promotion. No part-time employee is permitted to work more than an average of 29 hours in a work week or more than 1,450 hours in a calendar year. Any employee who meets their annual limit may not continue to work for the remainder of the calendar year.
- **Probationary Employee:** Employees who are in the first 90 calendar days of employment.
- **Temporary Employee:** Employees who are hired as temporary replacement for full-time or part-time employees or for short periods of employment (not to exceed 900 hours in a year) such as summer months, peak periods, or vacations are considered temporary employees. Temporary employees are eligible for benefits if they work at least 30 hours in a workweek.
- **Employee on Leave of Absence:** Eligible employees with an extended period of paid or unpaid time off from work for health, personal, educational, or military reasons.
- **Student Staff Representative:** Employees whose primary function is that of enrollment in a full-time undergraduate or graduate degree program at FXUA, and employment at FXUA is secondary to such a primary undertaking

## FLSA Classification

FXUA employees are designated as either **Non-Exempt** or **Exempt** from federal and state wage and hour laws in accordance with the Fair Labor Standards Act (FLSA). Non-exempt employees are entitled to overtime pay under specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws and do not receive overtime pay.

### Non-Exempt Employees

Non-Exempt employees are required to keep accurate records of their actual hours worked. Employees who arrive late for work or are absent from work may not be paid for the time during which they were absent. Additionally, Non-Exempt employees are not permitted to perform work, including accessing job-related e-mails or conducting business outside of work hours.

Any hours of work performed by a non-exempt employee over 40 hours in a workweek will be paid one and one-half times his/her hourly equivalent rate. ***Overtime is not permitted without prior authorization given by the employee's supervisor and the Department of Human Resources.***

#### Exempt Employees

Exempt Employees are paid a base salary for their work and may be required to work extra hours or days to complete a project or task to perform work in a professional and acceptable manner. No additional compensation or paid time off is provided to an exempt employee for additional hours or days of work.

Likewise, an exempt employee's compensation will not be decreased or docked due to lateness or partial day absences that are less than four hours. However, full day absences, for which paid time off is not available, will result in a decrease in compensation for each such full day of absence.

The University seeks to employ individuals who are dedicated to their work and who exercise sound judgment in the conduct of their work and work schedules. All exempt employees are expected to maintain regular office hours as approved by their supervisors.

### **Probationary Period**

Upon hire, as an employee with the University, employees will participate in a 90-day probationary period during which time both the employee and their supervisor will have a chance to determine the employee's suitability for the position. Probationary evaluations are conducted every 30 days throughout this period. A probationary period may be extended up to six months (in one-month increments), if necessary. This policy applies to part-time and full-time staff members.

### **Job Postings**

FXUA provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. Job openings are posted on the University's Jobs@FXUA web site ([jobs.FXUA.edu](http://jobs.FXUA.edu)). To apply for an open position, employees must apply online and contact Human Resources to express their interest in moving into another position. Though every effort may be made to try to accommodate internal applicants, other recruiting sources may also be used to fill open positions, and there is no guarantee that an internal applicant will be chosen for the vacant position.

### **Job Descriptions**

General job descriptions outlining job responsibilities, qualifications, FLSA classification, supervisor, department, and other details that relate to the position are maintained by the Human Resources Department and are given to each employee. These descriptions are not fixed and can be expected to be updated and changed over time.

We use job descriptions to identify the requirements of a job, set up the hiring criteria, set standards for employee performance, and establish a basis for making reasonable accommodations for individuals with disabilities.

Your job description does not necessarily cover every task or duty that you might be assigned. You may be assigned additional responsibilities as necessary. If you have questions or concerns about your job description, contact your immediate supervisor.

## **Promotions and Transfers**

The University encourages promotion from within whenever practical. It is the University's expectation, whenever possible, that employees will remain in their position for one year prior to requesting or applying for a position or department change. Where appropriate, an employee may be promoted to a more responsible position in their current department, or another department, without the position being posted. Employee eligibility for promotion will be determined by the requirements of the position, as well as by the employee's performance evaluations. In addition, to be considered, employees must have a satisfactory performance record, have no corrective actions during the last six months, and have no outstanding obligations with regard to compliance.

Any employee who has been transferred or promoted into a new position will serve a 90-day trial period. During this time, a new 90-day probationary period evaluation must be completed by the supervisor.

## **Nepotism**

If FXUA employs you and members of your family, one may not supervise the other. Family members include the employee's spouse, child, parent, parent-in-law, grandparent, grandparent-in-law, granddaughter, grandson, daughter-in-law, son-in-law, step-parent, domestic partner (a person with whom the employee's life is interdependent and with whom the employee shares a mutual residence), brother, sister, brother-in-law, sister-in-law, daughter or son of the employee's spouse or domestic partner, and any relative living in the household of the employee or domestic partner.

Should two employees who work together or supervise each other enter into a personal, non-work related relationship, one or both employees may have to be transferred.

## Section 3: Immigration

Fairfax University of America seeks to strengthen its academic standing by hiring highly qualified faculty and administrative professionals who have the potential to make significant contributions to the University. The University's workforce includes some faculty and staff who are not U.S. Citizens, U.S. Nationals, Lawful Permanent residents, Asylees, Refugees, or Temporary Residents under the 1986 amnesty program. In general, if a person does not fall into one of these categories and/or does not hold some other form of employment authorization, then he/she may need to apply for some form of authorization from U.S. immigration authorities before he/she can be employed by the University.

Like all employees, Foreign National employees will not be permitted to work for the University until authorized to do so by federal law. The determination of whether or not a Foreign National is authorized to begin employment (or will need immigration sponsorship) will be made by the University, through the Human Resources department, in consultation with University legal counsel. In order to be employed by the University, a Foreign National employee must hold an unexpired Employment Authorization Document or be afforded employment authorization.

### University Support for Immigration Filings

The University will hire legal counsel to prepare and file a Non-Immigrant Visa Petition to obtain appropriate work authorization for approved employees eligible for sponsorship. It is the responsibility of the foreign worker to cooperate with this process by providing all requested documents within a pre-determined reasonable timeframe.

As part of this process, the University will request the foreign worker to produce documents to confirm his/her current immigration status and eligibility for the requested visa classification. This includes, but is not limited to: valid passports, visas, Arrival-Departure Records (Forms 1-94), Forms I-20, notices of approval for other petitions or applications, Employment Authorization Document(s), degrees/diplomas, transcripts, foreign degree evaluations, and other documents relevant to the person's immigration status.

In the event that the foreign worker is not in valid status at the time of filing, has concealed or misrepresented any aspect of his/her immigration or work history, or is inadmissible or removable under federal immigration law, the University reserves the right to withhold sponsorship or support for the foreign worker and/or to request the withdrawal of any pending Petition or the revocation of any approved Petition. The policies and procedures, including eligibility, for sponsorship can be found in the HR Policies & Procedures Manual.

## Section 4: Compensation

### Compensation

It is the policy of FXUA to maintain and administer a formal salary program that recognizes the relative value of each staff position when compared with other positions and that compensates employees in each position at a salary commensurate with their experience and performance. The university will attempt to maintain pay rates that are competitive in the appropriate local and national markets, taking into consideration the university's fiscal position and its geographic location. All pay ranges are established and maintained in the FXUA Compensation Manual by the Human Resources department.

#### Salary Structure

The objective of salary structure is to pay salaries that are externally competitive and internally equitable. The salary structure is based on job classifications and is evaluated regularly to ensure that external equity is maintained.

All positions at FXUA are grouped into common categories (job classifications) based on the type of work involved, the level of difficulty, the level of responsibility, and the minimum qualifications required for the job. Salary ranges for each classification include four quartiles ranging from salaries for employees with minimal qualifications to salaries for those with long-term experience and well established skill sets.

#### Starting Salaries

Beginning rates of pay for new employees are based on the university's current compensation guidelines administered by the Human Resources department. Such guidelines take into consideration the position classification; the employee's applicable knowledge, skills, and abilities; market factors, departmental budget allocations, and the impact with respect to other employees in comparable positions.

#### Merit Increases

While there are many factors that determine the location of an individual's salary within a given range, the most important and generally governing one is performance. Typically, the size of a merit increase will be determined by the supervisor based on guidelines provided by the President's Office and the Human Resources department as well as the employee's level of performance.

When funding is available, merit increases for eligible employees are effective in March, following completion of the annual review process for the previous calendar year. Merit increases outside of the common review process will not be considered without a written justification for the increase from the employee's supervisor and approval from the head of Human Resources and the President of the university.

## Workweek

Our payroll workweek begins on Sunday 12:01am and ends on Saturday at 12:00am. FXUA will compute your time on the basis of a 40-hour workweek.

## Paycheck & Pay Periods

All staff members are paid on a semi-monthly basis. The semi-monthly payment for time worked through the 15<sup>th</sup> of each month is made on the 15<sup>th</sup> of that month. Payment for the balance of the month is made on the last day of the month. When a payday falls on a holiday or weekend, paychecks will be issued on the preceding workday.

## Overtime

On occasion, a non-exempt employee may be asked to work extended hours on a particular day, but very rarely will you be asked to work beyond 40 hours in one workweek. If you are a non-exempt employee and you are asked to work beyond 40 hours in a workweek, you are eligible to receive overtime pay of one and one-half (1.5) times your regular hourly wage for any hours worked over 40 in a workweek. If, during that week, you were away from the job because of a paid holiday, vacation, or sick leave, those hours not worked will not be counted as hours worked for the purpose of computing eligibility for overtime pay.

***No employees are permitted to work overtime without prior approval from Human Resources.*** Failure to receive approval prior to working overtime hours will result in corrective action, up to and including termination.

Non-exempt employees are not permitted to work away from FXUA (e.g., performing work at home) without written authorization from the employee's supervisor prior to performing the work. In the event authorized work away from FXUA is required, such time is considered hours worked. Both you and your supervisor have a shared responsibility to ensure that work performed away from FXUA is done with prior written authorization and does not result in hours worked in excess of 40 hours in a workweek.

## Mandatory Deductions from Paycheck

FXUA is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal, state, and local income taxes, and your contribution to Social Security as required by law. These deductions will be itemized on your check stub. The amount of the deductions will depend on your earnings and on the information you furnish on your W-4 form regarding the number of exemptions you claim.

If you wish to modify your tax withholdings, please log in to the Paylocity self-service portal and update your information there (for tax changes, a hard copy of the applicable tax form will be required for your personnel file). Only you may modify your W-4 information. Verbal or written instructions are not sufficient to modify withholding allowances. We advise you to check your pay stub to ensure that it reflects the proper number of withholdings.

The W-2 form you receive annually reflects how much of your earnings were deducted for these purposes.



The following is a list of deductions that either must or may be taken through the payroll process:

- ▮ **Payroll Taxes** – F.I.C.A. (Social Security/Medicare), Federal Income, & State Withholding
- ▮ **Tax on Life Insurance** – Employer-paid life insurance over \$50,000 is considered by the IRS as a taxable benefit. The IRS provides a table based on age to dictate the cost per \$1,000 of coverage per month, regardless of the actual premium amount the university pays for the insurance benefit. The university is required to report this cost as income to the employee and withhold the appropriate taxes.
- ▮ **Tax on Tuition Remission** – Tuition remission beyond \$5,250 for graduate classes for employees is a taxable amount and must be reported as taxable income.
- ▮ **Tax on Gifts & Awards** – Monetary awards and cash equivalents (e.g., gift cards) are subject to personal income taxation.
- ▮ **Child Support/Wage Garnishments** – The university is required to honor any court order issues for garnishments or liens.
- ▮ **Insurance Premiums** – Healthcare, Dental, Vision, Long-Term Disability Insurance, and Supplemental Life and/or Medical Insurance
- ▮ **401(k)** – Retirement Contributions and/or loan payments
- ▮ **University Annual Support** – Employees have an opportunity through payroll deduction to contribute to the various fundraising drives sponsored by the university for its continued
- ▮ **Leave Without Pay (LWOP) or Leave of Absence (LOA)** – When an absence from work requires leave without pay or an unpaid disciplinary suspension of one or more full days is imposed in good faith for violations of workplace conduct rules, such as rules prohibiting sexual harassment or workplace violence.
- ▮ **Reimbursement** – When it is necessary to offset any amounts received as payment for jury fees, witness fees, or military pay or as reimbursement of employee fees or loans.
- ▮ **First & Last Checks** – When a proportionate part of an employee's full salary is paid for time that an employee actually works in the first and last weeks of a period of employment.

### **Garnishments/Child Support Orders**

We hope that you will manage your financial affairs so that we will not be obligated to execute any court-ordered wage garnishments. However, when court-ordered deductions are to be taken from your paycheck, you will be notified. FXUA acts in accordance with the federal Consumer Credit Protection Act, which places restrictions on the total amount that may be garnished from your paycheck.

Garnishments remain active until Human Resources receives a release or an amendment of these federal and state decrees. FXUA does not refund any incorrectly deducted funds due to requisite

garnishments. Instead, employees must request refunds from the agency directly authorizing the deduction. ***FXUA will not stop or modify any court-ordered garnishments without another court order to do so.***

## **Paycheck Distribution & Direct Deposit**

Direct deposit provides the convenience of having paychecks electronically deposited into checking or savings accounts and pay stubs electronically available at any time via Paylocity. All employees are required to provide accurate routing and account numbers as all employees will be paid via direct deposit. If you change banks and/or account numbers, you must log in to the Paylocity self-service portal and update your direct deposit information. If you fail to update your information, all funds already submitted to the bank will not become available until such funds are returned to FXUA by the bank. Any fees associated with the return of funds will be the employee's responsibility.

Newly hired employees will receive their first paycheck as a live paper check. Paychecks can be picked up from the Human Resources department on the payday.

## **Error in Pay**

In the event of an error in payment or an improper deduction, you should contact the Human Resources department as soon as possible. A Human Resources representative will investigate the matter and make any necessary corrections – either through a manually created paycheck or in your subsequent paycheck. Any questions concerning how or when corrections will be made should be directed to the Human Resources department.

## **Time & Attendance**

The purpose of time and attendance is to record hours worked. All non-exempt employees are required to record their time on the electronic timesheet available through Paylocity. Each day the non-exempt employee should enter their hours start and end times for the day and for any lunch periods.

If an employee is working off-site, he/she is required to notify the Human Resources department. Additionally, if an employee is going to be late to work or absent for the day, he/she is responsible for notifying both his/her supervisor and the Human Resources department. If an employee is absent for the day, he/she should also enter the appropriate leave type for the day in Paylocity.

Employees will have ownership and accountability for inputting work time and PTO hours via Paylocity. Supervisors will be able to override the system and make any necessary corrections, as needed. All employees are able to log in to Paylocity to view their own timecards or to review PTO balances.

## **Recording & Reporting Paid Time**

Employees are responsible for recording and reporting accurate and complete work time to ensure the timely and accurate payment of salaries and wages and the processing of all FXUA payroll disbursements and related deductions. The Human Resources department ensures that payroll transactions comply with generally accepted accounting principles and that all withholdings for taxes, benefits, wage attachments, and voluntary deductions are reported accurately.

All non-exempt employees must complete and submit timesheets electronically. Timesheets must be updated daily at the end of your working day and submitted at the end of each pay cycle.

Each and every FXUA employee is responsible for accurately recording and submitting his/her time. No one may record hours worked on another employee's time sheet. Tampering with another employee's time record is cause for corrective action, up to and including possible termination, of both employees.

You should record every hour that you have worked. You should not report hours you planned to work or are expected to work, but only hours that you've actually worked. Planned leave or holiday time may be entered in advance, but do not record any working hours before they are worked.

You should review your timesheet for accuracy before submitting. In the event of an error in recording your time, please report the matter to the Human Resources Department immediately to have it modified. Falsifying timekeeping records and failing to record time daily are very serious matters and will result in corrective action, up to and including termination.

## Section 5: Performance & Development

FXUA encourages its employees to pursue professional development opportunities as a means of personal and professional growth. FXUA supervisors are responsible for guiding and supporting the professional development of their employees by offering learning opportunities and providing coaching and feedback. To assist supervisors in providing such opportunities for employees, FXUA offers programs and resources that can help employees enhance their work-related skills. FXUA employees also share in the responsibility for their own development and should talk with their supervisor about taking advantage of available resources for personal and professional growth.

### Individual Development Plans

All employees are required to collaborate with their supervisors to complete an Individual Development Plan (IDP) on an annual basis to identify career goals and possible training and professional development opportunities. These professional development goals are set in conjunction with performance goals within the Agile Performance Management System and are monitored on a quarterly basis.

### Professional Development Outside FXUA

FXUA encourages its regular full-time staff to pursue professional development opportunities as a means of personal and professional growth, and the University is pleased to offer monetary support for those ventures.

Professional Development activities may differ from person to person, but, for the purpose of this policy, professional development encompasses events and expenses including, but not limited to: professional membership dues and subscriptions for individuals, internal and external professional development activities (workshops, seminars, etc.), and conference attendance. When the policy refers to “professional development” or “professional development activities” it refers to events or expenses similar to those listed above. Research, internal employee training, and FXUA classes are not included in this policy.

Regular full-time employees who have successfully completed the probationary period are eligible to apply for professional development events and memberships.

Professional development should benefit both the individual and the department for which he or she works. An individual may apply for a professional development event or membership if:

- It is required for a license or certification necessary to perform one’s job;
- The event is important to the individual’s current work assignment;
- The individual is participating in this event as a presenter, honored guest, member, etc.

Full-time faculty may request to attend events which will improve both their teaching and administrative skills. Research assignments, however, are not eligible under this policy.

Attendance at conferences outside of the Metropolitan D.C. area is limited to only one FXUA staff member per department. Non-local conferences are those taking place more than 100 miles from the University. Exceptions may be granted in the event that two FXUA representatives are presenting or serving in an official capacity that requires them to attend. For local conferences that do not require travel and boarding, this restriction does not apply.

Supervisor approval is needed to register for professional development. Before registering, you must discuss with your supervisor the cost of the program and the way in which any time away from the department will be treated. Supervisors are encouraged to work with employees to allow for participation in learning events in which the employee has shown interest or that the supervisor deems necessary.

Additionally, all outside professional development opportunities and expenses must be approved by FXUA's Professional Development Committee. The goal is not to limit the development of employees, but to ensure that we are being fiscally responsible and operating within budgetary limits.

If a similar opportunity for professional development will be offered by FXUA within the same year, an individual's request to attend an event may be denied.

For more information about the request and approval process, please refer to the official Professional Development Policy located on the University's intranet site.

## **Learning Opportunities at FXUA**

A variety of learning opportunities, such as workshops, seminars, and e-courses, are sponsored by the Human Resources department on a regular basis in the areas of management development, technology, work-skills development, human resources, communication, career and personal development, health and safety, and employee wellness.

Employees may register to attend any internal training events, but approval from the employee's supervisor is required to ensure proper departmental coverage.

### Staff Workforce Development Scholarship

Regular full-time employees, who have successfully completed the probationary period, may take one course per academic semester from the University. The Staff Workforce Development Request Form must be submitted to Human Resources and approved prior to registering for the class each semester. The tuition associated with the course is waived, but the employee is still responsible for all fees. Not more than four (4) courses may be taken in one calendar year with the tuition waived (please note that tuition remission beyond \$5,250 for graduate classes for employees is a taxable amount and must be reported as taxable income). Additional courses may be taken at the expense of the employee. Coursework cannot interfere with an employee's regular work schedule.

In the event that an employee is no longer employed by FXUA *before or during* the add/drop period for the applicable academic term, the employee will be responsible for all costs associated with the course in which he/she is enrolled.

The University will offer a 30% tuition discount per semester for immediate family members of employees studying at FXUA. Immediate family members, in determining eligibility for the discount, are identified as parents, children, brothers, sisters, and spouses of full-time staff and/or board members.

The deadline to apply for this discount is the last day of add/drop in each semester. Applications after this deadline will only be considered for the next semester. Employees must complete the Application for Staff and Board Members Family Discount and submit it to the Accounting Office for approval. The discounts will be applied to tuition only. Scholarships will be deducted first. The discounts will be applied to the remaining amount. If a student qualifies for more than one discount only one will be applied.

### **Performance Evaluations & Performance Improvement Plans (PIPs)**

Rather than administering the traditional annual performance review framework, FXUA has adopted an agile performance management framework which requires regular feedback from supervisors and your performance is assessed through more regular and casual exchanges between you and your supervisor via regular check-in meetings. Check-in meetings between supervisors and employees may occur as frequently as needed, but no less than on a quarterly basis. These check-in meetings are designed for supervisors and employees to articulate clear expectations, performance feedback, and career growth.

Annual performance reviews summarize past check-ins and are based on your achievement of pre-determined goals and metrics and ratings congruent with agile values and principles. The approach is focused more on employee development and assessment for future improvements rather than evaluation of past performance. Similar to regular departmental assessments, the concept is one that encourages your continuous development and improvement.

The university has implemented an Agile performance management system for goal setting, check-ins, and feedback between supervisors and employees, and all regular employees are required to participate.

Any employee who is struggling with performance will be put on a Performance Improvement Plan (PIP). The PIP is designed to help an employee understand when their performance is out of alignment with the expectations of his/her position and to create a documented plan for improvement within a set period of time. Follow-up evaluations will be scheduled to evaluate the performance improvement. Employees who fail to improve their performance and/or conduct in this time frame will be subject to corrective action, up to and including termination.

## Section 6: Time Off Policies

Both paid and unpaid time off may be granted to eligible employees, according to the following leave policies. Please consult the Human Resources Department for further information.

### Holidays

All regular full-time employees are eligible for holiday pay. FXUA typically observes the following holidays as paid holidays:

- |                    |                       |
|--------------------|-----------------------|
| □ New Year's Day   | □ Thanksgiving        |
| □ Memorial Day     | □ Thanksgiving Friday |
| □ Independence Day | □ Christmas Eve       |
| □ Labor Day        | □ Christmas Day       |

Additionally, the days between Christmas and New Year's Day are considered winter break holidays. Some student-services and essential departments are required to have an employee working on campus during the winter break holiday period. These departments include the following:

- |                                  |  |
|----------------------------------|--|
| □ Admissions & Inquiries         | □ Information Technology                 |
| □ International Student Services | □ Facilities & Property Management       |
| □ Registrar                      | □ Global Bistro/Dining Services          |
| □ Student Accounts (Accounting)  | □ Academic Schools (SCIS, SB, SPIA, SED) |

Employees asked to work on a scheduled holiday will receive a floating holiday to use at a later date. An employee who is not asked to work on a scheduled holiday may request to work, but this must be approved by the employee's supervisor and the Human Resources department.

When a holiday falls on a Sunday, the following Monday will be observed. When a holiday falls on a Saturday, the preceding Friday will be observed.

### Religious Holidays

FXUA, as a secular institution of higher education, stands at the same distance to all world religions and does not observe religious holidays. FXUA does not observe religious holidays of any type other than what the state and federal governments observe officially in the U.S. Therefore, all scheduled educational activities and University-sponsored events will take place as scheduled and publicized by our Academic Calendar.

Employees may be granted approved time off from work to observe their religious holidays which do not coincide with the holidays that are officially observed by FXUA. Such time off will be charged to the employee's accrued PTO or taken as Leave Without Pay (LWOP).

## Paid Time Off

FXUA provides Paid Time Off (PTO) as one of the many ways in which we show our appreciation to our employees. PTO may be taken as vacation time to allow you to rest and relax, as extra time around the holidays to spend time with friends and family, as time to pursue special interests, or as time off due to illness and/or medical appointments.

Only full-time employees are eligible to accrue PTO. PTO hours begin accruing immediately and are carried over from year to year, with a maximum of 240 hours carried over each year. Newly hired employees who are in their 90-day probationary period may start accruing PTO hours immediately, but are not eligible to use PTO until after the completion of their probationary period.

The following schedule shows the amount of PTO earned for full-time employees during a period of continuous service.

Years of Employment	Vacation Hours Earned Per Pay Period	Annual Benefit
0-3 Years	5.00	15 Days (or 120 hours)
3-5 Years	6.00	18 Days (or 144 hours)
5+ Years	7.00	21 Days (or 168 hours)
Executive Level (President, VP)	10.00	30 Days (or 240 hours)

Except in the instance of illness or unforeseeable absences, all leave must be scheduled in advance with your supervisor. Earned hours must be used before submitting a request for an unpaid leave of absence. Every effort will be made to grant your request for leave at the time you desire. However, leave cannot interfere with your department's operation and, therefore, must be approved by your supervisor in advance. If any conflicts arise with regard to requests for leave, preference will be given to the first employee who requests the time off. Supervisors may decline a request for leave if it will leave the department without sufficient operational coverage.

Employees are encouraged to use their PTO hours throughout the year, but FXUA has the authority to determine when and to what extent leave requests will be granted. ***To prevent excessive operational gaps and delays, employees are not permitted to take more than 15 consecutive business days of PTO at one time.*** Employees are also requested to be mindful of the Academic Calendar when scheduling leave and employees are expected to use discretion when scheduling leave two weeks prior to the start of a semester and one week following the start of the semester. Any employee planning to take three (3) or more consecutive days of leave is expected to wrap up open assignments and/or transfer them to another employee prior to his/her departure. Additionally, any e-mail and voicemail accounts should be updated to indicate the Out of Office timeframe and alternative contact information.

Non-exempt employees who miss time at work must either make a request for time off or Leave Without Pay (LWOP) in increments of 30 minutes or, with authorization from their supervisor, may make up missed hours during the same workweek.

Exempt employees who miss less than four hours will not be charged time off, but they will be expected to make up missed hours for late arrivals and outside appointments.



Only accrued leave may be taken. You may not receive advanced leave pay (for time off taken in excess of your leave accrual balance) for any full day. Advanced leave less than eight hours may be extended, but if termination of employment occurs prior to repayment by leave accrual earnings, reimbursement shall be effected by deduction from salaries due at the time of termination.

## **Volunteer Time Off (VTO)**

In order to create community engagement opportunities for FXUA employees that are meaningful, purposeful, and help those in need (and, of course, to enrich and inspire the lives of our employees), FXUA offers its employees paid time off to volunteer.

### Eligibility

All regular employees of FXUA who meet the criteria below are eligible to participate in this program after successful completion of the probationary period.

- The employee must be in good standing. An employee may not be on a PIP at the time of request.
- The employee must provide reasonable notice to his/her supervisor and work demands can take priority over the VTO request.

### Amount of Time & Compensation

All regular full-time employees can volunteer up to eight (8) hours per calendar year with a 501(c)(3) nonprofit or its U.S. equivalent in accordance with FXUA's giving and volunteering guidelines. Regular part-time employees will receive a prorated amount of VTO based on their work schedule (e.g., a regular part-time employee who works 20 hours/week would receive four (4) hours per calendar year).

- Employees will be paid at their normal rate of pay for the volunteer hours taken.
- Time off can be taken in whole for a day or in one-hour increments spread across multiple efforts.
- VTO is refreshed at the beginning of each calendar year and cannot be accrued or carried-over into the following year.
- Unused VTO is not paid out upon an employee's termination
- Usage of this time does not affect PTO accrual or usage.

### Approval Process

Requests for VTO must be made and approved in advance of an employee taking the time off. To request VTO, use the following procedure:

- Step 1 – Put a request for VTO in Paylocity for your supervisor’s approval at least one week before the requested time off.
- Step 2 –Complete the VTO Request Form and submit to Human Resources for approval.
- Step 3 – Approval is at the discretion of the employee’s supervisor and HR.

#### Disclaimers

- Employees participating in FXUA-sponsored events do not need to use VTO hours to participate in these events.
- VTO may not be used for organizations that discriminate based on race, color, age, gender, religious creed, veteran status, marital status, sexual orientation, pregnancy, childbirth, national origin or ancestry, physical or mental disability, medical condition or genetic information, or political affiliation.
- FXUA reserves the right to revoke approval if it is felt that the employee is misusing the program.
- This policy may be modified, suspended, or terminated at the sole discretion of FXUA at any time, for any reason.

### **Bereavement Leave**

FXUA provides between three to five days off with pay to regular full-time employees to handle matters related to a death in the family. The amount of time provided is based on the relationship to the family member. The chart below outlines the amount of leave based on relationship.

Leave	Relationship	Definition
<b>5 days</b>	Child	Any child, step-child, or child for whom the employee was a legal guardian
	Spouse	Any legal spouse or registered same-sex partner
<b>4 days</b>	Parent	Any parent, step-parent, or legal guardian to the employee (or in-law equivalent)
	Grandchild	Any grandchild as set by the definition of child
<b>3 days</b>	Grandparent	Any grandparent (or in-law equivalent)
	Sibling	Any sibling, step-sibling, half-sibling, (or in-law equivalent)
<b>2 days</b>	Aunts/Uncles	Any aunt or uncle of the employee
	Cousins	Any child of the aunt or uncle of the employee
<b>1 day</b>	Friend	Any friend, boyfriend, girlfriend, or classmate of the employee
	Colleague	Any colleague of the employee

To verify the relationship of the deceased to the employee, a funeral program or obituary may be required by the employee’s supervisor or by the Human Resources department.

### **Voting Leave & Election Day**

We encourage you to exercise your voting privileges in local, state, and national elections. However, since the polls are open for long periods, you are encouraged to vote before or after regular working hours. When this is not possible, employees who are registered voters may be granted up to two (2)

hours of paid time off either at the beginning or the end of the work day/shift. Any requests for time off to vote must be made at least two working days in advance. An employee's supervisor has the discretion to decide when employees may take time off to vote.

Any election inspector, clerk, or returning officer will be granted unpaid leave on the day of an election. Proper documentation of the appointment and the dates of the required service must be furnished to the Human Resources department at least seven (7) days before the election.

### **Jury Duty**

It is your civic duty as a citizen to report for jury duty whenever called. If you are called for jury duty, you must notify your supervisor within 48 hours of receipt of the jury summons. FXUA will permit full-time employees to take the necessary time off, and we wish to help you avoid any financial loss because of such service. FXUA will reimburse full-time employees for the difference between your jury pay and your regular pay, not to exceed eight hours per day, for a maximum of five (5) business days or, where other state laws are applicable, will provide compensation in accordance with state law. On any day you are not required to serve, you will be expected to return to work. In order to receive jury duty pay, you must present a statement of jury service and pay to the Human Resources department. The court issues this document.

### **Birthday Leave**

As a gift to employees and to celebrate their birthdays, FXUA provides one (1) paid day of Birthday Leave each year to all full-time employees. Newly hired employees who start working at FXUA on a date that is after their birthday are not eligible for Birthday Leave in that particular year.

Birthday Leave should be taken during the month of the employee's birthday. If an employee's birthday falls during a busy period and the employee is unable to schedule Birthday Leave for that month, the employee must receive approval from his/her supervisor prior to the beginning of the employee's birthday month to use the leave during the month immediately following his/her birthday.

### **Maternity/Paternity Leave**

Employees may be eligible for an unpaid, job-protected FMLA Leave for up to 12 consecutive workweeks due to the birth and/or adoption of a child. This leave should be requested in writing and forwarded to the Human Resources department and documentation of the reason for the requested leave may be required. The Human Resources department will give a response to this request, in writing, within five (5) business days. For more information, refer to the FMLA policy.

Additionally, in order to assist and support new parent relationships and to assist with balancing work and family matters, FXUA offers eligible parents up to ten (10) days of paid Parental Leave to care for their new child. While an employee is taking Maternity/Paternity Leave, they are not permitted to telecommute or work at the University during the period of leave. Parental Leave must be used within 94 days of the birth or adoption of the child.

To be eligible for maternity/paternity leave, the employee must be a regular full-time employee who has worked for the previous twelve (12) consecutive months and has worked for at least 1,250 hours during

the prior twelve (12) month period. Additionally, he/she must have primary responsibility for the care of a child immediately following the birth/adoption or the coming of the child into custody, care, and control of the parent for the first time.

If both parents work for FXUA, only one parent can be designated as the primary caregiver and eligible for maternity/paternity leave.

### **Meal and Break Periods**

FXUA allows all employees two 15-minute paid breaks each workday. These breaks should be scheduled at two different intervals and not used to extend lunch hours and/or offset late arrival to work or early departure from work. Please coordinate with your coworkers to maintain adequate coverage at all times.

All employees working more than six hours in a day will be given an unpaid meal period of one (1) hour. The time when meal periods are scheduled varies depending on the needs of each department, but should generally be taken between 11:00am and 2:30pm. Lunch periods should be staggered, when possible, to provide consistent departmental coverage. During your lunch break, you should be completely relieved of your work duties. Like breaks, meal periods are not to be used to offset late arrivals to work, early departures, or other absences.

### **Lactation Breaks**

FXUA will accommodate employees who desire to express breast milk during working hours by providing a reasonable amount of break time to be used for this purpose as well as make a reasonable effort to provide a location where an employee can express her breast milk in privacy and security. In the event that an employee requires additional time, other than the scheduled rest or meal periods, FXUA will provide additional unpaid time off for this purpose.

FXUA will not discriminate against any employee who exercises rights provided by federal and state law.

### **Unpaid Leaves**

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the duties of your job with FXUA. It is the policy of FXUA to allow its eligible employees to apply for, and be considered for, certain specific leaves of absence.

For non-exempt employees, time off for any reason during a working day will count first against your allotted PTO hours. Once you have used all of your accrued PTO, any time off will be without pay. For exempt employees, time off from an entire day of work will count first against your allotted PTO hours and then without pay. Failure to return to work as scheduled from an approved leave of absence or to inform your supervisor of an acceptable reason for not returning as scheduled will be considered a voluntary resignation of employment.

All requests for leaves of absence shall be submitted in writing to your supervisor and to Human Resources. Each request shall provide sufficient detail such as the reason for the leave, the expected duration of the leave, and the relationship of family members, if applicable.

An employee on an unpaid leave of absence will not continue to accrue PTO past the first 30 days of unpaid leave.

### **Disability (Including Pregnancy) Leave of Absence**

FXUA may grant an unpaid leave of absence for illness, disability, or pregnancy. To request a disability leave of absence from your supervisor, you should submit, or have someone submit for you, a statement of ill health or disability from your doctor. (Pregnancy is treated, for the purposes of this policy, the same as an illness or disability.) You are required to give as much notice as possible of your pending need for a disability leave of absence.

In the case of a disability, please inform your supervisor as soon as possible of the date you and your doctor anticipate that you will begin your leave. Similarly, please inform your supervisor as soon as possible of the date you and your doctor anticipate that you will return to work (this may be updated if/when circumstances surrounding your disability change). To the extent required by law, we will make every effort to hold your position open, or return you to a similar position if one is available for which you may be qualified.

PTO benefits do not continue to accrue during a leave of more than 30 days. This policy applies to all employees. Your group insurance booklet should be reviewed to determine your insurance coverage during a leave of absence.

Employees who develop an illness or physical condition which requires medical treatment or restrictions and precautions will be required to submit a physician's statement. This statement must give approval that continued full-time employment in his/her present position would not jeopardize his/her health or the safety of others, in the event he/she continues to work. A similar statement is required upon return from a disability leave.

If an employee qualifies as disabled under the Americans with Disabilities Act (ADA), he/she may request any necessary accommodations for his/her return to work. Employees who must remain away from work for more than the period of time certified by a physician or for more than the allowed FMLA leave period may be considered terminated from employment. In such cases, these employees are welcome to re-apply subject to FXUA's usual hiring policies.

### **Military Leave of Absence**

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be paid their regular salary *less military pay* for temporary military leave absences during a week in which they have performed work. Accrued PTO may be used for this leave if the employee chooses.

Military orders should be presented and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the University

unless military necessity makes this impossible. An employee on military leave for up to 30 days must return to work on the first regularly scheduled work period after his/her service ends. If an employee is on military leave for more than 30 days, he/she must apply for reinstatement in accordance with USERRA and applicable state laws. When an employee returns from military leave (depending on the length of the military service in accordance with USERRA), he/she will be placed either in the position he/she would have attained if he/she had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, an employee returning from military leave will be treated as if he/she had been continuously employed.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which you are otherwise eligible. PTO will not accrue during a military leave. When you return from leave, the benefits will start accruing again.

### **Personal Leave of Absence**

In special circumstances, FXUA may grant leave for a personal reason, but never for taking employment elsewhere or going into business for oneself. An employee should request an unpaid personal leave of absence from his/her FXUA supervisor and the Human Resources department. All requests will be given individual consideration. A personal leave of absence must not interfere with the operations of your department or FXUA.

A personal leave of absence may be granted for up to 30 calendar days. If leave is extended for more than 30 days, PTO and other benefits will no longer continue to accrue. Consult the group insurance booklet to determine insurance coverage during a leave of absence.

When a personal leave of absence ends, FXUA will make every reasonable effort to return the employee to the same position if it is available, or to an available similar position for which the employee is qualified. However, FXUA cannot guarantee reinstatement in all cases. Failure to return from a leave at the time agreed will result in termination of employment.

If an employee accepts any employment or goes into business while on a leave of absence from FXUA, he/she will be considered to have voluntarily resigned from employment with FXUA as of the day on which he/she began the leave of absence.

### **Witness Duty**

If an employee receives a subpoena for a court appearance as a witness in cases related to employment at FXUA, he/she will not suffer loss of pay for performing any such duties. Proof of appearance must be submitted to Human Resources upon completion of such service.

If an employee has to go to court to be a witness for someone other than FXUA, we will give him/her a maximum of eight (8) hours of unpaid time off. Employees are welcome to use PTO hours to cover any unpaid time off that is needed.

Any employee requesting time off to be a witness must show the subpoena to his/her FXUA supervisor and submit a copy to Human Resources as soon as he/she receives it. Employees are expected to report for work whenever they are not needed in court.

### **Victims of Crime**

FXUA will grant reasonable and necessary leave from work, without pay, to employees who are victims of a crime (including domestic abuse), as well as the spouse or child of any victim of a crime or the parent of a minor child who is a victim of a crime, to exercise their rights to be present at a proceeding pertaining to the crime.

Prior to taking leave under this policy, eligible employees must provide the University with reasonable notice of the need for leave including a copy of the form provided to the employee by the law-enforcement agency and, if applicable, notice of each scheduled proceeding. However, FXUA may limit the leave provided under this section if the employee's leave creates an undue hardship to the University's business.

### **Parental Leave for School-Related Activities**

Parents may want and/or need to attend school events and activities during working hours. FXUA allows employees up to 40 hours of unpaid leave each year, no more than eight (8) hours per month, for school visits. To be eligible for the time off the employee must be the parent, guardian, or custodian of a child who is in a licensed daycare facility or is a student in grades K-12. Leave should be taken only for sponsored and approved school-related activities such as school conferences, award ceremonies, and field trips.

Employees may use PTO to cover any school-related leave activities. It is expected that any employee requesting this kind of leave give at least 48 hours advance notice when possible.

### **Inclement Weather**

In the event of severe weather conditions, FXUA may decide to close all non-essential University operations. Upon an authorized official closing, all full-time employees scheduled to work on that particular day are expected to telecommute, to the extent possible, and will receive their regular pay.

When the University is not officially closed all employees are expected to report to work on time; however, when weather conditions create transportation difficulties that result in late arrival, supervisors may authorize up to two (2) hours of such lost time as an authorized absence. If an employee determines that they are unable to commute to work, the employee will be required to use an equal amount of their accrued PTO or be unpaid.

For information regarding late openings or official closings, please listen to local television stations or visit the FXUA website. Additionally, FXUA's SMS Alert System will alert all subscribers if the campus closes or if classes are to be canceled. ***To enroll in this system and stay informed about the status of the university, text JOIN FXUA to the number 30890.*** If Essential Personnel are required to report to work, it will be specified in the official announcement.

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

FXUA is covered by the federal Family and Medical Leave Act (FMLA) and will comply with the requirements of the Act. Under the provisions of the FMLA, eligible employees are entitled to take unpaid leave for the following reasons:

- Parental Leave
  - Birth of a child or in order to care for a child (must be taken within 12 months of the birth)
  - Adoption or foster care of a child (must be taken within 12 months of the adoption or placement in foster care)
- Medical Leave
  - The need to care for an employee's spouse, domestic partner, child\*, or parent who has a serious health condition; or
  - The employee's own serious health condition

\* Children must be either under the age of 18 or older and "incapable of self-care" because of a mental or physical disability.

An employee is entitled to a total of 12 weeks of FMLA-covered leave within a rolling 12-month period, measured backward from the date of the most recent request for a covered leave of absence. This means that each time an employee requests a leave under the provisions of this policy, the available time for a leave of absence will be the balance of the total 12 weeks that has not been used during the 12-month period immediately preceding the commencement of leave.

### Eligibility

To be eligible for leave, an employee must have been employed for at least 12 months and have worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of leave. The 12 months need not be consecutive; however, employment prior to a continuous break in service of seven years or more will not be counted unless the break is due to an employee's fulfillment of military obligations or governed by a written contract.

An employee may be eligible for additional leave if he/she is a spouse, child, parent, or next of kin of a current member of the Armed Forces, including members of the National Guard or Reserves, with a serious injury or illness. Employees may take up to 26 weeks of leave in a single 12-month period to care for the service member. This leave is not in addition to the 12 weeks available for other FMLA reasons (see Military Family Leave policy).

### Serious Health Condition

A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider which prevents an employee or family members from performing the



functions of their job. Please contact Human Resources if you have any questions regarding what qualifies as a serious health condition.

#### Notice Requirements

Any employee requesting a leave of absence under this policy should contact Human Resources and complete the proper leave request form. Where the need for leave is known in advance, the request must be submitted at least 30 days prior to the desired beginning of the leave of absence. Failure to give at least 30 days of notice of foreseeable need for a leave of absence may delay the start of such leave until 30 days after the date the notice is received by the company.

If the request is less than 30 days, the employee may be required to give an explanation of why advance notice was not feasible. If timely notice is not given, the period of delay counts as a non-FMLA absence.

If the need for a leave is not foreseeable or is an emergency situation, the employee must provide at least verbal notification to his/her FXUA supervisor as soon as possible. Employees must supply sufficient information to enable FXUA to determine if the leave qualifies for FMLA and the duration and timing of the leave.

#### Certification of the Need for Leave

Any employee who needs to have an FMLA-covered Medical Leave of Absence must present certification of the need for a leave of absence along with the leave request form. This certification must be provided within 15 days of the request unless it is not feasible under the circumstances. The Human Resources department has forms available for an employee to have completed by his/her healthcare provider. Failure to provide certification may result in the employee's leave being delayed, denied, or revoked.

FXUA reserves the right to request a second or third medical certification at the company's expense. The company also reserves the right to require recertification of the continuance of a serious health condition every six months. Recertification may also be required if:

- An employee requests an extension of leave;
- Circumstances described by the original certification have changed significantly;
- The university receives information that casts doubt upon the continuing validity of the certification; or
- An employee is unable to return to work because of the continuation, recurrence, or onset of a serious health condition.

#### Intermittent Leave

Generally, FMLA leave must be taken in a single block. Under certain circumstances, however, FMLA leave may be taken on an intermittent or reduced work schedule basis. A Parental Leave of Absence may be taken intermittently or on a reduced work schedule basis if the employee and the university can agree on the schedule requested by the employee.

A Medical Leave of Absence may be taken intermittently or on a reduced work schedule basis if the requesting employee produces the required certification that there is a medical need for a leave of absence and that the medical need is best accommodated through an intermittent leave or reduced work schedule.

If medical leave is requested on an intermittent or reduced work schedule basis, the university may, at the discretion of management, transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring period of leave than does the employee's regular position. Any such transfer will be to a job that offers pay and benefits that are equivalent to those available in the employee's regular job. Employees on unforeseeable intermittent leave will not be required to transfer to an alternative job.

A fitness for duty certification can be required every 30 days in the case of intermittent or reduced schedule leaves if reasonable safety concerns exist. The employee has 15 days to provide this certification.

FXUA reserves the right to require a second or third medical opinion in appropriate cases where authorized to do so by the FMLA.

#### FMLA Leave is Unpaid Leave

Employees on an approved FMLA Leave of Absence may be required to use any earned, unused PTO days during the approved leave of absence. Employees must follow the same terms and conditions of our leave policy as those employees not on FMLA.

The company and the employee may mutually agree to supplement workers' compensation or other disability benefits with any other form of paid time off benefits the employee may be entitled to, if state law permits.

#### Spouse Aggregation

In the case where both an employee and his/her spouse are employed by FXUA, the aggregate number of weeks to which both employees are entitled because of the birth or placement of a child or to care for a parent with a serious health condition will be limited to 12 workweeks during any 12-month period. This limitation does not apply in instances where leave is taken because of an employee's own serious health condition or to care for a spouse or child with a serious health condition.

#### Health Insurance

An employee away from work due to FMLA leave may continue medical insurance coverage while on leave by timely payment of his/her portion of the monthly insurance premium on the same day such payment would be required if payment were made by payroll deduction. Where the need for family leave of absence is foreseeable, the employee will be asked to sign an agreement before the leave of absence begins that discloses the amount that the employee must remit on a timely basis to retain the coverage and indicates that the employee understands his/her insurance premium payment obligations.

If the FMLA leave is not foreseeable, this agreement must be signed as soon as possible after the leave begins. An employee's failure to pay premiums within 30 days of the due date for such premiums will result in the loss of his/her insurance coverage. If an employee does not return to work at the end of an approved FMLA leave, he/she may be required to repay the university for the insurance premiums it paid.

## **Military Family Leave**

FXUA complies with the Military Family Leave entitlements under the Family and Medical Leave Act (FMLA). Eligibility requirements are identical to those required under FMLA.

To be eligible for leave, an employee must have been employed for at least 12 months and have worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of leave. The 12 months need not be consecutive; however, employment prior to a continuous break in service of seven years or more will not be counted unless the break is due to an employee's fulfillment of military obligations or governed by a written contract.

### Exigency Leave

The Family and Medical Leave Act entitles eligible employees who work for covered employers to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for a "qualifying exigency" arising out of the foreign deployment of the employee's spouse, son, daughter, or parent. FMLA leave for this purpose is called qualifying exigency leave.

Qualifying exigencies may arise when an employee's spouse, son, daughter, or parent who is a member of the Armed Forces (including the National Guard and Reserves) is on covered active duty or has been notified of an impending call or order to covered active duty. For purposes of qualifying exigency leave, an employee's son or daughter on covered active duty refers to a child of any age.

### ***Covered Active Duty***

Eligible employees may take FMLA leave for a qualifying exigency while the military member is on covered active duty, call to covered active duty status, or has been notified of an impending call or order to covered active duty.

For members of the Regular Armed Forces, covered active duty is duty during deployment of the member with the Armed Forces to a foreign country.

For members of the Reserve components of the Armed Forces (members of the National Guard and Reserves), covered active duty is duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.

Deployment to a foreign country means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the United States. It also includes deployment to international waters.

### ***Qualifying Exigency Categories***

There are nine broad categories of qualifying exigencies. If the military member is on covered active duty, the employee may take FMLA leave for the following qualifying exigencies:

- Issues arising from the military member's short notice deployment (i.e., deployment within seven or less days of notice). For a period of up to seven days from the day the military member receives notice of deployment, an employee may take qualifying exigency leave to address any issue that arises from the short-notice deployment.
- Attending military events and related activities, such as official ceremonies, programs, events and informational briefings, or family support or assistance programs sponsored by the military, military service organizations, or the American Red Cross that are related to the member's deployment.
- Certain childcare and related activities arising from the military member's covered active duty, including arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling in or transferring a child to a new school or day care facility.
- Certain activities arising from the military member's covered active duty related to care of the military member's parent who is incapable of self-care, such as arranging for alternative care, providing care on a non-routine, urgent, immediate need basis, admitting or transferring a parent to a new care facility, and attending certain meetings with staff at a care facility, such as meetings with hospice or social service providers.
- Making or updating financial and legal arrangements to address a military member's absence while on covered active duty, including preparing and executing financial and healthcare powers of attorney, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), or obtaining military identification cards.
- Attending counseling for the employee, the military member, or the child of the military member when the need for that counseling arises from the covered active duty of the military member and is provided by someone other than a health care provider.
- Taking up to 15 calendar days of leave to spend time with a military member who is on short-term, temporary Rest and Recuperation leave during deployment. The employee's leave for this reason must be taken while the military member is on Rest and Recuperation leave.
- Certain post-deployment activities within 90 days of the end of the military member's covered active duty, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military, and addressing issues arising from the death of a military member, including attending the funeral.
- Any other event that the employee and employer agree is a qualifying exigency.

### Military Caregiver Leave

The Military Caregiver Leave permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list. Caregiver may be a spouse, child, parent, or next of kin of the covered service member.

### Employee Notice

Employees must provide 30 days advance notice of the need to take Military Caregiver Leave. If leave is foreseeable, but 30 days of notice is not possible, the employee must provide notice as soon as possible – generally, either the same or next business day. The employee must provide notice of the need for foreseeable leave due to a qualifying exigency as soon as feasible.

### Certification

The same timing requirements for certification apply to all requests for FMLA Leave, including those for military leave.

Spouses employed by the same employer are limited to a combined total of 26 workweeks in a single 12-month period if the leave is to care for a covered service member with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA Leave may be taken intermittently whenever medically necessary to care for a covered service member. FMLA may also be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the university's operations.

## Section 7: Benefits

### FXUA Benefits Package

FXUA is proud to offer a competitive and comprehensive benefit package. We strive to continually deliver high value benefits to meet our employees' needs through annual evaluation. What follows in this section is a general summary of our employee benefits program. Employees should refer to each plan's summary plan descriptions for specific questions regarding the benefit plan. In the event there is any question or conflict in language or interpretation between the summary plan descriptions and documents in relation to the provisions of this Employee Handbook, the terms of the actual contracts and other plan documents will control over the summaries in this Employee Handbook.

FXUA selects the University's insurance carriers. We reserve the right to change carriers and/or levels of coverage at any time. Eligibility and benefits are subject to plan restrictions and guidelines.

### Eligibility for Benefits

You must be a regular full-time employee to be eligible for group insurance benefits. Eligible employees may enroll in the group health insurance plans on the first day of the month following their date of hire. If an employee's hire date or eligibility date is the first day of the month, then benefits are effective immediately provided that he/she completes and submits all required enrollment forms on, or before, his/her hire or eligibility date. Please refer to the summary plan description for detailed information.

The term "eligible employee(s)" as used in this Employee Manual refers to regular full-time employee(s) unless otherwise designated. Each employee will be advised of the status of his/her position when he/she is hired.

Part-time and Temporary employees working less than 30 hours/week are not eligible for benefits.

### Benefit Changes / Open Enrollment

You may elect to change benefits during FXUA's annual open enrollment in October of each year. Benefit changes are effective on November 1 of the same year.

You may also change elections upon occurrence of a major life event including commencement or termination of a spouse's employment; marriage or divorce; death of a spouse or child; birth or adoption of a child; a significant change in your or your spouse's coverage due to your spouse's employment; and work shift changes. Changes due to a major life event must be made within 30 days of the event, or during annual open enrollment. If changes are not communicated within 30 days, you must wait until the next open enrollment period to make changes. Please contact the Human Resources Department for detailed information.

### Benefit Options and Premium Contributions

FXUA offers group-sponsored Medical, Prescription Drug, Dental, and Vision benefits. Additionally, the FXUA benefits package includes *voluntary* insurance options for employees to choose from, such as supplemental life, supplemental medical, long-term disability, and a 401(k) retirement plan.

Employees pay a portion of the premium for medical and dental coverage; FXUA contributes a percentage of the premium for group participants. For all voluntary benefits, employees are responsible for the full cost of coverage. Employee contributions for these coverages will be deducted from the employee's paycheck. Deductions are taken through semi-monthly, pre-tax payroll deductions that are based on the type of plan and level of coverage selected. Healthcare benefits such as medical, dental, and vision are deducted pre-tax, while voluntary benefits are post-tax deductions. Please contact the Human Resources Department for detailed information.

## **Benefit Continuation – COBRA**

Federal legislation mandates that health insurance continuation must be offered to employees who would otherwise lose coverage under the employer's plan due to one of the following events: employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, death, or when a dependent child stops being eligible for coverage.

If an employee continues his/her insurance under COBRA, he/she will pay the full cost of the insurance at FXUA group rates plus a 2% administration fee. Any employee who qualifies for COBRA will receive a written notice describing his/her COBRA rights and the costs of any applicable premiums within 14 days of his/her loss of coverage.

## **Group-Sponsored Benefits**

### Medical & Prescription Drug

FXUA offers medical and prescription drug coverage that can help you stay well – through preventive care benefits, such as annual physicals – and get treatment when you are ill or injured. Our medical plans allow you to select a plan and a network that best meets your needs and the needs of your family. Prescription Drug and Vision coverage is included with the medical insurance.

### Dental & Vision

FXUA's dental plan offers coverage for preventive dental care as well as major dental work.

For those individuals who benefit from vision coverage, FXUA helps you keep costs down for eye exams and prescription eyewear with two vision coverage plans: one that is automatically provided at no additional cost through the medical plan and a voluntary vision plan that can be chosen if an employee waives medical coverage or wishes to elect additional coverage.

### Short-Term Disability, Life, and Accidental Death & Dismemberment (AD&D)

FXUA provides short-term disability, group life, and accidental death & dismemberment benefits to all full-time employees at no cost. The plans are effective during the entirety of employment and will be terminated at the end of employment.

## **Voluntary Benefits**

### Long-Term Disability

Long-Term Disability insurance is available for purchase for those individuals interested in more than the employer-provided short-term disability coverage.

### Supplemental Life

FXUA employees have the option of electing Supplemental Life Insurance coverage beyond the basic Group Life provided by FXUA for themselves and their dependents.

### 401(k) Retirement Plan

FXUA has established a 401(k) retirement plan to provide employees with the potential for financial security in their retirement.

All employees over the age of 21 who meet eligibility requirements are welcome to participate in our 401(K) plan. You become eligible to participate in the FXUA 401(K) plan after 1,000 hours of employment during a service period. All 401(K) contributions will comply with IRS rules.

Employees are fully vested in their own contributions and entitled to those contributions upon termination of employment regardless of the length of employment. The University may make matching contributions (to be determined each year) to each employee's 401(k) contribution. At the end of six years of employment, an employee is fully vested in the company's matching contributions.

Complete details of the 401(k) retirement plan are described in the Summary Plan Description. You can contact the Human Resources Department for more information about the 401(k) plan.



## **Section 8: Health & Safety**

### **General Employee Safety**

FXUA is committed to the health and safety of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees.

FXUA will maintain health and safety practices consistent with the needs of our industry. The University will not knowingly permit unsafe conditions to exist nor will it permit employees to indulge in unsafe acts. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your supervisor for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported to Human Resources immediately. Compliance with these safety rules is considered a condition of employment. Therefore, it is a requirement that each supervisor make the safety of employees an integral part of regular management functions. It is the responsibility of each employee to accept and follow established safety regulations and procedures. Violations of University rules and regulations regarding health and safety will result in corrective action, up to and including termination.

### **Work-Related Injury/Illness**

All accidents, injuries, potential safety hazards, safety suggestions, and health- and safety-related issues must be reported immediately to your supervisor. If you or another employee is injured, you should contact outside emergency response agencies, if needed. If an injury does not require medical attention, a Report of Accident/Incident Form must still be completed in case medical treatment is later needed and to ensure that any existing safety hazards are corrected. A Report of Accident/Incident Form must be completed in all cases in which an injury requiring medical attention has occurred.

Federal law (Occupational Safety and Health Administration) requires that we keep records of all illnesses and accidents that occur during the workday. State Workers' Compensation Divisions also require that you report any workplace illness or injury, no matter how slight. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payments, as well as health benefits. OSHA also provides for your right to know about any health hazards that might be present on the job. Should you have any questions or concerns, contact your supervisor for more information.

### **Workers' Compensation**

All employees are provided Workers' Compensation coverage from the day they begin work. The University pays the entire cost of this coverage. Employees are covered by Workers' Compensation if they are incapacitated by injury or illness arising out of their employment.

Employees must report all accidents to their supervisor immediately, regardless of how minor. If a work-related injury requires medical attention by a physician or any other medical facility that produces a bill, a Report of Accident/Incident Form must be made out the same day by the employee or the employee's supervisor. If the injury causes the person to be away from work beyond three days, this injury must be reported to the state Workers' Compensation Division by Human Resources.

The employee's supervisor is responsible for submitting a Report of Accident/Incident Form to Human Resources within 48 hours of the incident. Employees are not authorized to go to a physician without first advising their supervisor or manager. Employees will not be eligible for regular compensation or PTO or holiday pay in addition to any Workers' Compensation received.

Employees returning to work after being absent due to a work-related injury must report to their supervisor prior to beginning work and must bring a doctor's clearance for returning to work.

### **Returning to Work from a Work-Related Injury/Illness**

An employee who is out of the work place for a compensable workers' compensation illness or injury must provide his/her supervisor and Human Resources with written medical authorization to return to work. If there is any question about an employee's ability to return to work, the situation must be reviewed with Human Resources.

The employee will normally assume his/her former position upon return to work. An employee with an occupational illness or injury who has been released to work but is unable to perform all of the essential functions of their regular job, or needs a temporary accommodation to their hours or schedule, will be transitioned into the Return-to-Work program. For more information about this program, contact Human Resources.

### **Emergency Procedures**

FXUA is committed to the safety of its students, employees, and guests. The University has emergency plans in place and maintains close contact with the Fairfax County Office of Emergency Management.

All FXUA employees are expected to be familiar with the FXUA Emergency Preparedness Plan. This plan defines various levels of emergency situations, describes responses to emergency situations and provides emergency response protocols.

#### Notification of Emergencies

Emergency procedures are in place to allow FXUA to quickly notify authorities and the campus population when an emergency situation is underway and then provide instructions on how to respond. These communications will be carried out through the use of e-mail, SMS (text messaging), and campus-wide announcements.

Once an emergency has progressed past the initial response period, communications will be developed based on information provided by on-scene responders to the Incident Commander and/or University senior leadership. These groups have the responsibility of deciding when and what should be communicated to the FXUA community, surrounding communities, and the media. The office of Emergency Planning & Quality Assurance has responsibility for communicating outward to these groups.

#### Reporting an Emergency

The University has specific procedures in place for individuals to report an emergency. All members of the FXUA community are encouraged to use proper judgment, and, if serious hazard is imminent, to immediately call 911 and alert emergency personnel. If an emergency is imminent, it is recommended that the Campus Security Authority on duty be informed immediately.

### Acting in an Emergency

The FXUA Emergency Preparedness Plan includes specific instructions on how to react in emergency situations including weather emergencies, fire, hazardous materials, medical, mental health, pandemic, utility failure, unusual behavior, suspicious packages, bomb threats, active shooter scenarios, chemical spills, and earthquakes, among other types of emergencies. Every member of the FXUA community shares responsibility for emergency preparedness. All members of the FXUA community are required to read through the Emergency Preparedness Plan and become familiar with response procedures to ensure that the University is well-prepared to respond in the event of an emergency. For more information on the FXUA Emergency Preparedness Plan and emergency response procedures, please refer to the official documents located on the University's intranet site.

### **University Alert System**

FXUA uses an SMS Alert System as part of ongoing emergency management efforts. This system is available for all members of the FXUA community to enroll with a cell phone number and receive important alerts about the university. If there is bad weather that forces the campus to close or classes to be canceled, FXUA will send a text message alert to all who have enrolled in the SMS Alert System notifying them of the closures and cancelations. Also, if there is a hazard or emergency on campus, FXUA will inform all members of our community by text message.

To enroll in the SMS Alert System and stay informed about the status of the university, employees can text JOIN FXUA to the number 30890. FXUA will not share an employee's telephone information with third parties and will only use the system when there is a compelling university-wide announcement, such as a snow closing or delay.

### **Essential Personnel**

Essential personnel are classified as those individuals or positions that are deemed vital to the continuation of the University's operations. Essential personnel are first responders needed to meet the immediate needs of students, staff, or general operations. These employees may be required to remain or report to work to protect, recover, and continue operations when the university is faced with an institutional emergency. Essential personnel who are required to work during an emergency will be notified of their status as essential personnel and provided instructions for each emergency event.

### **Reporting Unsafe Conditions**

If unsafe conditions arise on campus, please report the condition(s) immediately to the Human Resources and Facilities & Property Management Departments. An email to [hr@FXUA.edu](mailto:hr@FXUA.edu) and [fpm@FXUA.edu](mailto:fpm@FXUA.edu) is required so that incidents may be entered and logged appropriately.

### **Workplace Searches**

To protect the property and to ensure the safety of all employees, customers, and the University, FXUA reserves the right to conduct personal searches consistent with state law, and to inspect any packages,

parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from the University's property. Inspection may be conducted at any time at the discretion of the University.

Employees working on, or entering or leaving, the premises who refuse to cooperate in an inspection, as well as employees who, after the inspection, are believed to be in possession of stolen property or illegal substances, will be subject to corrective action, up to and including termination.

## **Property Use and Equipment Care**

It is your responsibility to understand the machines and equipment needed to perform your duties. Good care of any machine that you use during the course of your employment, as well as the conservative use of supplies, will benefit you and FXUA. If you find that a machine is not working properly or in any way appears unsafe, please notify your supervisor immediately so that repairs or adjustments may be made. Under no circumstances should you start or operate a machine you deem unsafe, nor should you adjust or modify the safeguards provided.

Do not attempt to use any machine or equipment you do not know how to operate or for which you have not completed training on the proper use.

Any property that has been issued to you for your use, including personal computers, laptops, cell phones, ID badges, etc. are the property of Fairfax University of America. Damage or loss of any property may result in corrective action.

## **Security**

Maintaining the security of FXUA buildings and vehicles is every employee's responsibility. Develop habits that ensure security as a matter of course. For example:

- Always keep cash properly secured. If you are aware that cash is insecurely stored, immediately inform the person responsible.
- Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise.
- When you leave FXUA's premises make sure that all entrances are properly locked and secured.

## **Access to Campus Facilities**

All entrances to the building are under camera surveillance and are monitored at all times.

FXUA has installed a badge access control and CCTV system throughout the premises. The main doors of the facility are open during business hours. During these hours, students, faculty, and the general public have access to areas of the building such as classrooms, the student center, and student services. All other areas of the building require an authorized badge to gain access. During periods of extended closing, the university will only admit those with prior written approval to the building.

The front desk is staffed at all times. If you would like to gain access to a restricted area, you must check in with the front desk to be provided access. The badge system is monitored continuously by the Facility & Property Management Office to ensure only appropriate individuals and badge numbers have access.

Campus facilities are maintained in a manner to reduce unsafe conditions. The facility is patrolled daily to allow FXUA to respond to any safety and security concerns such as nonworking lights, malfunctioning security locks, and other unsafe or insecure conditions. Anyone recognizing unsafe conditions should report them to the Facility & Property Management Office by emailing [fmp@FXUA.edu](mailto:fmp@FXUA.edu).

Members of the staff, faculty, and student body should immediately report all crimes, hazards, emergencies, or dangerous situations to the Facility & Property Management Office on the 3<sup>rd</sup> Floor of the Village Drive building, or by calling 703-865-6422. Or by calling 9-1-1.

## **FXUA Identification**

As a means of determining those authorized to be on campus and in FXUA facilities, you will be issued and required to carry or wear a photo identification badge while on campus. This identification card is intended to serve as proof of your employment status with FXUA and provides access to many areas of the building where non-employees would not otherwise have access. Identification badges are also used for time and attendance reporting and access to university printers/copiers.

Identification badges are issued to all staff. If your identification badge is lost or stolen, you must report this to the Human Resources department immediately. The badge will then be deactivated and replaced as soon as possible.

All employees must surrender their FXUA identification badge to the Human Resources department at the time of termination of employment at FXUA.

## **Weapons**

Possession, use, storage, or sale of weapons, firearms, or explosives (operational or decorative) on work premises, while operating University machinery, equipment, or vehicles for work-related purposes, or while engaged in University business off premises is forbidden except where expressly authorized by the University and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

Employees who are aware of violations or threats of violations of this policy are required to report such violations or threats of violations to their supervisor immediately.

Violations of this policy will result in serious corrective action, up to and including termination.

## **Workplace Violence**

FXUA has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect FXUA or occur on FXUA property, will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at FXUA, or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on FXUA's premises, regardless of the relationship between FXUA and the parties involved.
- All threats or acts of violence occurring off FXUA's premises involving someone who is acting in the capacity of a representative of FXUA

Specific examples of conduct that may be considered threats or acts of violence include, but are not limited to, the following:

- Physical acts against an individual
- Verbal threats or vicious statements toward an individual or his/her family, friends, associates, or property in-person or via telephone
- Intentional destruction or threatening to destruct FXUA's property
- Written threats, vicious cartoons or notes, and any other written material that is meant to threaten or create a hostile environment
- Visual acts that are threatening or intended to convey injury or hostility
- Harassing surveillance or stalking (following or watching someone)
- Unauthorized possession or inappropriate use of firearms or weapons

FXUA's prohibition against threats and acts of violence applies to all persons involved in FXUA's operation, including but not limited to personnel, contract and temporary workers, students, and anyone else on FXUA property. Violations of this policy by any individual on FXUA property will lead to corrective action, up to and including termination and/or legal action as appropriate.

Any employee that is a victim of or is aware of any incidents of threats or acts of physical violence is expected to report the incident(s) immediately to the Human Resources department. All such reports will be fully investigated. Any employee who takes any adverse action against a person who reports any act of violence or a suspicion of violence shall be subject to immediate discipline, up to and including termination.

## Section 9: Technology & Information Security

### Computers, Internet, and Electronic Mail Usage

The purpose of the Computer and Internet Policies is to outline the accepted and unaccepted uses of Virginia International University's computers and network facilities, to provide guidelines for appropriate use by students, faculty, and staff, and to educate users about their responsibilities.

It is not a comprehensive document covering all aspects of computer use. It offers principles to help guide members of the Fairfax University of America community, and specific policy statements that serve as reference points. It will be modified as new questions and situations arise.

While the proliferation of computers and information technologies does not alter basic codes of behavior in academic life, it does place some issues in new contexts. Using these technologies enables people to do varied things, both ethical and unethical, more easily. They are an enormously rich resource for innovation in the furtherance of Fairfax University of America's academic mission. In spite of many positive aspects, they also increase the risks of actions, deliberate or not, that are harmful in various ways, including: (a) interference with the rights of others; (b) violation of the law; (c) interference with the mission of the University; and/or (d) endangering the integrity of the University's information computer network.

While some of the guidelines therefore call for respectful and responsible use of the computer networks to protect the rights of individuals, others warn against actions that may violate the law: users must understand the perils of illegal use, exchange, or display of copyrighted, deceptive, defamatory, or obscene materials on a web page or through other electronic communication channels.

The guidelines seek to protect the integrity of the University information systems themselves: the computing or networking resources need to be accessible and secure for appropriate uses consistent with the mission of the University; the usurpation of these resources for personal gain, commercial gain or without authorization is unacceptable. Moreover, even the individual right to privacy may, when personal files may need to be accessed for troubleshooting purposes, be overridden by authorized personnel to protect the integrity of the University's computer systems.

#### Permitted Use of FXUA's Computer Network and Internet

The computer network is the property of FXUA and is to be used for legitimate business purposes only. Users are provided access to the computer network to assist them in the performance of their jobs. All Users have a responsibility to use FXUA's computer resources and the Internet in a professional, lawful and ethical manner. Abuse of the computer network or the Internet, may result in corrective action, including possible termination, and civil, and/or criminal liability.

- ▮ The University does not monitor the content of web pages, electronic mail, or other online communications and is not responsible for the views expressed by individual users. Users should lawfully access computer resources.
- ▮ Users are responsible for all activity involving their user accounts. User accounts should be kept secure and private. Users should not use identifying data or common words as a password; passwords should be difficult to crack or otherwise guess either by individuals or by sophisticated computer programs.
- ▮ It is recommended that users change passwords for all user accounts every 90 days in order to secure access to accounts.
- ▮ The University is the custodian of a wide array of personal and financial data concerning its students, staff, and faculty, as well as the University itself. Users should respect the University obligations of confidentiality, as well as their own. Only users with authorization may access, communicate or use confidential information.
- ▮ Material posted on web pages is generally accessible and thus deserves even greater thought and care than your private electronic mail. Absent restrictions, the user's web page is available to anyone, anywhere, and the user should act accordingly.
- ▮ The University has a right to expect that computer users will properly identify themselves. Computer accounts are assigned and identified to individuals.
- ▮ Today's information technology is a shared resource. Users should respect the needs of others when using computer and network resources. Users should not tamper with facilities and avoid any actions that interfere with the normal operations of computers, networks, and facilities.
- ▮ Users should avoid excessive use of computer resources. They are finite and others deserve their share. "Spamming" and similar inappropriate uses of University resources are not acceptable. Web pages that are accessed to an excessive degree can be a drain on computer resources and, except where significant to the University's mission, may require the University to ask that they be moved to a private Internet provider.
- ▮ Although a respect for privacy is fundamental to the University's policies, some user information is maintained in system logs as a part of responsible computer system maintenance. FXUA must, and does, maintain the right and the ability to enter into any of these systems and to inspect and review any and all data recorded in those systems. Because FXUA reserves the right to obtain access to all voice mail and electronic mail messages left on, or transmitted over, these systems, employees should not assume that such messages are private and confidential or that FXUA or its designated representatives will not have a need to access and review this information. Individuals using FXUA's business equipment should also have no expectation that any information stored on a FXUA computer -- whether the information is contained on a computer hard drive, computer disks, or in any other manner -- will be private.
- ▮ Requests from employees for software, hardware, or network privileges should be relative to their position at the University and should reflect the scope of their responsibilities. Before granting any privileges to employees, the IT Department may request approval from the employee's supervisor and/or management.



- ▮ Users are granted privileges and responsibilities with their account. While these vary between groups, the use of University resources for personal commercial gain or for partisan political purposes (not including the expression of personal political views, debate and the like) is inappropriate and possibly illegal. Individual University computer systems have varying resources and demands. Some have additional, and sometimes more restrictive, guidelines applicable to their own user.

#### Prohibited Use of FXUA's Computer Network and Internet

The following uses of FXUA's Computer Network and Internet are strictly prohibited:

- ▮ The use of restricted-access University computer resources or electronic information without or beyond one's level of authorization
- ▮ The interception or attempted interception of communications by parties not explicitly intended to receive them without approval of an authorized University official
- ▮ Making University computing resources available to individuals not affiliated with Virginia International University without approval of an authorized University official
- ▮ Making available any materials the possession or distribution of which is illegal
- ▮ The unauthorized copying or use of licensed computer software
- ▮ Unauthorized access, possession, or distribution, by electronic or any other means, of electronic information or data that is confidential under the University's policies regarding privacy or the confidentiality of student, administrative, personnel, archival, or other records
- ▮ Intentionally compromising the privacy or security of electronic information
- ▮ Intentionally infringing upon the intellectual property rights of others in computer programs or electronic information (including plagiarism and unauthorized use or reproduction)
  
- ▮ Use of the internet and/or electronic mail system to solicit for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations.
- ▮ Use of the internet and/or electronic mail system to create, display, transmit, upload and/or download any offensive or disruptive messages. Among those which are considered offensive are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comments that offensively address someone's age, sexual orientation, religious or political beliefs, national origin, or disability.
- ▮ Use of the internet and/or electronic mail system to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.
  
- ▮ Interference with or disruption of the computer or network accounts, services, or equipment of others; including, but not limited to, the propagation of computer "worms" and "viruses", the sending of electronic chain mail, and the inappropriate sending of "broadcast" messages to large numbers of individuals or hosts

- ▮ Failure to comply with requests from appropriate University officials to discontinue activities that threaten the operation or integrity of computers, systems or networks, or otherwise violate this policy
- ▮ Revealing passwords or otherwise permitting the use by others (by intent or negligence) of personal accounts for computer and network access
- ▮ Altering or attempting to alter files or systems without authorization
- ▮ Unauthorized scanning of networks for security vulnerabilities
- ▮ Attempting to alter any University computing or networking components (including, but not limited to, bridges, routers, and hubs) without authorization or beyond one's level of authorization
- ▮ Unauthorized wiring, including attempts to create unauthorized network connections, or any unauthorized extension or re-transmission of any computer or network services
- ▮ Intentionally damaging or destroying the integrity of electronic information
- ▮ Intentionally disrupting the use of electronic networks or information systems
- ▮ Intentionally wasting human or electronic resources
- ▮ Negligence leading to the damage of University electronic information, computing/networking equipment and resources

An individual's computer use privileges may be suspended immediately upon the discovery of a possible violation of these policies. Such suspected violations will be confidentially reported to the appropriate member of management at the University. The appropriate member of management will judge an offense as either major or minor. A first minor offense will normally be dealt with by the IT Department or management after consultation with the user or administrator requesting the account. Additional offenses will be regarded as major offenses and dealt with accordingly. Violations of the policies will be dealt with in the same manner as violations of other University policies and may result in disciplinary review. In such a review, the full range of disciplinary sanctions is available including the loss of computer use privileges, dismissal from the University, and/or legal action.

#### Implementation

- ▮ All University codes of conduct apply to information technology as well as to other forms of communication and activity.
- ▮ Systems managers or other individuals within an academic or administrative unit may be empowered to suspend some or all privileges associated with computer use in cases of misuse or threat to the integrity of all or part of the University's information management resources.
- ▮ Before any permanent action is taken against a user, the user will be advised of the bases for the proposed action and given an opportunity to respond. Concerns about such actions may be raised through the usual administrative or academic channels associated with the dean, school, facility or resource in question.
- ▮ Where a violation of University policies or applicable law appears to warrant action beyond a suspension or elimination of computer privileges, the matter may be referred to a supervisor, administrator or University disciplinary body with appropriate authority or to law enforcement authorities.

- Complaints or concerns about another's use of University computer resources should be directed to the administrator responsible for the facility or resource in question.

## **Computing Device Usage**

All information and equipment belonging to FXUA should be used in a manner which protects the functional integrity of the device as well as any data held on the device or access to data provided by the device regardless of its location, whether in the office environment or outside of it.

If an employee is issued equipment through the course of their employment with FXUA, he/she should take care to follow the below guidelines with respect to that equipment:

- All equipment, including PCs, laptops, and portable devices should be cared for in a manner that prevents accidental damage (e.g., rough handling, accidentally spilling drinks on the equipment, leaving in close proximity to a heat source).
- Employees must not install any software on computing devices or laptops without prior authorization
- Employees who tamper with the standard hardware and software configurations on computing devices could face corrective action and have the equipment withdrawn
- Employees must not disable any element of the standard laptop configuration, including data encryption, screensaver password, and antivirus software.
- Employees must never write passwords down or try to hide them anywhere in their office
- Cell phones and PDSs should be locked with a pass code for use
- Computers must be logged off the network when left unattended
- Applications should be closed, monitors should be turned off, and computer/device should be locked when an employee leaves his/her desk
- Computers should be turned off completely if an employee is leaving for an extended period of time.
- Screensavers should be password-protected.
- All FXUA IT equipment is provided to help employees perform efficiently and effectively. The use of equipment for private purposes is not permitted.

## **Personal Electronic Devices**

Employees are not permitted to bring personal computers or data storage devices (such as external hard drives, flash drives<sup>†</sup> or other data storage media) to the workplace or connect them to the University's electronic property or network unless expressly given written permission to do so by the University.

<sup>†</sup> Faculty members are permitted to use flash drives for instructional purposes in the classroom.

## Copyright and Fair Use Policies for Software and Other Materials

FXUA, its students, faculty, and employees must comply with the provisions of the United States Copyright Act (Title 17 of the United States Code). Copyright is the right of the creator of a work of authorship to control the use of that work by others. Copyrighted work may not be reproduced distributed, performed, or adapted by others without the copyright owner's permission. Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject them to civil and criminal liabilities. Works protected by copyright include, but are not limited to: literary, musical, and pictorial works; sound recordings, motion pictures, and other audiovisual works; and computer software.

FXUA employees shall use computer software only in accordance with the terms of the FXUA Computer Software Policy and the licensing agreement for the software. The University does not condone or support the use of any unauthorized copies of software. All software used by University employees to perform their responsibilities shall be purchased through appropriate procedures.

*Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the*

There are some exceptions in United States copyright law such as the fair use doctrine. The fair use doctrine allows limited use of copyrighted material without the permission of the copyright owner for several purposes, including teaching and scholarship. It is the responsibility of each student, faculty, and staff to inform oneself about what is and what is not permissible use of copyrighted material. Copyright and fair use guidelines for students, faculty, and staff can be found on the FXUA Library website and are posted in the FXUA Library as well as at all photocopy machines at FXUA. For additional assistance with copyright and fair use issues, please consult the FXUA Librarians.

All materials produced by the University and posted on its website, social media, and printed material including the name, logo, images, and text are the intellectual property of FXUA and protected by the copyright laws. Use of the FXUA logo is prohibited without prior approval from the Media department. When publically posting content on the Internet on behalf of the University via social media or any FXUA webpages, all copyright laws must be followed. This is especially important as it pertains to images and photos downloaded from the Internet. Please keep in mind that stock photo services, creative commons licenses, and public domain repositories of images are not subject to fair use due to the rights

they carry. Stock photo services require you to pay for a license, creative commons licenses confer the right to use an image under certain circumstances, and public domain images are not subject to copyright in the first place.

Please only use original artwork and/or pictures that have been approved by the FXUA Media Department. The downloadable images can be found on the University intranet site. Additionally, if your department needs assistance with creating an image, please submit your request to [media@FXUA.edu](mailto:media@FXUA.edu).

Violations of FXUA's copyright and fair use policies will be dealt with in the same manner as violations of other University policies and may result in disciplinary review. In such a review, the full range of disciplinary sanctions is available, including the loss of computer use privileges, dismissal from the University, and legal action.

#### Computer Software Copyright Policy

FXUA employees shall use computer software only in accordance with the terms of the FXUA Computer Software Policy and the licensing agreement for the software. The University does not condone or support the use of any unauthorized copies of software. All software used by University employees to perform their responsibilities shall be purchased through appropriate procedures.

Software piracy is the installation, use, or distribution of unauthorized copies of software, which is protected property under intellectual property laws. Purchased commercial software packages include license agreements that indicate how the software should be used. Pirating software or failure to comply with restrictions in license agreements is illegal and may result in substantial fines for the University. The University has adopted the following computer software policies on the use of computer software.

Fairfax University of America, in purchasing computer software, commits to specific licensing agreements. Misuse or unauthorized uses, including duplication of licensed software for backup or archival purposes or duplication of related documentation may be a violation of United States Copyright laws.

Any employee who makes, acquires, or uses illegally reproduced software can be subject to civil and criminal penalties, including fines and imprisonment. Further, employees who violate this policy will be subject to appropriate corrective actions.

- The IT Department will maintain a current inventory of all software installed on computers/networks in the University.
- The IT Department staff will not install software on a network unless specifically allowed in the licensing agreement.
- If a software package is licensed to be operated across a network, the IT Department staff will make sure that any usage limits (per seat or concurrent) are observed and copying is disabled unless explicitly allowed under the license.

- ▮ The IT Department staff will ensure that software is not copied for use on more than one computer and that software user manuals are not copied.
- ▮ The IT Department staff will ensure that backup copies of software are not used to run the software on additional computers.
- ▮ When software upgrades are purchased, previous versions and associated user manuals should be destroyed, if no longer needed (Some upgrades require that the previous version(s) be installed before the upgrade is installed, so the previous version(s) must be maintained).
- ▮ The IT Department staff will conduct a software inventory every year or periodically perform spot checks or 'audits' of University-owned computers to make sure that illegal software has not been inadvertently or deliberately installed.
- ▮ FXUA computing facilities are used by departments, offices, and faculty members for a number of classes. This creates a complex environment for providing a reliable, useful facility for all involved. Pieces of software added into the environment become part of an integrated system the IT Department must maintain. For this reason, there are a number of policies regarding software requests and installation.

All software packages may be available for use by any other group using the facility, regardless of the purchasing department.

#### Requesting Updates

- ▮ Departments wanting updates to software they have purchased must make requests through the IT Department.
- ▮ The IT Department must be provided with the proof of purchase of any non-free updates before the update will be installed.
- ▮ Departments may request updates to IT Department purchased software, and such requests will be evaluated. Such requests must also be submitted in writing or e-mail to the IT Department four weeks before the start of the semester.

#### Maintenance

- ▮ The IT Department will maintain the original installation of the software for one academic year from its initial installation, or until the license expires, whichever occurs first.
- ▮ Software packages must be retested after each semester as new software, hardware, or operating systems may be installed. The IT Department will notify the department of any new conflicts and make all efforts to resolve those conflicts. If unavoidable conflicts arise, the IT Department will work with the department to find the best solution.
- ▮ The IT Department will not provide students, faculty, or staff with technical support for software not purchased by the IT Department. This means that instructors intending to use department-requested software are expected to be proficient in said software; the IT Department will not provide training, support, or documentation for software not purchased by the IT Department.

## **Cell Phone Usage Policy**

### Personal Cell Phones at Work

Although FXUA allows employees to bring their personal cell phones to work, we expect employees to keep personal conversations to a minimum. While occasional, brief personal phone calls are acceptable, frequent or lengthy personal calls can affect productivity and disturb others. For this reason, we generally expect employees to make and receive personal phone calls during breaks only.

### University-Issued Cell Phones

On occasion, FXUA may issue a cell phone to, or pay for a personal cell phone of, an employee whose job requires them to make calls while away from work or require them to be accessible for work-related matters.

Cell phones issued by FXUA are University property. Employees must comply with University requests to make their University-issued cell phones available for any reason, including upgrades, replacements, or inspection. Any employee who leaves FXUA for any reason must return his/her University-issued cell phone.

Any employee with either a University-issued cell phone or an employer-paid personal cell phone is required to list their cell phone number on the University contact list and in his/her e-mail signature.

### Personal Use of University-Issued Cell Phones

University-issued cell phones are to be used for business purposes. Although occasional, brief personal phone calls using a cell phone issued by FXUA are permitted, personal use that exceeds this standard will result in corrective action. Employees are expected to reimburse the University for any costs or charges relating to personal use of their cell phones.

### Cell Phone Usage While Driving

To comply with federal and state regulations and for your safety, employees are prohibited from using cell phones or mobile devices for work-related matters or for any matter, including personal matters, while driving a University-owned or –rented vehicle or a vehicle owned by the Government. Prohibited use of mobile devices includes short message service (SMS), texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. Employees are not prohibited from glancing at, or listening to, a navigational device that is secured in a commercial designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park. FXUA is concerned for the safety of its employees and for the safety of other drivers and pedestrians, and using a cell phone while driving can lead to accidents.

If an employee must make a work-related call while driving, he/she must wait until it is possible to pull over safely and stop the car in a safe and legal place to stop before placing the call or must use a hands-free device to place the call.

## Social Media

Social media has become a prevalent method of self-expression in our culture. FXUA respects the right of employees to use these media during their personal time. However, if you, as an employee, choose to identify yourself as a FXUA employee on a social media site you should adhere to the following policy.

For the purposes of this policy, social media should be understood to include any website or forum that allows for the open communication on the internet including, but not limited to:

- Social Networking Sites (e.g., LinkedIn, Facebook, Reddit);
- Micro-blogging Sites: (e.g., Twitter);
- Blogs (including University and personal blogs);
- Online Encyclopedias (e.g., Wikipedia); and
- Video and Photo-Sharing Sites (e.g. YouTube, Flickr)

### Responsibility

Employees are responsible (personally and legally) for any content that they post online. An employee should carefully consider the risks and rewards with respect to each thing he/she posts. Any conduct, online or otherwise, that negatively or adversely impacts an employee's job performance or conduct, the job performance or conduct of his/her coworkers, or adversely affects students, colleagues, or associates of FXUA or FXUA's legitimate business interests may result in corrective action, up to and including termination. Employees should use their best judgment and exercise personal responsibility when posting to any social media websites.

### Using Social Media at Work

Employees should limit their use of social media during work hours or on equipment provided by FXUA or its partners unless such use is work-related or authorized by a FXUA supervisor or FXUA. Employees should avoid using FXUA-provided e-mail addresses to register on social networks, blogs, or other websites for personal use. This provision is not meant to prohibit employees from engaging in concerted protected activity which is lawful under Section 7 of the NLRA.

### Monitoring

Employees have no right to privacy while accessing social media at work or on company-owned equipment. Where applicable law permits, FXUA reserves the right to monitor the employee use of any social media, and take action with respect to inappropriate usage or unlawful postings. In monitoring social media, FXUA will not in any way interfere with any employee rights under Section 7 of the NLRA.

### FXUA Representatives

*Employees are not authorized to speak on behalf of the employer, unless explicitly given permission.*

Employees should express only personal opinions online, and an employee should never represent himself or herself as a spokesperson for FXUA or other colleagues, customers, or partners who are associated with FXUA. If an employee chooses to post online content relating to FXUA, the employee must make it clear that the he/she is not speaking on behalf of FXUA with a disclaimer such as, "the opinions on this website are my own and do not necessarily reflect the views of FXUA." This disclaimer should be visible and easy to understand.



### Non-Disclosure

In accordance with FXUA's Non-Disclosure policy, employees must aim to protect FXUA's private, confidential, and proprietary information. An employee should make sure that any online postings do not violate the non-disclosure or confidentiality obligations of FXUA, FERPA regulations, or otherwise violate any University policy in this handbook.

### Respect

Employees should act appropriately when posting online. Any online behavior should be consistent with FXUA's policies and practices with respect to ethics, confidential information, discrimination, and harassment. Employees are expected to be fair, courteous, and respectful to coworkers, customers, colleagues, and other individuals who may work on behalf of FXUA. Employees should demonstrate proper respect for the privacy of others. Employees should refrain from using any statements, photographs, video, audio, or engaging in any online conduct that would not be acceptable or appropriate in the workplace, including anything that may be viewed as malicious, obscene, derogatory, discriminating, threatening, intimidating, harassing, insulting, defaming, offensive, or pornographic to, or of, coworkers, customers, colleagues, or other individuals that are associated with FXUA, or that may generally create a hostile and abusive work environment based on race, sex, religion, or any other protected class.

### Accuracy

If an employee is posting any news or information to social media, he/she should always be accurate and honest and quickly correct any mistakes or errors. Employees should never post any information which is known to be false about FXUA or any coworkers, customers, colleagues, or other individuals that are associated with FXUA.

### FXUA Accounts

Some University departments may utilize social media to pursue departmental goals. Any department wishing to maintain a FXUA-related and endorsed social media site must first receive approval from the EVP of Operations and the head of the Public Relations department by sending a request to [media@FXUA.edu](mailto:media@FXUA.edu). Use of FXUA's name and/or logo is not permitted until approval is granted. Inactive accounts are a poor reflection on the University; all employees requesting to maintain an account should be prepared to discuss the means by which the account will be kept active. FXUA recommends appointing one Administrator and one Moderator for each social media site. Any employee who has opened an account without seeking prior approval may be asked to remove it immediately. If necessary, FXUA will report the fraudulent account to the social media site and request that it be disabled.

Posts containing personal attacks, profanity, nudity, hate speech, or illegal material are prohibited. The University reserves the right to remove any post or to revoke a user's privilege to post to our page. Please be aware that every comment posted on the page cannot be immediately reviewed. Posts are to be used only for non-commercial purposes. You may not solicit funds or promote commercial entities.

All University-related social media accounts and related postings maintained by employees for marketing and/or networking purposes remain the property of FXUA and will be subject to copyright laws.

All information, including the account, the login, and the password must be shared with the EVP of Operations, as well as any updates made thereto.

#### Retaliation

FXUA prohibits any employee taking negative action against another employee for reporting a possible violation of this social media policy or cooperating in any investigation with respect to a potential social media policy violation. Any employee who retaliates against any employee for reporting a possible deviation from this policy or for cooperating in any investigation will be subject to corrective action, up to and including termination.

For more information regarding the University's Social Media Policy, including guidelines and best practices, please refer to the official Social Media Policy located on the University's intranet site.

## **Section 10: General Workplace Policies**

### **Business Hours**

The university's regular operating hours are 8:30am to 5:30pm, Monday through Friday. The core work hours are between 9:30am and 4:00pm, Monday through Friday. All regular full-time employees are expected to set a 9-hour work schedule that includes the core hours.

Employee schedules can start as early as 7:00am and end as late as 6:30pm. An employee's work schedule should be prearranged with his/her supervisor and submitted to the Human Resources department. Any deviation from or change to an employee's work schedule should be approved by his/her supervisor.

No employee may telecommute without prior approval from both his/her supervisor and the Human Resources department.

Employees in certain departments, such as Admissions, may work non-standard shifts or workweeks to provide adequate coverage and service to the FXUA community. When feasible, the university also tries to provide employees with a work schedule that is flexible enough to allow an opportunity to balance work and other responsibilities. Alternative work schedules must be approved by an employee's supervisor and the Human Resources department.

### **FXUA Commencement Ceremony**

All employees are expected to attend FXUA's annual graduation for our students and are highly encouraged to participate in other FXUA events.

### **Attendance & Punctuality**

Employees are expected to be ready to work at the beginning of their assigned work hours. If you expect to arrive past your scheduled arrival time, you must contact your supervisor and the Human Resources department as soon as feasibly possible and inform them of your expected arrival time.

FXUA provides paid time off to all regular full-time employees to accommodate absences from work. If an emergency, illness, or pressing personal matter arises that cannot be scheduled outside of your work hours, you should contact your supervisor and the Human Resources department immediately to report your absence.

If you know in advance that you will need to be absent, you must request this time off directly from your supervisor through Paylocity and receive prior approval before taking the time off.

Failure to report a late arrival or absence according to university policy is considered an unexcused absence and may result in corrective action. If you are absent from work for three (3) consecutive days without notifying your supervisor or the Human Resources department, you will be considered to have voluntarily resigned.

A consistent pattern of questionable absences can be considered excessive and may be cause for concern. In addition, if you have excessive tardiness or instances of leaving early without letting your supervisor know, you will be subjected to corrective action, up to and including termination.

## **Dress Code and Personal Appearance**

Personal appearance should be a matter of concern for each employee. Employees are expected to demonstrate good judgment and professional taste when it comes to personal appearance. Courtesy to coworkers and respect for the sensitivity of the many cultures represented at FXUA should be the factors that are used to assess if an employee's personal appearance is appropriate for the workplace.

If an employee's supervisor feels that his/her attire and/or grooming is out of place, the employee may be asked to leave the workplace until he/she is properly attired and/or groomed. Employees who violate dress code standards may be subject to appropriate corrective action. FXUA will make every effort to accommodate special situations, such as religious beliefs, on a case-by-case basis.

Employees should contact the Human Resources department with any questions or concerns regarding what is considered appropriate for the workplace.

### Workplace Attire Standards/Guidelines

FXUA expects employees to dress appropriately in business casual attire. Business casual attire includes shirts with collars, blouses, casual slacks and trousers, and fingertip length dresses and skirts. Jeans will be permitted on Fridays only.

The following items are prohibited:

- Athletic shoes
- Jeans
- Flip-flops
- T-shirts with writing/graphics
- Shorts
- Short skirts/dresses
- Tight or revealing clothes (without appropriate cover)
- Spaghetti strap/strapless tank tops (without covering sweater or jacket)

Employees in the Information Technology or Facilities & Property Management departments may be permitted to wear casual dress consisting of approved FXUA apparel with jeans or khakis based on work assignment(s). Additionally, any employees whose job requires extra safety precautions, may be authorized (or required) to wear personal protective equipment such as steel-toed safety boots or safety shoes.

### Casual Fridays

FXUA allows staff to dress more casually on Fridays and on other limited occasions. On these casual days, the general workplace attire guidelines still apply, with restrictions lifted for jeans and athletic shoes only. Permissible jeans should be neat with no torn or frayed jeans.

### Tattoos and Body Piercings

White tattoos and piercings may be examples of self-expression, in some cases, they may not promote or enhance a safe and productive workplace.

Visible tattoos that have slogans or images that are demeaning, offensive, or feature profanity or other messages that do not promote or enhance a safe and productive workplace are prohibited.

### **English-Only Policy**

Although it is the policy of FXUA to encourage diversity and inclusiveness in all of its educational/business pursuits, there are some occasions when FXUA will require that its employees converse or take direction and guidance in English. Thus, this English-Only policy will provide specific circumstances where English-Only rules must be observed (*please note that the use of other languages in other situations is not prohibited*):

- For communication with students, coworkers, supervisors, or others in the FXUA community who only speak English
- In emergencies or other situations in which employees must speak a common language to promote safety
- For cooperative work assignments in which English is needed to promote efficiency; this includes team meetings and correspondence
- To enable a supervisor who only speaks English to monitor the performance of an employee whose job duties require communication with colleagues or students

### **Personnel Records and Administration**

An employee's personal information will be carefully guarded and disclosure to any unauthorized person is prohibited. Access to information in an employee's personnel file by an outside agency (e.g., for employment references) is only given with written consent from the current/former employee, with the following exceptions.

Information in personnel files will be provided voluntarily to federal or state agencies when: the agency has jurisdiction to make the particular inquiry; the information being sought is obtainable by subpoena; and the appropriate FXUA officials are satisfied that the information being sought is actually pertinent to the agency's inquiry. FXUA staff have access to another staff member's personnel file only on the basis of a *need to know*. All employees examining a file on the basis of a need to know will treat the contents of the file as confidential, unless under legal subpoena and/or when contents may be incorporated into a recommendation governing the future status of the staff member.

Keeping an employee's personnel file up-to-date can be important with regard to pay, deductions, benefits, compliance, and other matters. Each employee is responsible for promptly notifying FXUA of

important changes in personal data. Some changes to personal data may be made directly through Paylocity by the employee. Other changes may require submission of documents to the Human Resources department.

If you have a change in any of the items listed below, please be sure to make the updates in Paylocity and/or notify your HR Department as soon as possible.

- Legal Name
- Home Address
- Phone Number/E-Mail Address
- Emergency Contact Information
- Marital Status
- Changes to Benefits/Beneficiaries
- Exemptions on W-4 or State Tax Form
- Direct Deposit
- Training/Workshop Certificates
- Professional Licenses
- Transcripts
- Accreditation Paperwork

Employees may request access to certain records in their own personnel file. All requests for such records should be made directly to Human Resources. Human Resources will locate these records and set up a mutually agreeable time for the employee to review these files with an HR representative. The employee may receive copies of specific materials in their personnel record including: transcripts, resumes, evaluations, and employment letters. However, the employee may not alter, remove, or copy (other than those previously specified) their records. If the employee disagrees with any of the information in the files, the employee may prepare a written rebuttal and the rebuttal will be included in the file.

### **Use of University Resources**

You should not use FXUA computer and communication systems and materials (including e-mail, telephone, fax, supplies, or other related workplace equipment) for any purposes not directly related to workplace business and/or activities without the expressed approval of a supervisor. University resources should only be used for their intended purpose.

### **Solicitations and Distributions**

For safety and privacy reasons, employees are prohibited from soliciting for any outside activity or organization during work time unless the solicitation is approved by FXUA and is in accordance with the requirements and restrictions of this policy. FXUA defines solicitation as including verbal or written communication, raffle tickets, for-sale merchandise, e-mail distributions, circulars, handbills, or other kinds of literature.

Posting or distribution of non-work related materials should be limited to non-work areas during non-work times. Non-work times include break periods, meal times, or other specified periods during the workday when employees are not expected to be performing their work tasks.

Individuals not employed by FXUA are prohibited from solicitation or distributing literature on FXUA property or from being on FXUA property with the purpose of solicitation.

## **Communication & Suggestions**

Successful working conditions and relationships depend upon successful communication. Not only do you need to stay aware of changes in procedures, policies, and general information, you also need to communicate your ideas, suggestions, personal goals, or problems as they affect your work.

We encourage all employees to bring forward any suggestions or ideas that will help FXUA solve a problem, reduce costs, improve operations or procedures, enhance customer service, eliminate waste, or make FXUA a better or safer place to work. A suggestion should identify the problem and offer possible ideas for solving or improving upon the issue. A suggestion should not be about coworkers or management.

Submit your suggestions to the Human Resources department. After it is reviewed, you will be notified if your suggestion was accepted or rejected. If your suggestion is used, you will receive special recognition and may be eligible to receive a bonus.

In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and use all FXUA methods of communication, including this Employee Handbook, Departmental Policies & Procedures, bulletin boards, discussions with your supervisor, memoranda, staff meetings, training sessions, and FXUA e-mail and intranet.

## **Conflicts of Interest**

A conflict of interest exists when you have divided loyalties – when you have a direct or indirect personal interest in a transaction or matter such that it might reasonably appear to affect the judgment that you exercise on behalf of FXUA, influence your actions, or lead you to neglect FXUA's business interests.

### **Conflict of Commitment**

If an employee's financial situation requires him/her to hold a second job, part-time or full-time, or if an employee intends to engage in a business enterprise of his/her own, FXUA would like to know about it. Before accepting any outside employment, an employee is required to discuss the matter with his/her supervisor and receive approval. FXUA strongly discourages the taking of another full-time position; this generally results in a fatigued employee who cannot do either job properly. Performance issues will be addressed if it becomes apparent that the other employment is interfering with an employee's current position.

Under no circumstances may a full-time employee accept a position with a competitor of FXUA nor may they do work on their own if it competes in any way with the services we provide our students as this

represents a conflict of interest. Additionally, no employee is permitted to engage in outside employment during the hours he/she is scheduled to work at FXUA.

Employees who serve as an Administrator, Manager, or Director in our Academic Programs at FXUA are limited to teaching one online course at any time at an outside academic institution and must do so only with the approval of his/her supervisor.

If an employee is found to be in violation of this policy, it may result in immediate termination.

***It is expected that all employees will refrain from discussing their employment at or promoting other academic institutions while in the classroom or advising and/or assisting students.***

#### Gifts

No member of the University community shall receive or solicit anything of value in return for influencing or exercising his/her discretion in a particular way on a University matter. In addition, Trustees and management personnel are prohibited from accepting or soliciting any gift, gratuity, or thing of value (more than \$50) for or because of any official act performed or to be performed by the Trustee or manager in his or her official capacity with the University. This provision does not prohibit the acceptance of an item having a nominal value (less than \$50) or ceremonial gifts received by Officers or Trustees of the University in their official capacity.

Prior approval from management is required before an employee may accept or solicit a gift of any kind from a student or vendor representative. Employees are not permitted to give unauthorized gifts to students or vendors, except for certain promotional merchandise (e.g., t-shirts, coffee mugs, pens, key chains) imprinted with the FXUA logo. Violation of this policy may result in corrective action and seizure of any inappropriate gifts.

#### Conflicts of Interest

FXUA employees must refrain from any private business or professional activity and from having any direct or indirect financial interest that would create a conflict between their private interest and their legal or moral responsibilities to Fairfax University of America. In your transactions with others, you are expected to act in the best interest of the University and not to your own private advantage. As an employee, you are not to engage in any private business or professional activity or to enter into any financial transaction that involves the direct or indirect use of inside information gained through your position with the University to further a private interest or for private gain for yourself or another person or entity. You are not to use your position in the University in any way, nor to induce or coerce any person or entity to provide any financial benefit to yourself or another person or entity. An actual conflict of interest does not need to be present to constitute a violation of this policy; you must also avoid activities that create the appearance of a conflict of interest.

The following are examples of how a conflict of interest could occur:

- Employment by a competitor or potential competitor, regardless of the nature of the employment, while employed by FXUA



- Acceptance of gifts, payment, or services from those seeking to do business with FXUA
- Placement of business with a firm owned or controlled by a FXUA employee or their family
- Ownership of, or substantial interest in, a company that is a customer, competitor, or a supplier
- Having a personal interest or potential for gain in any University transaction
- Using University assets, intellectual property, or proprietary information for personal gain
- Having a consensual relationship with a subordinate employee

If you have any doubt about whether a conflict exists, treat the situation as if there is a conflict until you have disclosed and resolved the issue. Failure to report any actual or potential conflicts to Human Resources may cause harm to FXUA and subject you to corrective action, up to and including termination of employment.

## Employee Conflict & Mediation

Work-related problems can arise in any place of employment. FXUA's management encourages employees to try to reconcile differences on an individual basis. If this is not possible, in order to resolve a problem quickly and fairly, the following steps are in place to resolve employee differences:

- **Step 1:** The employee should attempt to resolve the complaint as close to the source as possible in an informal, verbal manner.
- **Step 2:** If the matter is not resolved after Step 1, the employee should notify his/her supervisor in writing as to the nature of the conflict and the measures used to resolve it. A discussion should be held between the employee, the supervisor, and any other relevant party. This level is usually informal, but either party may request written statements about the interaction from the supervisor.
- **Step 3:** If the matters is not resolved after Step 2, the employee should send written notification to the Human Resources department stating the nature of his/her conflict and inform his/her supervisor of this action. The supervisor will forward any additional information relevant to the conflict to the Human Resources department for review. An HR representative will schedule a mediation for the parties involved within five (5) business days.

## Grievance Procedures

Employees have the right to file a formal grievance in order to 1) appeal any formal corrective action such as written warnings, final written warnings, or terminations; or 2) appeal an employment decision that the employee believes to be discrimination based upon his/her age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status.

Employees cannot file a formal grievance for reasons of 1) disagreement with a performance evaluation rating or 2) as a result of a job classification or reclassification. Any disagreement with performance

ratings or job classifications should be reviewed by the employee's department. The employee should discuss these circumstances with his/her supervisor's supervisor.

### **Step 1: Discuss Complaint with Immediate Supervisor**

The university encourages informal resolution of complaints. Employees should first discuss the complaint with their immediate supervisor within three (3) business days of the situation whenever possible. If the complaint is not resolved as a result of this discussion, or such a discussion is not appropriate under the circumstances, proceed to Step 2. If the action in dispute involves suspension or termination of employment, Steps 1 and 2 should be bypassed.

*If the immediate supervisor is an executive of the university, Steps 2, 3, and 4 should be bypassed and the complaint submitted directly to the Human Resources Director who will send a copy to the President and schedule a meeting for the employee.*

### **Step 2: Prepare and Submit Complaint Procedure Form to the Human Resources Department for Review by Second-Level Supervisor**

If the employee feels the complaint was not resolved in discussions with his/her immediate supervisor, they may prepare and submit a formal written complaint for review by the person to whom the employee's immediate supervisor reports ("second-level supervisor"). To do so, the employee should prepare a Complaint Procedure Form and submit it to the Human Resources department within seven (7) business days of the Step 1 discussion with the immediate supervisor (or within seven (7) days of the event being grieved if Step 1 is bypassed). An HR representative will then review the complaint, send a copy to the second-level supervisor and the immediate supervisor (if appropriate), and schedule a meeting for the employee, the second-level supervisor, and an HR representative to discuss the complaint. The meeting will ordinarily be held within five (5) business days of HR's receipt of the Complaint Procedure Form. The second-level supervisor will issue a written decision, generally within five (5) business days of the meeting. If the complaint is not resolved to the employee's satisfaction, they may proceed to Step 3.

*If an employee's second-level supervisor is an executive, the employee grievance procedure is complete at the conclusion of Step 2. If the employee's second-level supervisor is a director or associate dean, the employee should proceed to Step 4 at the conclusion of Step 2.*

### **Step 3: Submit Complaint Procedure Form to Director of Human Resources for Review by Third-Level Manager**

If the employee is not satisfied with the Step 2 decision, they may proceed with the complaint within five (5) business days of receipt of the Step 2 decision by submitting it to the Director of Human Resources for review by the director in charge of their department or associate dean of the department if in an academic school. A meeting between the employee, the Director of HR, and the director or associate dean will generally be held within five (5) business days. The director or associate dean will issue a written decision, generally within five (5) business days of the meeting.

#### **Step 4: Submit Complaint Procedure Form for Final Appeal to the Appropriate Executive Team Member**

If the employee is not satisfied with the Step 3 decision, they may submit the complaint to the appropriate executive with administrative responsibility for their department within seven (7) business days of receipt of the Step 3 decision. The executive will provide the university's final written response, generally within fourteen (14) business days. The employee's department management will be notified as well.

The time limits above are subject to modification on a case-by-case basis due to operational requirements, travel away from campus, in-depth investigations, etc. The executive shall have final authority to resolve any disputes regarding the implementation of this Complaint Procedure, including determination of the appropriate decision makers.

#### **Confidential Information**

During the course of employment, employees may have access to Confidential Information. Any Confidential Information, whether oral, written, or electronic, should be maintained in a manner that ensures its confidentiality. The release of any such Confidential Information may result in negative financial or competitive action, productive loss, or cause legal or other non-beneficial impacts on FXUA.

Confidential Information must be treated with respect and care by any employee who is authorized to have access to this information. Employees who are authorized to use or disclose Confidential Information also have the responsibility to safeguard access to such information. Employees who are authorized by FXUA to access Confidential Information have a responsibility to limit access to those that are allowed by permission and/or law. The access must be appropriate to the employee's job responsibility. A breach is a violation of this policy.

Employees who are authorized to have access to Confidential Information shall comply with the terms of the FXUA Confidentiality Agreement. Any FXUA employee's behavior that compromises Confidential Information is covered by this policy.

#### **FERPA Regulations & Policy**

In order to maintain the confidentiality of student information at FXUA, all Faculty and Staff are required to be FERPA certified and comply with FERPA regulations. To complete the FERPA certification, Faculty and Staff will have to visit the U.S. Department of Education website and complete a FERPA Awareness Training Course. Once completed, the next step is to submit a hard copy or soft copy of the FERPA certificate along with the FXUA acknowledgement form to the Human Resources Department. New Faculty and Staff will receive an email with guidelines when they are hired and will be given two months to submit a hard copy or soft copy of the FERPA certificate together with the FXUA acknowledgement form to the Human Resources Department.

### Students' Records and Release of Information

In compliance with Public Law 93-380, "The Family Educational Rights and Privacy Act" (FERPA), which is Section 438 of the General Education Provision Act, FXUA has adopted policies and procedures that permit students the opportunity to view their educational records upon request. Educational records mean those records, files, documents, and other materials that contain information directly related to a student. The institution will not permit access to or release of confidential information from a student's records to any individual or agency without the written consent of the student, except for the following situations:

- ▢ Name, address, telephone number, date and place of birth, program undertaken, dates of attendance, and certificates, diplomas, and degrees awarded may be provided to third parties unless the request to omit such information is presented in writing.
- ▢ Records are required by FXUA officials in the proper performance of their duties (FXUA defines a school official as a person employed by the university including a full-time or adjunct professor/instructor, an administrator, clerical staff, a member of the board of trustees or a member of committees and disciplinary boards, or a student serving on an official committee, such as a disciplinary committee, with legitimate educational interests).
- ▢ In accordance with FERPA, a school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his/her professional responsibility.
- ▢ Information may be provided to organizations conducting studies for educational and governmental agencies.
- ▢ Information may be provided to US government agencies as listed in Public Law 93-380 who request information for specific purposes.
- ▢ Information may be provided at the request of any accrediting agencies.
- ▢ Information may be provided to parents of dependent children as defined in the Internal Revenue Code of 1954.
- ▢ Information may be provided to appropriate persons in connection with an emergency.
- ▢ Information may be provided for the purposes of awarding financial aid.
- ▢ Information may be provided in response to legal court orders.

### **Travel Expenses and Reimbursement**

The following policy relates to all the travel and business expenses accrued by FXUA staff or full-time faculty using a corporate or department credit card or cash and the reimbursement of staff or full-time faculty from FXUA funds.

#### Travel Authorization

Prior to any travel for which the employee wishes to have expenses paid by the University, the employee must receive approval from his/her supervisor and an expense request must be submitted to the Purchasing Coordinator for final approval and authorization. It is recommended that all relevant documentation is submitted three (3) months in advance of travel; no less than one (1) month advance should be given in order to allow time for the expense to be reviewed and approved.

### Airfare & Hotel Reservations

The employee and his or her supervisor are responsible for researching and finding the most convenient and affordable airfare fee and hotel reservation. Employees must consider 1) their safety, and 2) the most inexpensive option when selecting and arranging hotel reservations. All air tickets must be reserved in the economy seating section.

After airfare and hotel selections have been made, all relevant details must be sent to the Purchasing Coordinator so that the payment may be completed. The employee should provide a link to the room or flight, appropriate date, and other details necessary to make reservations. In-room services such as room upgrades, laundry, gym or sauna fees, movie rentals, alcoholic beverages, and other non-essential fees are considered non-reimbursable expenses. Room service orders that are not in compliance with the per-diem food allowance may also be considered non-reimbursable.

### Travel by Plane

After receiving approval to attend a conference or other event, the travelling employee or authorized representative must follow the procedure outlined below:

1. Research a round-trip flight to the event and record all pertinent information (flight number, airport of departure and arrival, time of departure and arrival, price of fare on the date of research).
2. Research hotel accommodations in the immediate area near the event location and record all pertinent information (distance from hotel to event, nights of stay, price per night, and total price for stay). Your per night hotel rate will not be approved if higher than the rate listed at the following link for the city of travel: [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem). Exceptions will be made for rates exceeding the federal per diem if that rate is for stay at a hotel in which an event is being held or at a hotel whose proximity to the event results in a net savings due to reduction in required transportation (e.g., eliminates the need for a rental car or other transit accommodation).
3. Submit one (1) expense request with the estimated totals of your flight and hotel reservations. Expense requests submitted without attached reservation summaries or screenshots showing preferred flight and hotel reservations will not be processed.
4. Submit one (1) expense request with the estimated meal expenses, as calculated based on Table 1 below. This expense request must be separate from your hotel and flight reservation expense request.
5. After your flight and hotel reservations have been approved, the Purchasing Coordinator will schedule a 30-minute booking appointment at which time the flight and hotel booking will take place. Employees will not be permitted to use the corporate credit card to make flight or hotel reservations.

### Travel by Personal Vehicle, Rental Vehicle, Train, or Public Transit

For travel to a conference by a personal vehicle, rental vehicle, train, or public transit, travelling employees must follow the procedure outlined below:

1. The travelling employee or designated representative must research the preferred method of transit and record all pertinent information. If a personal car will be used, record the mileage and intended route; if a car rental will be used, record the Enterprise rental rate per day, rate per mile, and total mileage; if the trip will be made by train or bus, record the price of fare, mileage of the trip, preferred time of round trip departure and arrival, and distance of station or stop in destination city from the travelling employee's hotel or event location.
2. Research hotel accommodations in the immediate area near the event location and record all pertinent information (distance from hotel to event, nights of stay, price per night, and total price for stay). Your per night hotel rate will not be approved if higher than the rate listed at the following link for the city of travel: [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem). Exceptions will be made for rates exceeding the federal per diem if that rate is for stay at a hotel in which an event is being held or at a hotel whose proximity to the event results in a net savings due to reduction in required transportation (e.g., eliminates the need for a rental car or other transit accommodation).
3. If travelling by train, rental car, or bus, submit one (1) expense request with the estimated totals of the intended travel method and hotel reservations. ERFs submitted without attached itinerary summaries showing items outlined in point 1 will not be approved. If travelling by personal vehicle, submit one (1) expense request with a map showing mileage for the round trip and estimates for inner city travel. FXUA will reimburse employees who travel using a personal vehicle at a rate of \$0.555 per mile. Reimbursement will not be granted to the travelling employee if gas is paid for with the corporate credit card.
4. Submit one (1) expense request with the estimated meal expenses, as calculated based on Table 1 below. Local travel expenses (e.g., taxi, shuttle service) should also be included on this expense request. This expense request must be separate from your hotel and travel reservation expense request.

### Mileage

FXUA allows personal car use for a distance of more than 30 miles and less than or equal to 300 miles of the intended destination. The reimbursement rate is \$0.555 per mile. This figure is an IRS standard which includes in its calculation non-fuel related expenses associated with using one's private vehicle such as car depreciation and insurance. An expense request should always be submitted in advance of travel for which the requesting employee would like to be reimbursed. Expense requests for local travel may include only the destination address(es) and total distance to be travelled. Expense requests for non-local travel should include a map print-out detailing the intended route and estimated mileage.

Staff are encouraged to reserve and utilize the FXUA-owned vehicles in place of personal vehicles as often as possible. Staff interested in utilizing a FXUA-owned vehicle should contact the Office of Business Affairs

### Car Rental

FXUA permits rentals of compact or economy models only. This policy may be waived if more than three people are travelling together.

### Train Travel

Travelling by train is an alternative option only if the employee cannot travel by plane or by car. Travel by train is limited to no more than 500 miles from the university.

### Meals

FXUA employees travelling overnight are permitted a maximum of three meals per day. The following rules apply:

- The travelling employee will spend his or her own money and receive reimbursement upon return.
- All original receipts must be submitted to the Purchasing Coordinator within two (2) business days of return. The travelling employee is responsible for maintaining and supplying all receipts from the trip.
- FXUA will not reimburse any amount without an original receipt.
- Tips should not be given for more than 20% of the actual meal cost.
- Alcoholic beverages are a non-reimbursable expense.

The travelling employee is responsible for food costs in excess of the allowed amount, based on the table below. FXUA will reimburse employees for travel-related meals up to \$50 per day. Any purchase beyond the following rates and scope are the responsibility of the travelling employee.

Meal Per Diem		
Breakfast	Lunch	Dinner
\$10.00	\$15.00	\$25.00

The separate amounts for breakfast, lunch, and dinner listed in the above table are provided should you need to deduct any of those meals from your trip voucher. For example, if your trip includes meals that are already paid for by FXUA (such as through a registration fee for a conference), you may not spend that portion of the meal allowance.

### Reimbursement of Travel Expenses

FXUA will reimburse travel expenses based on the pre-approved expense request. Employees are required to act prudently and use their best judgment when utilizing university funds. All receipts must be submitted within three (3) business days of returning from travel and should include an itemized breakdown of purchases; FXUA reserves the right to withhold reimbursement if additional time is needed to investigate and process the expenses.

### General Rules for Reimbursement of Travel Expenses

- All expenses must be accompanied by an original receipt or invoice.

- Personal expenses (e.g., alcoholic beverages, grooming or massage services, medication, laundry, child care, pet care, traffic infractions, etc.) are considered non-reimbursable expenses.
- Charges for use of a personal cell phone must be included on an expense request and approved prior to travel.
- FXUA is not responsible for personal losses.
- Upgrades of any kind (for tickets, luggage, etc.) will not be considered for reimbursement.
- Transportation to and from the airport can be covered, if required.
- Any expenses claimed without a receipt will not be reimbursed. In the event of a lost receipt, it is the responsibility of the employee requesting reimbursement to contact the merchant and request a copy of the receipt. Receipts obtained in this manner must contain all the information found on a traditional receipt.
- Any expenses exceeding the budgeted amount will not be reimbursed. ***Note: All receipts will be carefully reviewed. Any unrelated expenses or expenses exceeding the budgeted amount will not be considered for reimbursement.***

#### Use of Corporate or Department Credit Cards

Credit cards will not be issued to travelling employees. Travelling employees should collect the necessary signed credit card authorization forms prior to travel for hotels or rentals. In some circumstances, department heads may at their own discretion choose to issue the department credit card to travelling employees. Arrangements should be made ahead of time with the Purchasing Coordinator so that funds will be available on the department credit card.



## **Section 11: Standards of Conduct**

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and harmoniously. By accepting employment with us, you have a responsibility to FXUA and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary. When each person is aware that he/she can fully depend upon fellow workers to follow the rules of conduct, our organization will be a better place to work for everyone.

### **Professional Etiquette**

It is the expectation of the University that all employees will behave in a professional manner at all times while conducting University business. Every member of the University community is expected to treat each other and members of the public with courtesy, professionalism, and civility. Professionalism is conveyed through responsible and respectful communication and actions, which create a constructive learning and working environment. This includes professionalism in all forms of communication, whether in person or electronically, with other staff, faculty, students, and affiliated businesses; and conduct of professional behavior at all University functions and events. Employees who fail to achieve and maintain acceptable levels of professionalism are subject to corrective action.

### **Educational Benefits and Opportunities**

No member of the University community shall deny a student fair access to all educational opportunities and benefits available at the University. Invidious harassment, discrimination, or intimidation of students that deny or impede their right of access to these benefits and opportunities will not be tolerated and will be subject to corrective action.

No member of the University community shall deny any members of the faculty a fair opportunity to teach, conduct research, and to provide services to the University in a setting that provides the academic freedom necessary to cultivate a wide expanse of ideas and teaching methods. Unwarranted interruption of classes or other academic activities is an abridgement of the right of the faculty to teach and an abridgment of the rights of the affected students to learn.

### **Consensual Relationships Policy**

Romantic and/or sexual relationships between supervisors and direct report staff are strongly discouraged at FXUA. Such relationships have the potential for adverse consequences, including the filing of sexual harassment charges. Given the fundamentally unbalanced nature of the relationship where one party has the power to evaluate performance, assign work, change work status, promote staff, provide work references or give salary increases, the apparent consensual nature of the relationship may cast doubt on the objectivity of the supervisor.

Except in unusual circumstances, where explicit authorization has been obtained from the Human Resources department, no one who is employed at FXUA should participate in supervision, employment actions, evaluation, decisions pertaining to promotion, or the direct setting of salary or wages for someone employed at FXUA with whom that person has or has had a consensual relationship.

Employees should be aware that entering into such a relationship with a supervisor creates the potential for risk to both parties. In particular, such a relationship will limit that supervisor's ability to direct work or promote that employee's career.

In the event that a personal relationship of this kind does exist in a supervisory context, the supervisor must disclose the relationship to the Human Resources department and initiate arrangements to address any issues of conflict of interest. Similar to requirements listed in the Nepotism Policy, prior authorization for certain personnel actions related to the employee are required from the next higher level of supervision and/or the head of Human Resources. When possible, one or both employees involved in the consensual relationship may have to be transferred.

#### Consensual Relationships with Students

No staff or faculty member should enter into a consensual relationship with a student actually under that person's authority or accept authority over a student with whom he/she has or has had a consensual relationship without written agreement with the appropriate dean. Situations of authority include, but are not limited to, teaching, formal mentoring, supervision of research, and employment of a student as an administrative or teaching assistant; and exercising substantial responsibility for grades, honors, or degrees; and considering disciplinary action involving the student.

Students and staff or faculty alike should be aware that entering into a consensual relationship will limit the staff or faculty member's ability to teach and mentor, direct work, employ, and promote the career of a student involved with him/her in a consensual relation, and that the relationship should be disclosed in any letter of recommendation the staff or faculty member may write on the student's behalf. Furthermore, should the faculty member be the only supervisor available in a particular area of study or research, the student may be compelled to avoid or change the special area of his/her study or research.

If, nevertheless, a consensual relationship exists or develops between a staff or faculty member and a student involving any situation of authority, that situation of authority must be terminated. Termination includes, but is not limited to, the student withdrawing from a course taught by the faculty member; transfer of the student to another course or section, or assumption of the position of authority by a qualified alternative faculty member or teaching assistant; the student selecting or being assigned to another academic advisor; and changing the supervision of the student's teaching or administrative assistantship. In order for these changes to be made and ratified appropriately, the staff or faculty member must disclose the consensual relationship to the student's dean and reach an agreement for remediation. In case of failure to reach agreement, the supervisor shall terminate the situation of authority.

## Unacceptable Activities

Generally speaking, we expect each person to act in a mature and responsible manner at all times. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed below, please see your supervisor or the Human Resources department for an explanation.

The following list of Unacceptable Activities does not include all types of conduct that can result in corrective action, and FXUA reserves the right to take corrective action, or immediate termination, for any behavior it deems inappropriate for efficient operation of the university. Nothing in this list alters the at-will nature of employment; either you or FXUA may terminate the employment relationship with or without reason, and in the absence of any violation of these rules.

- Engaging in any employment practice that is a violation of federal or state law
- Violation of any FXUA rule; any action that is detrimental to FXUA's efforts to operate efficiently
- Violation of security or safety rules or failure to observe safety rules or FXUA safety practices; failure to wear required safety equipment; tampering with FXUA equipment or safety equipment
- Negligence or any careless action that endangers the life or safety of another person
- Being intoxicated or under the influence of a controlled substance while at work; use, possession, or sale of a controlled substance in any quantity while on FXUA premises, except medications prescribed by a physician which do not impair work performance
- Unauthorized possession of dangerous or illegal firearms, weapons, or explosives on FXUA property or while on duty
- Engaging in criminal conduct or acts of violence or making threats of violence toward anyone on FXUA premises or when representing FXUA; fighting or provoking a fight on FXUA property, or negligent damage of property
- Insubordination or refusing to obey instructions properly issued by your supervisor pertaining to your work; refusal to help out on a special assignment
- Threatening, intimidating, or coercing fellow employees on or off the premises at any time, for any purpose
- Engaging in an act of sabotage; negligently causing the destruction or damage of FXUA property, or the property of fellow employees, customers, suppliers, or visitors in any manner
- Theft or unauthorized possession of FXUA property or the property of fellow employees; unauthorized possession or removal of any FXUA property, including documents, from the premises without prior permission from management; unauthorized use of FXUA equipment or property for personal reasons; using FXUA equipment for profit
- Dishonesty; falsification or misrepresentation on your application for employment or other work records (e.g., timesheet); falsifying reason for a leave of absence or other data requested by FXUA; alteration of FXUA records or other FXUA documents
- Failure to complete your timesheet; alteration of your own timesheet or records or attendance documents; punching or altering another employee's timesheet or records, or causing someone to alter your timesheet or records

- Violating the Non-Disclosure agreement; giving confidential or proprietary FXUA information to competitors or other organizations or to unauthorized FXUA employees; working for a competing business while a FXUA employee; breach of confidentiality of personnel information
- Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and lack of harmony; interfering with another employee on the job; restricting work output or encouraging others to do the same
- Immoral conduct or indecency during working hours
- Conducting a lottery or gambling during working hours
- Any act of harassment, sexual, racial, or other; telling sexist or racist jokes; making racial or ethnic slurs
- Sleeping or loitering during working hours
- Obscene or abusive language toward any manager, employee, student or vendor; indifference or rudeness towards a student or fellow employee; any disorderly/antagonistic conduct on FXUA premises
- Smoking in the building
- Creating or contributing to unsanitary conditions
- Failure to report an absence or late arrival; excessive absence or lateness
- Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your supervisor; stopping work before time specified for such purposes
- Unsatisfactory or careless work; failure to meet production or quality standards as explained to you by your supervisor
- Posting, removing, or altering notices on any bulletin board on FXUA property without the permission of an officer of FXUA
- Excessive use of FXUA telephone for personal calls
- Speeding or careless driving of FXUA vehicles
- Failure to immediately report damage to, or an accident involving, FXUA equipment or vehicles
- Soliciting during working hours and/or in working areas; selling merchandise or collecting funds of any kind for charities or others without authorization during business hours, or at a time or place that interferes with the work of another employee on FXUA premises
- Holding a supervisory position or being in any position of higher authority in the University and using your position to intimidate subordinate employees or to exact personal favors or things of value from employees of lesser rank within the University.

## **Harassment & Discrimination**

FXUA intends to provide a learning and work environment that is pleasant, professional, and free from intimidation, hostility, or other offenses that might interfere with work performance. Unlawful discrimination and/or harassment of any sort -- verbal, physical, or visual -- will not be tolerated, particularly against employees in protected classes. These classes include, but are not necessarily limited to race, color, religion, sex, age, sexual orientation, national origin or ancestry, disability, medical condition, marital status, veteran status, or any other protected status defined by law.

The conduct alleged to constitute harassment is evaluated from the perspective of a reasonable person similarly situated to the individual complaining and in consideration of the surrounding circumstances and facts. It is important to know that harassment is distinguished from behavior that, even though unpleasant or disconcerting, is appropriate to the responsibilities of certain instructional, advisory, or supervisory roles.

Harassment occurs when unwelcome verbal or physical conduct, because of its severity and/or persistence, interferes significantly with an individual's work or education, or adversely affects an individual's living conditions. Harassment also occurs when a person uses a position of authority to engage in unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

Harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, e-mail jokes or statements, pranks, intimidation, physical assaults or contact, or violence. Harassment in particular is not necessarily sexual in nature. It may also take the form of other vocal activity including derogatory statements not directed to the targeted individual but taking place within their hearing. Other prohibited conduct includes written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against an employee for discussing or making a harassment complaint.

Administrative responsibility for implementing FXUA's policies prohibiting harassment and discrimination rests with the Human Resources department. The Director of Human Resources is a designated Title IX Coordinator and responsible for implementing Title IX. Title IX is a federal law that prohibits sex discrimination, including sexual harassment.

#### Sexual Harassment

Sexual harassment is a form of unlawful harassment that is based on an individual's sex or is of a sexual nature. It includes, but is not limited to, the types of prohibited harassment identified above, as well as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct. Such conduct constitutes sexual harassment when any of the following occur or are present: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submitting to or rejection of such conduct is used as the basis for employment decisions; and/or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment. All unlawful harassment, including sexual harassment, is strictly prohibited.

The prohibitions above include discrimination and harassment in any workplace context, including conferences, meetings, social events, and work-related activities and trips. These prohibitions include unlawful harassment and discrimination from or towards supervisors, coworkers, and other employees as well as non-employees with whom FXUA has a business or professional relationship, including, but not limited to, students, vendors, contractors, visitors, etc.

### Sexual Misconduct

Sexual misconduct refers to all forms of sexual- or gender-based harassment, sexual or gender violence, sexual exploitation, relationship violence (domestic violence and dating violence), and sex- or gender-based stalking. All forms of sexual misconduct – whether committed by student, faculty, staff, or others – are prohibited at FXUA.

Any university employee, including any faculty member, who becomes aware of an allegation of sexual misconduct involving a student is expected to notify the Title IX/Clery Act Coordinator with the names of the parties involved and the details of the allegation.

### Reporting Complaints of Discrimination/Harassment/Sexual Misconduct

FXUA encourages and expects every employee to report incidents of discrimination or harassment to the Human Resources department, whether they are directly involved or are merely a witness. If an employee believes that he/she is being discriminated against or harassed or has been subjected to discrimination or harassment by a coworker, supervisor, or other individual at the workplace, or believes that his/her employment is being or has been affected by such conduct, or believes that he/she has witnessed such conduct, the employee should complete a Workplace Harassment/Discrimination Complaint Form and report the concerns immediately to Human Resources.

Once the matter has been reported, a prompt investigation will be conducted and, to the extent that it does not compromise the integrity of the investigation, confidentiality will be maintained concerning the allegations. Should the investigation establish that an individual has engaged in conduct prohibited under this policy, disciplinary action warranted by the results of the investigation will be taken against the offending employee(s). To be clear, any employee found to be engaging in conduct prohibited under this policy will be subject to disciplinary action, up to and including termination.

Employees who fail to cooperate with an investigation, or who knowingly provide false information in connection with a complaint or an investigation, will be subject to discipline as well.

### Prohibition Against Retaliation

FXUA prohibits and will not tolerate any form of retaliation against an employee who has filed a complaint in good faith or an employee who, in good faith, has cooperated or participated in an investigation of a complaint. If an employee has filed a complaint, or has participated in an investigation, and believes that he/she is being or has been retaliated against, the employee must *immediately* report this matter to the Human Resources department.

If an employee believes that he/she has been subjected to discrimination because of his/her race, color, religion, sex, sexual orientation, citizenship status, marital status, status as a Vietnam era veteran, national origin, age, handicap, disability, or any other characteristic protected by federal, state, and/or local law, or if the employee believes that he/she has been retaliated against for complaining about discrimination or participating in an investigation, it is the employee's responsibility to utilize the complaint procedure established in this policy for the purposes of preventing and correcting this unacceptable workplace behavior.

## Whistleblower Protection

It is the intent of FXUA to remain in compliance with all laws and regulations that apply to our organization. In accordance with the Sarbanes-Oxley Act of 2000s, Fairfax University of America will not retaliate against an employee who has raised a complaint against FXUA, or of another individual or entity with whom FXUA has a business relationship, on the basis of a reasonable belief that there is a violation of law. Employees that raise complaints about their immediate supervisor being in violation of the law or regulations will not be subject to termination or corrective action, if that complaint is reasonably found.

## Alcohol Policy

FXUA is a dry campus and expressly prohibits the sale, consumption, or use of alcoholic beverages on any FXUA property.

All members of the FXUA community are expected to know and act in accordance with Virginia laws concerning the purchase, possession, consumption, sale, and storage of alcoholic beverages. However, ignorance of the law is not a viable defense. Thus, the FXUA community is reminded of the following:

- ▮ Any sale of an alcoholic beverage requires an ABC license.
- ▮ Alcoholic beverages are not to be given or sold to persons who are under the legal drinking age, which is 21 years of age.
- ▮ Alcoholic beverages are not to be given to persons who are intoxicated.
- ▮ State law prohibits drinking in unlicensed public places; public intoxication; possession of an alcoholic beverage by someone under the legal drinking age; falsely representing one's age for the purpose of procuring alcohol; and purchasing an alcoholic beverage for a person who is under the legal drinking age.
- ▮ Violations of state alcohol laws are criminal misdemeanors punishable by fines up to \$2,500, imprisonment up to 12 months, and suspension of a driver's license.
- ▮ The use of alcoholic beverages as a prize in a contest, drawing, lottery, etc., is prohibited.
- ▮ The use of alcoholic games (e.g., quarters, drink-offs, beer-pong, etc.) is prohibited.
- ▮ FXUA recognizes the value of group-sponsored social events that take place off-campus. FXUA acknowledges that some of these group-sponsored events that take place off-campus may be at establishments that serve alcohol. FXUA does not prohibit the consumption of alcohol at these events. However, groups or individual group members may be held accountable for the underage possession or consumption of alcohol, and unsafe or irresponsible behavior that occurs during a group-sponsored event. Unsafe behavior includes, but is not limited to, consuming alcohol through beer bongs, participating or facilitating drinking games, or consuming an excessive quantity of alcohol in a short amount of time. Irresponsible behavior

includes, but is not limited to, the use or attempted use of fraudulent identification to obtain alcohol or making alcohol available to underage persons.

- FXUA funds may not be used to purchase or obtain alcohol.

Members of the FXUA community, and their invited guests, who reside in property leased by FXUA who are lawfully permitted to purchase, possess, and consume alcohol, may do so in the residence.

## **Substance Abuse**

Substance abuse is detrimental to an individual's health and may jeopardize safety in the workplace. For these and other reasons, the unauthorized use, possession, storage, manufacture, distribution and sale of alcohol, controlled substances, and illegal drugs is prohibited on FXUA's premises or during any business conducted in FXUA-supplied vehicles or during working hours.

The "Drug-Free Workplace Act" and the "Drug-Free Schools and Campuses Regulation" require FXUA to certify that it will provide a drug-free workplace/campus. As a condition of employment, employees will abide by the terms of this statement and notify FXUA of any criminal drug statute convictions not later than five days after such convictions for violations occurring on FXUA premises. This includes convictions for the unlawful use, possession (including the storage in a desk, locker, or other repository), manufacture, distribution, dispensation, or sale of illegal drugs, drug paraphernalia, or controlled substances on FXUA premises or while conducting business in FXUA supplied vehicles or during working hours.

FXUA will not condone criminal activity on its property (or on property under its direct control) and will take appropriate corrective actions up to and including termination or required participation in drug abuse assistance or rehabilitation programs.

### Substance Possession

The unlawful possession, manufacture, distribution or sale of illegal drugs or alcohol on FXUA premises or vehicles is prohibited and will result in corrective action up to and including termination.

Employees are responsible for knowing about and complying with the provisions of state and federal law that make it a crime to possess, sell, deliver or manufacture controlled substances. Any member of the FXUA community who violates the law is subject to prosecution by civil authorities as well as to disciplinary action by FXUA.

### Substance Use

The use of illegal drugs on FXUA premises or vehicles is prohibited and will result in corrective action up to and including termination. Employees are discouraged from the use of illegal substances at any time. Use of illegal substances or abuse of legal substances off work time which results in impairment at work will result in action as described in the Impairment section.

The use of alcohol at work is not permitted and alcohol consumption off work which results in impairment at work will result in action as described in the Impairment section.



Employees who are taking legally prescribed and/or over-the-counter medications and report to work impaired which affect job performance, safety or the efficient operation of work will be subject to action as described in the Impairment section.

#### Impairment

The supervisor is responsible for taking appropriate action when an employee demonstrates impairment. Upon evidence of impairment, the supervisor will follow the appropriate protocol, which may involve sending the employee home for the day.

#### Drug Awareness Program

Periodically FXUA will inform employees about the dangers of drug and alcohol abuse in the workplace, its policy of maintaining a drug-free workplace, available drug counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed upon employees for drug or alcohol abuse violations.

### **Criminal Drug Conviction**

If an employee is convicted of violating a criminal drug statute at the workplace, he/she must inform a supervisor of such convictions (including pleas of guilty and *nolo contendere*) within seven calendar days of the conviction.

Failure to inform the supervisor subjects the employee to corrective actions up to and including termination for the first offense.

As an alternative to termination, FXUA reserves the right to offer employees convicted of violating criminal drug statutes participation in an approved substance abuse treatment program.

### **Arrests or Convictions**

Any employee who is arrested for a misdemeanor or felony must notify his/her supervisor of such arrest no later than seven calendar days after the arrest. If an employee is convicted of a misdemeanor or felony while employed at FXUA, he/she must inform his/her supervisor and the Human Resources department of such conviction (including please of guilty and *nolo contender*) no later than seven calendar days after the conviction.

The arrest of an employee – whether on- or off-campus – may result in corrective action up to and including termination, depending on a review of all factors involved including: relation to employee's work, nature and severity of the act, and resulting circumstances that adversely affect the employee's attendance.

### **Corrective Action**

All FXUA employees are expected to adhere to university and departmental policies and procedures and the lawful directives of their supervisors. However, the university recognizes that some employees will, unfortunately, engage in improper conduct and/or fail to perform their duties adequately. Employees who engage in misconduct are subject to corrective action. Corrective action may include, but is not limited to, a verbal warning, a written warning, suspension, demotion, or discharge.

Under normal circumstances, supervisors are expected to impose the following corrective action steps:

- ▮ **Step 1: Verbal Warning** – Supervisor should have a verbal discussion with the employee to discuss the problem area and review procedures for improvement and consequences for further misconduct. The meeting should be recorded on a Corrective Action Form and placed in the employee's personnel file.
- ▮ **Step 2: Written Warning** – Supervisor should consult with the Human Resources department to craft and deliver a formal written warning letter to the employee to be placed in his/her personnel file. Another meeting with the employee to discuss the problem area, and the same Corrective Action Form should be updated to document the written warning.
- ▮ **Step 3: Final Written Warning or Suspension** – If misconduct continues, the employee will receive a final written warning and/or may be placed on suspension for one to five days. This should be a time for reflection for the employee to determine if he/she is able to commit to the expectations placed upon him/her. The Corrective Action Form should be updated to document this step as well.
- ▮ **Step 4: Dismissal** – If previous warnings and corrective action are unsuccessful or if there is further misconduct, the employee may be terminated.

FXUA intends its corrective action policies and procedures to be progressive. However, depending on the situation, supervisors are permitted to repeat, omit, or employ any corrective action plan out of the progressive sequence.

FXUA also reserves the right to effect immediate termination if such action is deemed necessary. All corrective actions are determined on a case-by-case basis by individual supervisors and the Human Resources department.

## Section 12: Separation of Employment

### Termination

FXUA operates under the principle of at-will employment. This means that neither you nor FXUA has entered into a contract regarding the duration of your employment. You are free to terminate your employment with FXUA at any time, with or without reason. Likewise, FXUA has the right to terminate your employment, or otherwise discipline, transfer, or demote you at any time, with or without reason, at the discretion of the University.

To allow for time to plan for your departure and replacement, FXUA expects that you will give at least a two-week notice in the event of your resignation. Employees who do not give an appropriate notice may not be eligible for rehire in the future nor are they eligible to receive payment for any accrued but unused PTO upon their departure. FXUA will consider you to have voluntarily terminated your employment if you do any of the following:

- Resign from FXUA;
- Fail to return from an approved leave of absence on the date specified by FXUA; or
- Fail to report to work or call in for three (3) or more consecutive workdays.

Involuntary termination may become necessary due to an employee's lack of ability, failure to fulfill the requirements of the job, or failure to adhere to the policies and procedures of FXUA. Terminations are always unpleasant and costly, and the University does not take the decision to discharge lightly. Advance notice may or may not be given depending on the circumstances surrounding the termination.

No matter the reason for termination, departing employees are expected to complete an offboarding process with the Human Resources department.

### Exit Interview

An exit interview process is available to assist with retention and recruitment efforts. The process has been established for staff who are voluntarily terminating their employment with FXUA.

This process is designed to elicit voluntary information about each departing staff member's experience at FXUA and the reasons for their leaving. This data is collected, analyzed, and reported to FXUA leaders to recommend improvements to policies, procedures, and practices.

All staff members who are voluntarily resigning are sent an invitation to complete the online questionnaire. All departing staff members will receive an invitation to meet in-person with an HR representative to give more details about their responses on the questionnaire and to answer any questions the employee may have about his/her separation from FXUA.

The information provided during exit interviews is confidential, but the collective data is used as part of FXUA's continuing efforts to improve policies, practices, and programs and to create a more favorable workplace and work experience.

## Final Paycheck

All departing employees must submit all pertinent materials including office keys, badges, office supplies and equipment, and anything that is considered property of the University prior to receiving their final paycheck. For contracted faculty members, these materials include the course information sheet, the course syllabus, the attendance records, make-ups, grade reports, and other required university forms. If all required materials are submitted in time for payroll, the departing employee may receive their final check via direct deposit. Otherwise, the departing employee will receive a live check for their final paycheck to be picked up on the pay date, at which time he/she can return on of his/her outstanding items.

FXUA follows the state regulations regarding deadlines for employees to receive their final paycheck. ***For all involuntary terminations and voluntary terminations with at least two weeks of notice, any accrued but unused PTO hours will be paid out at the time of employment termination (or on the following pay date), less any outstanding amounts owed to FXUA. However, if an employee has resigned without giving at least two weeks of notice, all unused PTO will be forfeited at the time of termination.***

To prevent any delay in payroll processing, a departing employee is expected to complete his/her last timesheet(s), return any outstanding property, and verify his/her mailing address before leaving on his/her last day.

## Return of FXUA Property

Any FXUA-issued property, such as computer equipment, keys, or a FXUA credit card must be returned to Human Resources at the time of your termination. FXUA may also take legal action, if necessary, to retrieve unreturned property.

## Unemployment Insurance

Upon separation from employment, you may be entitled to unemployment insurance benefits. FXUA pays the entire cost of unemployment insurance. This insurance provides a weekly income for those who may be laid off or who may have lost their job through no fault of their own. The amount of this income varies with the individual and state in which he/she resides because it is based on average earnings. Eligibility requirements and the amount of benefits that you may receive are specified by state law.

## Re-Employment Policy

Any employee who leaves the University in good standing will be considered for open positions along with other applicants. Employees who leave without giving proper notice or who were discharged for cause will not be eligible for rehire.

## Reinstatement of Benefits (Bridging)

If you were an employee of FXUA with at least 12 months of continuous employment and were rehired within 12 months of your termination date, you will be eligible to continue your benefits at the level you enjoyed at the time of your termination of previous employment with FXUA.

## **Post-Employment Inquiries**

FXUA will respond in writing only to those reference check inquiries that are submitted in writing on former employees. Responses to such inquiries will be limited to factual information that can be substantiated by FXUA's records. Unless requested by an authorized government entity or court-ordered, no employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

As an employee of FXUA, do not under any circumstances respond to any requests for information regarding another employee unless it is part of your assigned job responsibilities. If it is not, please forward the information request to the Human Resources department.

# Acknowledgement of Receipt of FXUA Employee Handbook

*Version 4.0 (Updated 01/2020)*

This is to acknowledge that I have received a copy of the FXUA (“University”) Employee Handbook. I recognize that this Handbook replaces any prior handbooks, policy statements, manuals, etc. previously issued by the University. I understand that it is my responsibility to become familiar with the contents and policies described in this Handbook. I agree to abide by all rules and policies in the Handbook and any additional rules or policies of the University. If something is unclear to me, or if I have any questions, I will contact Human Resources for clarification.

I understand that this Handbook does not create a contract or otherwise modify the at-will nature of my employment with the University. I further understand that I am not being employed for any definite period of time. I understand that I am free to terminate my employment at any time with or without notice to the University and that the University retains a similar right to terminate my employment at any time, with or without notice or cause.

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Employee’s Printed Name

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Employee’s Signature

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Date