

# **Pace University Employee Handbook**

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## NOTICE

### THE RIGHT TO CHANGE POLICY

Pace University reserves the sole right to interpret, add, delete, or modify all provisions contained in this handbook. Revisions and updated information concerning changes in policy will be available online through the MyPace Portal.

Employees should refer any questions to their immediate or departmental supervisors and/or an authorized member of Human Resources for any assistance with the interpretation of such policies. Copies of the Employee Handbook are available online through the Human Resources website, the Human Resources department, and in campus libraries.

## GETTING TO KNOW PACE UNIVERSITY

### MISSION

Our mission is *Opportunitas*. Pace University provides to its undergraduates a powerful combination of knowledge in the professions, real-world experience, and a rigorous liberal arts curriculum, giving them the skills and habits of mind to realize their full potential. We impart to our graduate students a deep knowledge of their discipline and connection to its community. This unique approach has been firmly rooted since our founding and is essential to preparing our graduates to be innovative thinkers who will make positive contributions to the world of the future.

### VISION

We educate those who aspire to excellence and leadership in their professions, their lives, and their communities. Through teaching, scholarship, and creative pursuits, our faculty foster a vibrant environment of knowledge creation and application. Faculty engage students in shared discovery and are committed to guiding students in their education, providing them with a strong foundation for leading meaningful and productive lives.

We embrace a culture of quality improvement and shared values to ensure an informed, responsive, caring, and effective community empowered to build and sustain a great University. Together, faculty, administrators, and staff pursue innovation in academic programs and administrative services. We operate with integrity, following through on our commitments to students and each other, holding ourselves accountable for our decisions and actions. We embody an ethos of respect for, and celebration of, our diversity, creating an inclusive and welcoming environment where every person is encouraged to freely and respectfully contribute to the life of the University.

### BRIEF HISTORY

Pace is a University whose resources have played an essential role in the realization of individual dreams of achievement, and whose mission is voiced in the motto: *Opportunitas*.

Founded in 1906 by the Pace brothers, Pace Institute was a business school for men and women who aspired to a better life. Homer and Charles Pace borrowed \$600 to rent a classroom and office in the old tribune building in lower Manhattan to teach 10 men and three women the principles of accounting and business law. That building once stood where the Pace Plaza building stands today.

Two years later, because of the overwhelming success of the Pace School of Accountancy, the Pace brothers had no choice but to relocate classes to the nearby Hudson Terminal complex. Another move to the Transportation Building at 225 Broadway took place in 1927 in response to continued growth.

In 1948, the Board of Regents approved Pace Institute for college status. At last, the Bachelor of Business Administration degree could be awarded! Academic expansion forced yet another move to 41 Park Row in 1951, and two years later Pace College received authorization from the State Education Department to grant the Bachelor of Arts degree.

Classes began on the Pleasantville campus in 1963. The year before the Marks Hall building was signed over to the College by Pace Trustee Wayne Marks, President of General Foods, and his wife, Helen. Soon after, Dyson Hall was constructed, named in honor of alumnus, Trustee and benefactor, Charles Dyson. Willcox Hall was named for Trustee and benefactor Byron Willcox.

In 1965, the Undergraduate School of Business Administration, the School of Arts and Sciences and the School of Education were established. The year following, the School of Nursing was founded and was later named after alumnus, Trustee and benefactor Gustav Lienhard. In December 1966, at the groundbreaking ceremony for the Civic Center building, Vice President Hubert Humphrey promised to teach at Pace and conducted a Scholar-in-Residence seminar at the New York City campus.

Finally in 1973, the State Education Department approved Pace College petition for university status. Two years later, the College of White Plains consolidated with Pace University and the School of Law was established in 1976. The assets of Briarcliff College were acquired in 1977. In the years following, IBM Corporation opened an international education center, NYNEX opened a center and the Hastings Center moved its operations to the Briarcliff site.

In 1953, the School of Computer Science and Information Systems was established as its own entity.

In 1997, Pace purchased the World Trade institute, a leading-edge provider of international training programs located on the 55th floor of the World Trade Center in New York City.

Pace University today is a diverse institution with nearly 14,000 students. For over years, bright, motivated and talented men and women have walked out of Pace's many doors, degrees in hand and have ventured into the world prepared for the challenges of each passing decade. Every year curriculum offerings in the schools and colleges are modified to meet the changing needs of ambitious and knowledgeable students.

Throughout the years since 1906, Pace has grown along with the talents of those who comprise what is affectionately known as the Pace Community. The Pace tradition is something in which we can all take pride.

#### AS A PACE EMPLOYEE:

The people of Pace are the institution's most valuable resource. The University is committed to being a leading comprehensive institution in the greater New York area. Commitments to ongoing improvement and to the fostering of an environment of trust and respect will enable the University to be a viable, versatile institution in the 21 century. There are many qualities and competencies that identify the Pace employee. Each employee must demonstrate these attributes.

Each employee is required:

- To work to further the University's mission and Strategic Plan.
- To be well-informed and educated in performing their jobs.
- To promote an inclusive environment that is accepting and respectful of all people regardless of their sex, gender or gender identity; race; color; national origin; religion; creed; age; disability; citizenship; marital or domestic partnership status; sexual orientation or affectional status; genetic predisposition or carrier status; military or veteran status; status as a victim of domestic violence, sex offenses or stalking; or any other characteristic protected by law federal, state or local law, rule or regulation.
- To provide accurate, thorough, and professional work consistent with University and department expectations and goals.
- To assume responsibility for their actions and decisions.
- To be present and punctual for their job and to meet required deadlines.
- To maintain a high standard of business and personal ethics, including discretion and confidentiality.
- To understand his or her role in determining the needs of the workplace.
- To be student-centered.
- To be a team player.
- To communicate accurately, clearly, and positively, both verbally and in writing.
- To listen attentively and respond responsibly.
- To demonstrate trust and respect for all people and ideas.
- To pursue opportunities for personal growth and development.
- To be informed and understand University and department policies and procedures.
- To continuously strive for excellence.
- To serve as an ambassador and steward of the University.

## PURPOSE OF THE EMPLOYEE HANDBOOK

The Employee Handbook has been prepared to acquaint you with the policies, procedures, and philosophy of Pace University.

This handbook is intended to provide you with information about some of the University's employment policies, benefits, and other general information. Please understand that this handbook only highlights the University's policies, practices, and benefits for your personal education.

## **DEFINITION OF EMPLOYEE STATUS**

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

Employment with Pace University is on an at-will basis. The employee may leave the job, and the University may terminate the employee at any time, for any non-discriminatory reason or for no reason. The provisions of the following Policies are not intended to create a contract of employment, and no agreement or promise regarding an employee's terms or conditions of employment is binding on the University. The provisions of these Policies supersede any conflicting statements made by supervisors, and the University has the right to change the policies at any time without prior notice.

## **EMPLOYMENT POLICIES AND STATEMENTS**

### **EQUAL OPPORTUNITY**

Pace University is committed to achieving full equal opportunity in all aspects of University life. Pursuant to this commitment, the University does not discriminate on the basis of sex, gender or gender identity; race; color; national origin; religion; creed; age; disability; citizenship; marital or domestic partnership status; sexual orientation or affectional status; genetic predisposition or carrier status; military or veteran status; status as a victim of domestic violence, sex offenses or stalking; or any other characteristic protected by law federal, state or local law, rule or regulation.

### **AFFIRMATIVE ACTION**

In line with its commitment to equal opportunity, the University will take affirmative action to recruit, hire, promote, and educate minorities, women, persons with disabilities, and Vietnam-era veterans.

Pace University fully complies with all federal and state legislation and regulations regarding discrimination.

Affirmative Action website: <http://www.pace.edu/equity>

Inquiries concerning the application of Title IX and implementing regulations, as well as inquiries concerning the application of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and Title VI of the Civil Rights Act, may be referred to the Title IX Coordinator/Affirmative Action Officer or Assistant Secretary for Office for Civil Rights [www.ed.gov/ocr](http://www.ed.gov/ocr).

### **THE AMERICANS WITH DISABILITIES ACT (ADA)**

In keeping with Pace University's commitment to equal educational and employment opportunity, the University is in full compliance with the Americans with Disabilities Act (ADA) and section 504 of the Rehabilitation Act of 1973. Pace provides reasonable accommodations to assure that no otherwise qualified individual will be excluded from employment, or any program, service, or activity provided by the University on the basis of a mental or physical disability.

In order to assess the need for accommodation, the University requires either a detailed reference

letter or a diagnostic report from a certified healthcare professional explaining the disability and providing recommendations for accommodations.

Questions regarding the ADA and its interpretation can be directed to the Human Resources department of Employee & Labor Relations, the Affirmative Action Officer, or the Coordinator of Disability Services.

## DISABILITY ACCOMMODATIONS

Pace University is committed to providing equal access and opportunities to job applicants, faculty and staff members with qualified disabilities, and prohibits discrimination on the basis of disability in the application process and the employment relationship. It is the policy and practice of the University to comply with the Rehabilitation Act, the Americans with Disabilities Act, as well as with applicable state and local laws prohibiting discrimination on the basis of a disability.

Applicants, faculty and staff members with a disability recognized by law are entitled to a reasonable accommodation if one is needed to enable the person to apply for a job, perform the essential elements of a job, or to enjoy the benefits offered to other applicants, faculty and staff members. In general, a disability is defined as a physical, mental, medical, or psychological impairment.

A reasonable accommodation includes, but is not limited to, adjustments such as providing an accessible workplace, acquiring or modifying equipment, job restructuring, modifying work schedules, modifying examinations and training materials, reassigning to a vacant position, and providing qualified readers or interpreters for the vision and hearing impaired. Reasonable accommodations do not include lower performance standards or items for personal use or convenience. The University is obligated to provide a “reasonable” accommodation, which may not be the one requested. The process of identifying and providing a reasonable accommodation is an interactive one. The University is not obligated to provide an accommodation if it would impose an undue hardship on it, or if the person requesting the accommodation poses a direct threat to the safety of self or to others.

### **Establishing Eligibility**

An employee who has requested a reasonable accommodation must provide certain information to the University from an appropriate health care professional. In general, the information provided must be sufficient to substantiate that the employee has a disability and requires a reasonable accommodation. The information provided must describe, among other things, the nature, severity and duration of the impairment; the activity or activities the impairment limits; the extent to which the impairment limits the employee’s ability to perform the activity or activities; and substantiate why the requested reasonable accommodation is needed. The cost of obtaining and providing this information to the University is the responsibility of the faculty or staff member.

If the individual provides incomplete or inadequate information to substantiate that the employee has a disability and/or needs the reasonable accommodation requested, the University may, at its discretion, require the employee to provide the additional information at the employee’s expense, or submit to an examination by an appropriate health care provider selected by the University and at the University’s expense.

The need for a reasonable accommodation may, and often does, change. Therefore, an employee who receives a reasonable accommodation may be required to establish their

eligibility for an accommodation annually or more frequently as may be appropriate.

Standardized forms to assist an employee with establishing eligibility for consideration of a reasonable accommodation are available on the Human Resources [Forms for Employees](#) website.

### **Reasonable Accommodation Process**

Step 1 To request a reasonable accommodation, a faculty or staff member with a disability should first contact their campus [Employee & Labor Relations](#) representative.

An applicant who is applying for a position at Pace can seek a reasonable accommodation for the interview process by contacting an Employee & Labor Relations representative.

Step 2 The faculty or staff member must provide certain information from an appropriate health care professional demonstrating that the employee is eligible for a reasonable accommodation. (See Establishing Eligibility above.)

Step 3 The request for a reasonable accommodation (including supporting documentation and information) will be reviewed by the campus Employee & Labor Relations representative. In order to evaluate the information provided by the faculty or staff member and/or their health care provider, the University may, to the extent permitted by law, consult with the employee's health care providers as well as the University's own medical professionals and such other University personnel as may be necessary. At reasonable intervals, and in order to further the interactive process, the University will apprise the employee of the status of the review of their request for a reasonable accommodation.

Step 4 If more than one alternative accommodation would be reasonable and effective, the University will consider the employee's preference. The ultimate selection of the reasonable accommodation to be implemented, however, will be made by the University. The University will issue the employee a written determination identifying the accommodation(s) granted or denied.

### **Confidentiality**

Confidential information obtained, reviewed and/or prepared in connection with a request for a reasonable accommodation will be maintained separately from the faculty or staff member's other employment records. Information about such things as an individual's impairment, disability, medical condition and status, request for a reasonable accommodation and the University's response to the request shall be maintained as confidential information. Confidential information shall not be disclosed to any individual except on a need to know basis.

### **Complaint Procedure**

A staff member who believes they have been discriminated against on the basis of a disability, should consult the discrimination complaint procedures set forth on the [Affirmative Action](#) website and in this Employee Handbook. The discrimination complaint procedure for faculty is set forth in the 2013 Pace University Faculty Handbook.

In addition, faculty and staff members who have questions or concerns about possible discrimination on the basis of a disability may contact the Title IX Coordinator/Affirmative Action Officer.



## EMPLOYEES WITH DISABILITIES AND SERVICE ANIMALS

Pace University is committed to providing faculty and staff members with disabilities equal access to programs, services, and physical facilities.

*Pace reserves the right to amend this policy as needed, with or without prior notice.*

Employees who have questions about this policy may contact Pace Human Resources, [Employee & Labor Relations Department](#).

### Definitions

**Service Animal:** A dog (or any other animal permitted by applicable law or regulation) that a Pace faculty or staff member with a disability requires for use on campus that is individually trained to do work or perform tasks for the benefit of that individual, due to a disability such as a physical, sensory, psychiatric, intellectual, or other mental disability.

- The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, or assisting an individual during a seizure.
- The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

**Pet.** Animals owned by an employee for enjoyment are considered pets. Except as noted below with respect to employees living in Pace University-owned residences, pets are not permitted in Pace University buildings or other indoor facilities. Pets may be on Pace University outdoor grounds for short periods of time but must be properly restrained and cared for at all times, and their presence must not interfere with an employee's performance of assigned work duties.

### Access to the University's Facilities

An employee with a disability who requires the use of a service animal must inform Pace Human Resources, Employee Relations Department. Depending on the circumstances, the employee may be asked for information concerning the request. Generally, these questions are limited ascertaining if the service animal is required because of a disability and what work or task the service animal has been trained to perform.

An employee with a disability who requires the use of a service animal is permitted to be accompanied by the service animal in all areas of the University where the employee is otherwise permitted to be. This includes outdoor and indoor spaces.

Pace University does not authorize employees to question each other about the use of service animals, including for the purpose of determining if an animal is appropriately considered a service animal. Any person with a question about whether an animal qualifies as a service animal and/or whether an animal is properly on campus must direct these concerns to Pace Human Resources, Employee Relations Department. Representatives of the Employee Relations department will handle the situation as confidentially as possible.

***Any Pace University employee who misrepresents the need for a service animal and/or who misrepresents that an animal is a service animal when the animal is not a service animal as defined by applicable law commits an act of misconduct which may lead to discipline, up to and including termination.***

## **Special Situations**

Most work environments are accessible to service animals without the need for further accommodation or modification. However, an employee who experiences difficulties in a particular workspace should inform their immediate supervisor and Pace Human Resources, Employee Relations Department.

Pace reserves the right to restrict or condition access to workspaces where a service animal may pose a danger to health or safety. This may be the case in workspaces that are inherently hazardous, such as a chemical laboratory, or where the presence of an animal may alter the nature of the work or study being performed, such as an animal behavior research laboratory. Pace will work with the employee to appropriately address these unique situations.

## **Issues with Service Animals**

A Pace employee using a service animal is required to keep the animal under control at all times, either by physical restraint (or, if that is not physically possible due to the employee's work or the nature of the employee's disability), by signal or command. If the service animal is not appropriately controlled, or if the service animal causes damage to Pace property or other persons, the service animal will be prohibited from Pace University, and the employee will be responsible for any damages caused by the animal.

The employee using a service animal is responsible for the care and comfort of the animal. If the employee is unable to meet these needs, it is the employee's responsibility to arrange for the appropriate care of the animal, including its grooming and waste. Service animals are to be in close proximity at all times to the employee who requires the service animal and may not be left outside, in an office, etc., for more than extremely brief periods.

It is the responsibility of the employee who requires the service animal to be in compliance with all vaccination, license and registration requirements.

It occasionally happens that other employees experience difficulties around a service animal, as may be the case for individuals with a fear of dogs or allergies. If this occurs, the employee experiencing the adverse reaction to the service animal should not confront the employee who uses the service animal but instead should direct any concerns to Pace Human Resources, Employee Relations Department. The situation will be addressed appropriately based on a consideration of all of the circumstances.

## **Employees Residing in University Housing**

Service animals are permitted to live with employees in Pace University-owned housing.

Additionally, other options for living with animals that do not qualify as service animals are available to employees residing in Pace University-owned housing. An employee with questions about the right to live with an animal in University housing should contact the Residential Life Department for further information.

Even if an employee is permitted to have an animal in their assigned Pace University-owned housing, this is not necessarily permission to bring the animal with the employee to work. In order for an animal to be permissible at an employee's workstation or location, it must be a service animal or the employee must apply for and be granted special, express permission to have the animal at work by Pace Human Resources, Employee Relations Department.

### **Other Accommodations**

An employee with a disability whose needs are not addressed in or met by this policy should contact Pace Human Resources, Employee Relations Department. Pace makes reasonable accommodations for individuals with disabilities and will engage in an interactive process in a good-faith effort to meet the needs of individuals with disabilities.

## **REMOTE AND HYBRID WORK POLICY**

Pace University is an active, residential university offering our students and faculty an on-campus experience. Collaboration and in-person interactions between students, faculty, and staff are crucial to our work.

Remote and hybrid work arrangements allow Pace University employees to fulfill some or all of their job responsibilities from an off-campus location. The University may assign remote and hybrid work arrangements when the strategic priorities and specific work requirements of a position are suited to such an arrangement. Remote and hybrid work arrangements must support business operations to ensure the success of each school/college, department, and the University as a whole in meeting and exceeding its mission.

Pace University encourages the use of remote and hybrid work arrangements when appropriate and when in alignment with the needs of the teams within the business and work units. Designation of such arrangements are determined by and granted at the discretion of the business or work unit and subject to ongoing and periodic review. A supervisor may request an Employee Relations representative to review all remote and hybrid work arrangements prior to implementation. Termination of a remote or hybrid work arrangement can be made at any time, with reasonable notice provided to the employee.

### **Work Locations**

When considering work locations, there are several types of work at the University, including:

- **Fully On-Campus:** Employees who have job responsibilities that require them to be fully on campus during their regular work schedule.
- **Hybrid:** Hybrid employees will work a mix of on-campus and remote days, coming into the office 1-3 days per week on average. On-campus workspace will be dependent upon the physical workspace of the Department, as defined below. Some hybrid employees may not have a dedicated workstation on campus and will need to utilize a shared space. Department leadership will plan common days for in-person connection, collaboration, and events.
- **Fully Remote:** Remote employees are regularly scheduled to work full-time off-campus. Occasional presence on campus may be required. Given that their primary work location is remote, employees will be eligible to utilize shared space when on campus. Employees with this

arrangement will not have a dedicated campus, individual office, or workstation on a specific campus.

- *New York State and federal taxes will be withheld for all employees, regardless of the location of their permanent residence. Employees may wish to consult their tax advisor and the University with respect to inter-state tax consequences. Depending on the state from which the employee is engaged in a remote work arrangement, taxes may be shared between New York State and the state of the employee's remote work site.*

## **Change in Remote Work Location**

Once a remote work assignment is made, it is the responsibility of the hybrid/remote employee to inform the University of any intended change in any of the information contained on the Hybrid/Remote Work Arrangement Form, to include a change in residency or remote work location, and to seek their supervisor's advance approval by filing a new Hybrid/Remote Work Arrangement Form.

## **Workspaces**

On-campus work can take place in several different types of workspaces including:

- **Dedicated workspace:** Workspace that is assigned to a specific employee(s).
- **Shared workspace:** Unassigned workspace that is shared by employees. Shared workspace will be supported by the University's Facilities Department, with one daily cleaning at the end of the regular workday. Employees should leave any shared workspace clean and clear the desk of all personal and work items at the end of the day.
- **Collaborative workspace:** Workspace that is provided to teams for collaborative purposes.

## **Remote and Hybrid Work Arrangement Determination and Eligibility**

The general expectation for a hybrid and/or remote work arrangement is that the employee will effectively accomplish their regular, assigned job duties, regardless of work location.

The designation of an employee's primary work location (as defined above) will be determined by, but not limited to the employee's divisional unit, position responsibilities, and on-campus workspace limitations.

When evaluating whether the duties of a particular position may be performed hybrid/remotely, the supervisor should consider the following:

- Whether the nature of the work and responsibilities to be performed are conducive to a hybrid/remote work location without causing disruption to performance or service.
- The needs of the department to advance its core mission, including frequency of meetings, department goals and projects, and space constraints;
- Collaborating departments' needs and schedules.
- The need for in-person interaction as a component of position success, including on-campus appointments/meetings with students, constituents or colleagues (i.e. student contact, faculty support, etc.)
- Whether the position requires supervision of on-site employees.

- The performance of the employee.

## **Employee Eligibility**

Before considering a departmental assignment for a hybrid/remote work arrangement, the supervisor and department management, with the assistance of Employee Relations, will evaluate the role and the feasibility of such an arrangement. The eligibility of a newly hired Pace employee for hybrid/remote will be determined by their role and the needs of the department.

The supervisor will assess the needs of their department and collaborating departments, employee's work habits, demonstrated customer service skills, and overall employee performance to ensure:

- Employee has a clear understanding of the position and expectations.
- Employee has demonstrated ability to work independently.
- Employee demonstrates at least satisfactory performance in that they have met university workplace expectations in their last performance evaluation.
- Employee meets required punctuality and attendance standards and does not require close supervision.
- Employee demonstrates an understanding of the knowledge and skills needed to complete tasks and assignments accurately and in a timely manner.
- Employee's communication and collaboration skills meet the expectations required for effective work performance.

## **Approval of Hybrid/Remote Work Arrangement**

When an employee is being considered for a hybrid/remote work arrangement, the employee and supervisor must complete the [Hybrid/Remote Work Arrangement Form \(PDF\)](#). The final approval of the parameters outlined in this form will be given by the direct supervisor and the Divisional VP/Dean of School/College in consultation with an Employee Relations Representative.

Supervisors should assess all roles eligible for a hybrid/remote work arrangement with fairness across similarly situated positions and in a lawful and equitable manner.

## **Travel Expenses Reimbursement**

All employees, regardless of designated work location, will not be reimbursed for travel to their home campus. Inter-campus travel will be reimbursed as documented in the Travel and Expense University Policy and Procedure. Fully remote employees will not be reimbursed for travel to any campus location. (Exceptions may be made based upon the business needs of the unit.)

## **Policy Enforcement**

All remote/hybrid work arrangements are subject to ongoing review on an annual basis or as appropriate by the employee's supervisor and Human Resources and may be terminated or changed at any time. The University may terminate the remote/hybrid work arrangement at its discretion. Where possible, supervisors shall give employees advance notice of at least 30 days when a decision to modify or terminate an existing remote/hybrid arrangement is made. Refusal to return to campus will be considered a voluntary resignation from employment.

## Remote Workspace and Equipment Requirements

Pace IT employees are not available to assist with in-person workspace set-up or to resolve any technical issues onsite at an employee's remote work location. Virtual technical support is available to employees working remotely.

- **Standard Work Equipment:** Departments will work with their remote and hybrid employees to provide a Pace-issued computer, monitor, headset, and other related equipment (i.e. keyboard, mouse), and office supplies where needed to perform the responsibilities of a position. The equipment, aside from disposable office supplies, is expected to be returned to Pace University in good condition within thirty days of employee's separation from the University. Employees working remotely will continue to be in their department/unit's computing equipment replacement cycle.
- [IT Service Areas](#)
- **Internet:** Internet connectivity is the responsibility of the employees working off-campus. Bandwidth requirements may vary depending on the job function and assignment.
- **Other Equipment Requests:** Other special equipment requests should be directed to an employee's supervisor. Any such consideration and decision will be at the discretion and expense of the department, as appropriate.

## Remote Workspace Arrangements

All remote and hybrid employees are responsible for having their own designated off-campus workspace. Employees are responsible for identifying a workspace that is conducive to performing their job duties, which may require a quiet and/or private environment. Employees are also responsible for maintaining safe conditions in the workspace and to practice the same safety habits as those followed on campus. Pace University assumes no responsibility for injuries that occur as a result of activities that arise primarily out of and in the course and scope of employment.

Consistent with Pace's policies and expectations of information security for employees working on campus, employees working remotely will be expected to ensure the protection of University information accessible remotely. Remote workers will be expected to ensure the protection of proprietary University information, including confidential student and employee information accessible from their remote office. Recommended steps may include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the work environment, as outlined in the [ITS security policies](#). The designated remote work location should ensure confidentiality and safety. The University reserves the right to inspect the designated work location, especially in cases that involve worker's compensation claims.

## Additional Considerations

- **Flexible Work Schedules:** Arrangements for flexible work schedule outside of the employee's work location as designated by their supervisor, including timing of shifts and days worked should follow the [University's Flexible Work Policy](#).
- **Working with Family Members at Home:** The employee is responsible for controlling interruptions during their work hours and should make regular dependent care arrangements as

needed during working hours as defined by the unit. Employees should not use hybrid and remote work as a substitute for dependent care.

- **Sick/Medical Leave:** Remote work is not intended to be used in place of sick leave, Family and Medical Leave, Worker's Compensation Leave, or other types of leave. Employees requesting medical accommodations should follow the University's Disability Accommodations request process.
- **Job Abandonment:** Employees are responsible for staying in contact with their supervisor and collaborating departments. It is understood that employees who are absent for three consecutive days without reporting in have voluntarily resigned from their position.
- **Personal Data:** Employees are responsible for ensuring that personal information on file with the University (i.e., address, contact phone number and emergency contact) is kept up to date via Pace Portal.

### **Supervisor's Resources**

Supervisors may access additional resources on how to manage a virtual or hybrid team by reviewing the following:

- LinkedIn Learning Resource - [Managing Virtual Teams](#) (copy link in browser and login with your Pace credentials)

### **Review and Termination**

Hybrid/remote work arrangements will be implemented on a trial basis during the first ninety days. Following the successful completion of the trial period, the arrangement may be approved for up to one year and may be renewed on an annual basis or as appropriate.

Notwithstanding the annual review, the University in its sole discretion may review the hybrid/remote work arrangement more frequently as needed to ensure that employee's work quality, efficiency, and productivity meet expectations, and that the operational needs and obligations of the department have been met.

### **Exclusions and Special Situations**

Faculty members are not covered under this Policy and should consult with the appropriate Chairperson or Dean for any applicable policies. Graduate Students and other student workers are not covered under this Policy.

This hybrid/remote work policy and any hybrid/remote work arrangements entered into pursuant to this Policy do not apply to hybrid/remote work arrangements made through the University's reasonable accommodation policy or process based on an employee's own

### **Forms**

- [Remote/Hybrid Work Agreement Form \(PDF\)](#)

- [Supervisor's Checklist for Evaluating Position Eligibility for Remote/Hybrid Schedule \(PDF\)](#)

Employees who have questions about this policy may contact Human Resources [Employee & Labor Relations Department](#).

## FAMILY AND MEDICAL LEAVE ACT POLICY

Employees who have worked for the University for at least twelve (12) months and at least one thousand two hundred and fifty (1250) hours during the twelve (12) month period preceding the commencement of leave are eligible for unpaid, job protected family or medical leave under the Family and Medical Leave Act of 1993 ("FMLA") as amended, under the terms described in the following policy. Employees who are not eligible for FMLA or who have exhausted their FMLA entitlement may be eligible for non-FMLA leave needed for their own disability pursuant to the Disability Accommodations policy and procedure (see above).

### Leave Entitlement

1. Eligible employees may take up to twelve (12) workweeks of unpaid, job-protected leave during a rolling twelve (12) month period measured backward from the date an employee uses any FMLA leave for one or more of the following reasons:
  - (i) the birth of a child;
  - (ii) the placement of a child for adoption or foster care;
  - (iii) to care for the employee's spouse, child, or parent who has a serious health condition;
  - (iv) a serious health condition that makes the employee unable to work; or
  - (v) any qualifying exigency arising out of the fact that an immediate family member (spouse, child, or parent) is on active duty (or has been notified of an impending call or order to active duty) in the National Guard or Reserves in support of a contingency operation, or if the individual is called to active duty and is a retired member of the Regular Armed Forces or Reserves.

An employee whose immediate family member is on active duty or called to active-duty status in support of a contingency operation as a member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency.

Leave for birth of a child, or placement of a child for adoption or foster care, must conclude within twelve (12) months of the birth or placement of the child.

In the event that both spouses are employed by the University and are eligible for FMLA leave, they are limited in the amount of leave they may take for the birth of a child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of twelve (12) weeks.

2. Eligible employees may take up to twenty-six (26) workweeks of unpaid, job protected



leave to care for an immediate family member (spouse/domestic partner, child, parent, sibling, stepparent, step-grandparent, step-children and step-sibling) or next of kin (nearest blood relative) who is a covered service member. For purposes of this policy, a “covered service member” is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. As used in this paragraph only, a “serious injury or illness” is one suffered while on active duty that may render a member medically unfit to perform the duties of the member’s office, grade, rank or rating. The leave described in this paragraph shall only be available during a single twelve (12) month period.

3. During the single twelve (12) month period described in Paragraph 2 above, an eligible employee shall be entitled to a combined total of twenty-six (26) workweeks of leave under Paragraphs 1 and 2 above. Nothing in this paragraph shall be construed to limit the availability of leave under Paragraph 1 during any other twelve (12) month period.

In the event that both spouses are employed by the University and are eligible for FMLA leave, they are limited in the amount of leave to a combined total of twenty-six (26) weeks of leave during the single twelve (12) month period described in Paragraph 2 if:

- A. the leave is taken to care for a covered service member with a serious injury or illness; or
  - B. if a combination of leave is taken to care for a covered service member and for the birth of a child, placement of a child for adoption or foster care or to care for a parent who has a serious health condition.
4. For purposes of this policy, “serious health condition” is an illness, injury, impairment or physical or mental condition that involves:
  - A. any period of incapacity or treatment in connection with or consequent to inpatient care (*i.e.*, an overnight stay in a hospital, hospice or residential medical care facility);
  - B. any period of incapacity requiring absence from work, school or other regular daily activities of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - (1) treatment two (2) or more times by a health care provider within thirty (30) days of the first day of incapacity (unless extenuating circumstances exist); or
    - (2) treatment by a health care provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of the health care provider. The first treatment visit must take place within seven (7) days of the first day of incapacity.
  - C. any period of incapacity or treatment for such incapacity due to a chronic

serious health condition that requires periodic visits for treatment by a health care provider (at least two (2) visits per year), continues over an extended period of time, and may cause episodic incapacity.

- D. any period of incapacity due to pregnancy or prenatal care.
- E. any period of permanent or long-term incapacity due to a condition for which treatment may not be effective and requiring the continuing supervision of a health care provider.
- F. any period of absence to receive multiple treatments for:
  - (1) restorative surgery after an accident or injury; or
  - (2) an injury or condition which would result in incapacity of more than three (3) consecutive calendar days if left untreated.

Ordinarily, unless complications arise, the common cold, flu, earaches, upset stomach, ulcers, headaches other than migraines, routine dental problems, etc. do not qualify as serious health conditions. In addition, routine medical examinations are not considered serious health conditions, and neither are voluntary cosmetic treatments, unless inpatient care is required, or complications develop.

5. For purposes of this policy, a qualifying exigency may include:

- Short-notice deployment (of up to seven (7) days of leave) for a period of seven (7) calendar days from the date of notification.
- Attending certain military events and related activities.
- Arranging for alternative childcare and attending certain school meetings.
- Addressing certain financial and legal arrangements.
- Spending time with a covered service member who is on short-term rest and recuperation leave (up to five (5) days of leave).
- Attending certain counseling sessions.
- Attending post-deployment activities that occur up to ninety (90) days after the termination of the covered service member's active-duty status; and addressing issues arising from the death of a covered military member.
- Other activities arising out of the service member's active duty or call to active-duty status which is agreed upon by the University and the employee.

## **Procedures**

The University contracts with a third party, Cigna, to administer its FMLA program for all eligible employees. Eligible employees may apply for FMLA and/or Short-Term Disability by calling Cigna's toll-free number at 1-888-842-4462. For Spanish speaking customers, call 1-866-568-8421. You may also create a leave request via [www.mycigna.com](http://www.mycigna.com) by following registration instructions.

When an eligible employee contacts Cigna to apply for FMLA or Short-Term Disability, a Cigna Intake Specialist will request the necessary information, instruct the employee on follow-up and grant provisional approval (in writing) of the FMLA leave. Cigna will also send the medical certification form to the employee for completion by their health care provider (please see Medical Certification below for additional details).

### **Advance Notice**

For foreseeable FMLA leaves based on prearranged medical treatment, the employee must consult with his or her supervisor and make a reasonable effort to schedule the leave so as not to disrupt his or her department's operations. Respectfully, the University requires the employee to give his or her supervisor at least 30 days written notice of the need for a leave unless emergency circumstances warrant shorter notice. The University recognizes that unexpected emergencies can arise where it is not possible to provide thirty (30) days' notice of the intended leave. In such situations, employees are expected to provide as much advance notice as is practicable. If no advance notice is possible, notice is required as early as practicable. If an employee fails to give thirty (30) days' notice for foreseeable leaves with no reasonable excuse for delay, the University may delay the taking of the FMLA leave until thirty (30) days after the date the employee provides notice to the University of the need for the leave.

Failure to provide the University with requested information and necessary paperwork may result in delay or denial of FMLA leave.

### **Medical Certification**

In cases where an employee is requesting a medical leave because of the employee's own serious health condition or that of a spouse, child or parent, appropriate medical certification as requested by the University must be provided to Cigna in a timely manner. The University, at its own expense, may require the employee to receive a second opinion from a health care provider designated and approved by the University. If this opinion conflicts with the first opinion, the University, again at its own expense, may request a third opinion from a health care provider mutually agreed upon by both the University and the employee. The third opinion will be binding on both parties.

When the employee requests leave, a Cigna Intake Specialist will request the necessary information, instruct the employee on follow-up and grant provisional approval (in writing) of the FMLA leave. Cigna will also send the certification form to the employee for completion by their health care provider (please see Medical Certification below for additional details).

The University will notify the employee of the requirement for certification which is due no later than five (5) business days after the employee requests leave. Failure to provide requested certification within fifteen (15) days, unless it is not practicable to do so despite the employee's diligent, good faith efforts, may result in the delay of further leave until it is provided. Failure to provide requested certification in a timely manner may result in denial of leave until it is provided.

It is the employee's responsibility to provide complete, sufficient and timely certification when requested. In the event that the certification is deficient, the University shall advise the employee in writing what additional information is necessary to make the certification complete and

sufficient and give the employee seven (7) calendar days (unless not practicable despite the employee's diligent, good faith efforts) to cure any such deficiency. If the deficiencies are not cured in the resubmitted certification, the University may deny the taking of FMLA leave.

A. *Employee's Own Medical Condition:*

For the employee's own medical leave, the certification must include the following information from the employee's attending physician:

1. the date on which the serious health condition began;
2. the probable duration of the serious health condition;
3. a description of the medical facts regarding and treatment of the serious health condition; and
4. a statement that the employee is unable to perform the essential functions of his or her position.

B. *Medical Leave to Care for Family Member:*

If the leave is being requested to care for a spouse, child, or parent with a serious health condition, the written certification must include the following information from the family member's attending physician:

1. the date on which the serious health condition began;
2. the probable duration of the serious health condition;
3. the appropriate medical facts regarding the condition; and
4. a statement that the employee is needed to care for the spouse, child, or parent, with an estimate of the amount of time that the care will require.

If an employee is requesting leave because of a Qualifying Exigency **Certification for Military Family Leave** or to care for a Covered Service Member, the employee must contact Cigna by calling their toll-free number at 1-888-842-4462. For Spanish speaking customers, call 1-866-568-8421. You may also create a leave request via [www.mycigna.com](http://www.mycigna.com) by following registration instructions.

When an eligible employee contacts Cigna to apply for Military FMLA, a Cigna Intake Specialist will request the necessary information, instruct the employee on follow-up and grant provisional approval (in writing) of the FMLA leave. Cigna will also send the necessary certification forms to the employee for completion by the designated military health care provider.

When the employee requests leave, the University will notify the employee of the requirement for certification and that it is due no later than five (5) business days after the employee requests leave. Failure to provide requested certification within fifteen (15) days, unless it is not practicable to do so despite the employee's diligent, good faith efforts, may result in the delay of further leave until it is provided.

Failure to provide requested certification in a timely manner may result in denial of leave until it is provided.

It is the employee's responsibility to provide complete, sufficient and timely certification when requested. In the event that the certification is deficient, the University shall advise the employee in writing what additional information is necessary to make the certification complete and sufficient and give the employee seven (7) calendar days (unless not practicable despite the employee's diligent, good faith efforts) to cure any such deficiency. If the deficiencies are not cured in the resubmitted certification, the University may deny the taking of FMLA leave.

### **Medical Recertification**

Employees who are on a leave because of their own serious health condition or to take care of a spouse, child or parent with a serious health condition may be required to submit to the University a medical recertification of the need to remain on the leave when the University, in its discretion, deems recertification is warranted and where permissible. The University may request medical re-certification as every 30 days, and sooner in connection with an employee's absence when:

- Circumstances in the original certification have changed significantly (e.g. the employee is absent more frequently than certification indicated);
- The University receives information that casts doubt about the continuing validity of the certification; or
- An employee asks for an extension of his/her leave during the leave period that was expected to last a specific length of time.

The employee is financially responsible for the cost of all re-certifications not covered by the employee's insurance. Failure to provide requested certification within fifteen (15) days, unless it is not practicable to do so despite the employee's diligent, good faith efforts, may result in the delay of further leave until it is provided.

### **Substitution of Paid Leave**

An employee taking leave pursuant to the FMLA for which they are not entitled to be paid by the University, shall be required to use any accrued paid leave (*e.g.*, vacation days) as appropriate for the particular type of leave concurrently during the FMLA leave. Such paid leave time shall count toward the maximum of twelve (12) work weeks, or twenty-six (26) work weeks of leave as described in Paragraph 2 above under Leave Entitlement, of leave permitted by this Policy. The remainder of the leave, if any, will be unpaid. The employee will be notified in writing of any leave days that will be counted towards the maximum twelve (12) weeks (or twenty-six (26) work weeks of leave as described in Paragraph 2 above under Leave Entitlement) of FMLA leave.

Employees who are on a leave of absence that is covered by payments such as disability benefits or Workers' Compensation benefits will not be required to substitute accrued paid leave while receiving these benefit payments. However, the University and the employee may agree to have accrued paid leave supplement the disability or Workers' Compensation benefits, to the extent permitted by state law. Any leave of absence taken pursuant to an applicable disability law or Workers' Compensation law shall run concurrently with FMLA leave.

Any unpaid leave available under other University policies must also be used concurrently and will be counted towards an employee's FMLA entitlement.

## **Intermittent and Reduced Schedule Leave**

FMLA leave time may be taken intermittently (or on a reduced schedule basis in one-hour increments in conformance with University Time Off Policy) whenever the leave is medically necessary due to the serious health condition of a covered family member or the employee, or the serious injury or illness of a covered service member. FMLA leave time may also be taken intermittently (or on a reduced schedule basis) by an employee when necessary for a qualifying exigency. Leave may not be taken on an intermittent basis or on a reduced work schedule for the birth or placement of a child without the University's approval.

If the need for intermittent leave is foreseeable, based on planned medical treatment the employee is responsible for scheduling the treatment in a manner that does not unduly disrupt the University's operations, subject only to the approval of the health care provider.

When an employee requests intermittent leave or reduced schedule leave, the University reserves the right to transfer the employee temporarily to an alternative position which better accommodates recurring periods of absence. The position to which the employee is transferred will be equivalent in pay and benefits to the one that the employee held prior to the transfer.

## **Status of Benefits While on Leave**

While an employee is on medical or family leave pursuant to this Policy, they will continue to be covered under the University's insurance plans in effect at the time and so chosen by the employee, so long as the employee continues to pay whatever employee portion of the premium costs is required under University policy. If paid leave is used for any portion of the family or medical leave, employee premiums will be deducted from the leave payments in accordance with the practice applicable to an employee not on leave. Therefore, those employees using vacation or other paid days toward their FMLA entitlement will maintain the benefit coverage in place for those employees using such days for a non-FMLA purpose.

At the time an employee begins unpaid family or medical leave, they shall receive written instructions detailing the time and manner in which the employee premiums, if any, are to be paid. Failure to pay any required premiums by the end of the grace period stated in the written instructions shall result in the loss of insurance coverage.

An employee who fails to return to work for at least thirty (30) calendar days following the expiration of the family or medical leave shall be required to reimburse the University for the portion of the health care premiums paid by the University during the leave unless the employee can establish that the failure to return was due to the continuation, recurrence or onset of a serious health condition, or a serious injury or illness of a covered service member, which meets the criteria for leave under this Policy or was due to other circumstances beyond the employee's control.

## **Restoration of Position and Benefits**

The employee on family or medical leave is not entitled to the accrual of any seniority or employment benefits during any period of unpaid FMLA leave except as expressly stated herein or by law. Prior to the exhaustion of FMLA leave, employees will be responsible for notifying

the Human Resources Department, in writing, of their intention to return to work. At the conclusion of an employee's medical or family leave, the employee will be returned to the position that the employee held prior to taking the leave. If that position is not available, the employee will be placed in a position that is equivalent in pay, conditions, and other terms of employment to the employee's prior position. When the employee returns to active work following the family or medical leave, any benefits that have lapsed during the leave shall be reinstated as if the employee had remained actively employed during the leave, except that the employee shall not accrue any additional benefits or seniority during the time of the unpaid FMLA leave.

### **Key Employees**

Under certain circumstances the University may deny job restoration to key employees. A key employee is a salaried employee eligible to take leave under this Policy who is among the highest paid ten percent (10%) of all the employees (both salaried and non-salaried, eligible, and ineligible under this Policy) who are employed by the University. Unless otherwise prohibited by applicable law, the University may refuse to reinstate key employees after using FMLA leave if it determines that substantial and grievous economic injury would result from reinstatement. If this determination is made, the employee will be notified in writing and given an opportunity to end the leave and return to work. If the employee remains on leave, the employee will not have a right to be restored to employment.

### **Reservation of Rights**

The University will comply with all legal requirements for providing family and medical leave to eligible employees. To the extent the law permits employer discretion, the university hereby expressly reserves the right to modify, change or eliminate any provision of this policy subject to applicable law with respect to any employee or group of employees and does not intend to create a contractual commitment to any employee by issuing this policy.

### **FMLA Posting**

In accordance with federal law, the University shall post a notice summarizing the main provisions of the FMLA, including enforcement of the law. A copy of this posting is available at the Human Resources campus offices. You may also view [Employee Rights and Responsibilities under the Family Medical Leave Act](#) online.

## **NEW YORK STATE PAID FAMILY LEAVE**

### **Policy Statement**

New York State Paid Family Leave ("PFL") will provide eligible workers with wage replacement during time away from a job to:

Bond with the employee's new child during the first 12 months after the child's birth, or the first 12 months after the child's placement for adoption or foster care with the employee.

Provide care for a family member with a serious illness. The definition of family member

includes a biological or legal relationship and in “loco parentis” in definitions of child and parent. These include:

- spouse/domestic partner
- child (no age limit)
- parent and parent-in-law
- siblings
- grandparent of employee
- grandchild (child of employee’s child)

Participate in “qualifying exigencies” as defined in federal Family and Medical Leave Act due to a spouse, domestic partner, child, or parent’s active-duty military service or notice of a call or order to active duty. Qualifying exigencies include:

- attending certain military events
- arranging for alternative childcare
- caring for a military member’s parent who is incapable of self-care when
- the care is necessitated by the member’s covered active duty
- addressing certain financial and legal arrangements
- attending certain counseling sessions
- attending post-deployment reintegration briefings

PFL may be taken on a continuous or intermittent basis.

### **Eligibility**

Employers with one or more employees are required to comply with PFL. Out of state employers with employees in New York State are also subject to the law for their New York employees.

All eligible employees are entitled to participate in PFL.

- **Full-time employees:** If you work a regular work schedule of 20 or more hours per week, you are eligible to apply for PFL after 26 consecutive weeks of employment.
- **Part-time employees:** If you work a regular work schedule of less than 20 hours per week, you are eligible to apply for PFL after working 175 days (actual workdays regardless of number of hours worked per day), in a 52 consecutive week period.

*This policy does not apply to students, independent contractors, consultants, and other non-employees.*

### **Benefit Amount and Implementation Schedule**

In 2023 the PFL benefit is 67% of the employee’s Average Weekly Wage, not to exceed 67% of the New York State Average Weekly Wage, for a maximum of 12 weeks. The New York State Average Weekly Wage in 2023 is \$1,688.19. As such, 67% will be a maximum of \$1,131.08 per week.



## Effective Date

Provided that they have met the eligibility requirements, employees will be able to apply for PFL under this policy. Newly hired employees will not be able to use any paid family leave until they meet the eligibility requirements.

## Employee Contribution

All employees pay for the coverage through payroll deduction at a 2022 rate of 0.511% of their weekly wage, not to exceed the annualized statewide average weekly wage, which is currently \$82,917.64. This means that an employee's 2022 annual deduction will not exceed 0.511% of that amount, which is \$423.71.

Beginning 01/01/2023, the NY PFL rate will be **reduced** to 0.455% of gross wages per pay period not to exceed the annualized statewide average weekly wage of \$87,785.88. This means that an employee's 2023 annual deduction will not exceed 0.455% of that amount which is \$399.43.

For a newly hired employee, the deduction will begin immediately with his or her first paycheck.

You can only opt out of Paid Family Leave if you do not expect to work for the minimum amount of time required for eligibility. If you meet these criteria and wish to opt out, you can do so by completing a [PFL waiver](#). A waiver of family leave benefits may be filed when:

- Your schedule is 20 hours or more per week, but you will not work 26 consecutive weeks; or
- your schedule is less than 20 hours per week, and you will not work 175 days in a 52 consecutive week period.

Please note that if you waive coverage:

- The deduction will cease on the first payroll following receipt of your waiver form.
- Deductions already processed will not be refunded.
- If you subsequently become eligible for New York PFL, you will be subject to retroactive premium payments from January 1st of the calendar year in which you became eligible.

## Applying for PFL

Employees are responsible for notifying [Cigna Leave Solutions](#) and University Benefits Office if they intend to apply for PFL benefits. If the PFL request is foreseeable, the employee must provide the Pace with 30-days advance notice so they can plan for the employee's absence. If the event was not foreseeable, the employee must notify the Pace as quickly as possible. To apply for PFL:

## Summary Chart

PFL Event	Required Forms	Documentation Required?
Bonding with newborn, adopted, or foster child	<a href="#">PFL-1</a> and <a href="#">PFL-2</a>	Yes, see below.
Care for a sick family member	<a href="#">PFL-1</a> , <a href="#">PFL-3</a> , and <a href="#">PFL-4</a>	Yes, see below.
Qualifying Exigencies	<a href="#">PFL-1</a> and <a href="#">PFL-5</a>	Yes, see below.

### 1. Employee's PFL Request

An eligible employee requesting PFL should obtain a copy of "Request for Paid Family Leave" (Form PFL-1) and complete Part A – "Employee Information". After completing Part A, the employee submits Form PFL-1 to Cigna Leave Solutions.

It is the employee's responsibility to file the PFL application and required documentation directly with Cigna Leave Solutions whose mailing address will be provided by Pace on page 2 of Form PFL-1.

### 2. Required Documentation

In addition to Form PFL-1, the employee must complete one or more of the following forms along with required documentation noted below.

- Bonding Certification (Form PFL-2)
- PFL only begins after birth and is not available for prenatal conditions. A parent may take PFL during the first 12 months following the birth, adoption, or fostering of a child.

**For Birth** - the birth mother will need the following documentation:

- Birth Certificate, or documentation of pregnancy or birth from a health care provider including the mother's name and due/birth dates.

**A second parent will need the following documentation:**

- Birth Certificate, or documentation of pregnancy or birth from a health care provider including the mother's name and due/birth dates; if the 2nd parent is not named on the birth certificate, the 2nd parent must provide an acknowledgement of paternity, an order of filiation or other evidence of relationship with the parent named by the medical provider or on the birth certificate.
- Voluntary Acknowledgement of Paternity, or a Court Order of Filiation, or a copy of documentation for the birth mother (above), **PLUS** a second document verifying relationship to the mother.

**For Foster Care:**

- Letter of Placement issued by a county or city department of social services or a local

voluntary agency

- If a second parent is not named in the Letter of Placement, a copy of that document, **PLUS** a second document verifying relationship to the parent named in the foster care placement

### **For Adoption:**

- Legal evidence of adoption process
- If a 2nd parent is not named on the birth certificate, the 2nd parent must provide Voluntary Acknowledgement of Paternity, or Court Order of Filiation, or a second document verifying relationship to the mother or the child.

Once the employee completes Forms PFL-1 and PFL-2, the employee sends both forms with required documentation to the Cigna Leave Solutions for review.

### **Caring for a Close Relative with a 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 health care facility; or continuing treatment or continuing supervision by a health care provider. For example, employees who need one or more full days to care for a parent undergoing chemotherapy; or a parent is having surgery followed by extensive recuperation; or a child is undergoing intense psychotherapy and is unable to attend school for a period of time.

- The family member being cared for must complete Form PFL-3 “Release of Personal Health Information under the Paid Family Leave Law”. PFL-3 must be submitted to the medical provider along with Form PFL-4 “Health Care Provider Certification for Care of Family Member with Serious Health Condition”. Once the medical provider completes Form PFL-4 and gives it to the employee, the employee sends both forms with required documentation to Cigna Leave Solutions for review.

### **Active-Duty Deployment**

PFL is available to eligible employees for situations listed under the “emergency exigency” provisions of the federal Family Medical Leave Act. In addition to Form PFL-1, the employee completes Form PFL-5 “Military Qualifying Event” and attaches the following documentation:

- US Department of Labor Military Family Leave Certification (Federal Military Leave Form)
- Copy of Military Duty Papers
- Other documentation supporting the reason for the leave (copy of meeting notice, ceremony details, rest and recuperation orders, etc.)

Once the employee completes Forms PFL-1 and PFL-5, the employee sends both forms with required documentation to Cigna Leave Solutions for review.

## Filing a Claim with the PFL Carrier

Once all forms and documentation have been completed, the employee sends the information directly to Cigna Leave Solutions who reviews the claim. Cigna Leave Solutions will reply within 18 days. If Cigna Leave Solutions approves the claim, it is processed and benefit payments begin. If the claim is denied, Cigna Leave Solutions will provide the reason.

Employees can find more information about filing a claim by calling the New York State PFL toll-free helpline at (844) 337-6303.

## Interaction with Family Medical Leave Act (FMLA), Vacation Time and other State and Federal Laws

*NYS Disability* – Since PFL is part of the disability law, eligible employees may not take more than a combined total of 26 weeks in any 52-week period. An employee's own illness is not covered under PFL.

*Federal Family & Medical Leave Act* – For employers with 50 or more employees subject to FMLA and where the employee is eligible for both leaves, FMLA will run **concurrently**.

NYS Paid Family Leave	Federal FMLA
Company with 1 or more employees	Company with 50 or more employees
Employee eligible after 6 months FT employment (or 175 days for PT)	Employee eligible after 1 year employment and must have worked 1250 hours in the 12-month period immediately preceding the need for leave.
Up to 12 weeks <u>paid</u> leave (Implementation starts at 8 weeks leave). By law, the required tracking year will be the 52- week look back period.	Up to 12 weeks <u>unpaid</u> leave in 1 FMLA tracking year period designated by employer.
Does not apply to employee's own illness. Also applies to bonding with newborn/ adoptee, foster child, caring for spouse/ domestic partners, parent-in-law, employee's grandparent, and employee's grandchild (child of the employee's child) as well as military exigency as defined in FMLA.	Applies to employee's own illness as well as to care for a spouse, child, parent, military exigency, and service member care leave, many of which are similar events as NYS paid leave.
Job restoration guarantee	Job restoration guarantee
Health insurance continuation on the same basis as if working. Employee must continue to pay required premiums.	Health insurance continuation on the same basis as if working Employee must continue to pay required premiums.

Employees who are on both PFL and FMLA are required to use accrued vacation in full-day increments. The time off will run concurrent to the leaves. Unaccrued vacation time may also be

used. If the PFL is not FMLA eligible, the employee may opt to use vacation time but will not be required to do so.

### **Health Insurance Continuation**

Employees on PFL who participate in the Pace's health insurance plan are entitled to continue health benefits on the same basis as if actively working. Employees, however, must continue to pay their portion of the premium cost while on PFL in order to maintain uninterrupted health insurance coverage. Premium payments must be sent to Pace University, University Benefits, 100 Summit Lake Drive, 3rd Floor, Valhalla, NY 10595.

All other benefits cease during periods of continuous NY Paid Family Leave.

### **Employee Job Protection**

PFL is job protected. Employees on PFL are entitled to restoration to "the position of employment held by the employee when the leave commenced or to be restored to a comparable position with comparable employment benefits."

### **Collective Bargaining**

This policy will not apply to employees covered by a valid collective bargaining agreement if the agreement expressly waives them and provides a comparable benefit for the employees.

### **Non-Retaliation**

The University will not in any way retaliate against an employee for exercising or attempting to exercise his/her rights under the PFL. These rights include (but are not limited to):

- Inquiring, applying or using the benefits under the PFL.
- Informing an employer, union or legal counsel about alleged violations of the PFL.
- Filing a complaint about alleged violations of the PFL.
- Participating in an investigation of alleged violations of the PFL.
- Informing other employees of their rights under the PFL.

### **Contact & Legal Disclaimer**

Pace University  
Human Resources  
100 Summit Lake Drive, 3rd Floor  
Valhalla, NY 10595  
914-923-2730

### **Legal Disclaimer**

This policy is compiled using information published on <https://www.ny.gov/programs/new-york-state-paid-family-leave> and is designed to be a Pace University policy that reflects the regulations of the NYS PFL law. This policy may be amended periodically as determined by the University.

## Employee Frequently Asked Questions (FAQ)

*When do I need to file a claim?*

If you have a foreseeable situation, you must give 30-days advance notice so the University can plan for your absence. If the event was not foreseeable, you must notify Pace as quickly as possible. If you fail to do so without unusual circumstances justifying the failure, your PFL can be delayed or partially denied.

*How will I be paid?*

You will be paid by check directly by Cigna Leave Solutions. You will not be paid the PFL benefit through Pace University.

*When will I be paid?*

Within 18 days of filing a complete claim for benefits, Cigna Leave Solutions must pay you or deny the claim and provide an explanation of the denial.

*Will I be able to take Paid Family Leave on an hourly basis?*

No, PFL is only available in full day increments.

*If I receive 8 weeks of Paid Family Leave benefits to bond with my newborn and then one of my parents becomes seriously ill later in the year, will I be able to receive Paid Family Leave benefits again since it is for a different reason?*

No. An employee is only eligible for the maximum benefit for the year the employee applies.

*Can an employee use Paid Family Leave for part of the work week?*

Paid Family Leave can be taken all at once or intermittently but must always be taken in full day increments. For example, if a normal workday for a part-time employee is four hours long, you can take Paid Family Leave for the four-hour work day. You cannot take only two hours of Paid Family Leave that day and work the remaining two hours.

*If I take PFL on an intermittent basis, how many days am I eligible for in 2018?*

For full-time employees, who work 5 days a week, you are eligible for 40 days (equivalent of 8 weeks). For part-time employees, the number of days is equal to the number of days you regularly work in a week times 8.

*Can I take both disability and Paid Family Leave?*

Your combined disability leave and PFL in any 52 week period may not exceed 26 weeks. PFL cannot be taken for an employee's own serious health issue.

*Do I have to participate in the Paid Family Leave program?*

PFL is not optional for most employees. The exception is if you are in a job that will not allow you to attain the 26 continuous weeks or 175 days needed to qualify for PFL.

*I am pregnant. Will I be able to receive Paid Family Leave during my pregnancy?*

PFL only begins after short-term disability leave ends.

*Will I be able to use Paid Family Leave to take care of an eligible relative living outside New York?*

Yes, as long as you are caring for an eligible family member and provide the medical certification.

*I am not a US citizen. Will I still be eligible for Paid Family Leave?*

Yes. Your citizenship status has no impact on your PFL eligibility.

*Will my spouse and I be able to use Paid Family Leave at the same time?*

If you and your spouse have different employers, you are both eligible to take PFL at the same time. However, if you and your spouse work for the same employer, they can deny PFL to more than one employee at the same time to care for the same family leave recipient, or to bond with a child.

## BLOOD DONATION LEAVE

Employees who work an average of twenty (20) or more hours per week are entitled to three (3) hours of unpaid leave per twelve (12) month period for the purpose of donating blood. You are permitted to use accumulated paid time in order to receive pay for these hours. You must provide three (3) working days' notice of the need for blood donation leave, and you may be required to show sufficient proof of blood donations.

The University shall not retaliate against an employee for requesting or obtaining a leave of absence for the purpose of donating blood. Employees who believe they have been the victim of such retaliation must immediately report the incident to the Employee & Labor Relations department of Human Resources.

## LEAVE OF ABSENCE FOR MILITARY SPOUSES

The University intends to comply with applicable law with respect to a leave of absence for a military spouse. State law currently provides for an unpaid leave of absence of up to ten (10) days for an employee who works an average of twenty (20) or more hours per week and who is the spouse of a member of the armed forces of the United States, or the National Guard or Reserves deployed during a period of military conflict to a combat theater or combat zone of operations. Such leave shall only be used when such person's spouse is on leave from the armed forces of the United States, National Guard or Reserves while deployed during a period of military conflict to a combat theater or combat zone of operations.

The University will not retaliate against any employee who requests or obtains a leave of absence as a military spouse.

## PAID LEAVE FOR BONE MARROW DONORS

Full-time employees, reduced load full-time employees, and part-time employees may take up to twenty-four (24) hours of paid leave without charge to their leave accruals to undergo a medical procedure to donate bone marrow.

You must give at least fourteen (14) days prior written notice to your supervisor of your intention to use this leave, unless there is a medical emergency attested to by a physician that requires you to undergo the medical procedure for which leave is sought within fourteen (14) days.

This leave is available each time an employee serves as a bone marrow donor and is in addition to any other leave allowed; can be used for either full or partial days while serving as a bone marrow donor or recovering from the medical procedures involved in such donation; includes

any necessary travel time, as well as any medical testing or other procedures to determine bone marrow donation compatibility. You are not entitled to such leave if you undergo bone marrow donation outside of your regular work schedule. Leave time will not be applied in addition to any holiday pay you would otherwise be entitled to if a holiday falls during your leave time.

You are required to provide your physician's verification regarding the purpose and length of each leave.

The University shall not retaliate against an employee for requesting or obtaining a leave of absence for the purpose of undergoing a medical procedure to donate bone marrow.

## PAID SICK LEAVE POLICY

### **Policy Statement**

The purpose of this policy is to explain the application of the Pace University Paid Sick Leave Policy as it complies with the New York State Paid Sick Leave Law and New York City Paid Safe and Sick Leave to Pace University's employees. This policy assists these groups in understanding their eligibility for paid sick leave by defining eligibility and other criteria associate with its use.

### **Eligibility**

Individuals who receive an IRS Form W-2 from the University and who are not otherwise covered under full-time benefits coverage, or a collective bargaining agreement, are eligible to accrue paid sick leave under this policy. New York State Paid Sick Leave Law and New York City Paid Safe and Sick Leave applies to temporary, casual, and academic employees. Students, undergraduate and graduate, who receive a W-2 from the University are covered under this statute.

Full-time staff employees will continue to utilize the current vacation or paid sick time off for their own personal illnesses.

Full-time staff employees who require time off to care for family members or who need time off for any of the safety provisions stated below may utilize their vacation days for such purposes.

Full-time faculty should consult with Pace University Faculty Handbook.

***This policy does NOT apply to Federal Work-Study Students, independent contractors, consultants, and other non-employees.***

### **Collective Bargaining**

This policy will not apply to employees subject to a collective bargaining agreement in effect prior to September 30, 2020, until the date of the termination of the agreement.



For employees covered by a valid collective bargaining agreement that came into effect on or after September 30, 2020 the policy does not apply if the collective agreement expressly waives the law's provisions, and the agreement provides a comparable benefit for the employees.

This policy is not intended to, nor shall it be interpreted to, conflict with any portion of a collective bargaining agreement. Employees are referred to the terms of their collective bargaining agreements for usage and exceptions to the Paid Sick Leave Policy.

## **Effective Date**

Eligible employees accrue sick leave at a rate of 1 hour for every 30 hours worked, effective September 30, 2020. Accrued sick time may be utilized on or after January 1, 2021.

## **Accrual**

**Full-time employees that receive paid time off (vacation time) or are not subject to a reduction in salary due to time off taken for reasons in section .06 will not accrue sick time.**

Eligible employees accrue one hour of paid sick time for every 30 hours actually worked by the employee (accrual does not occur during paid or unpaid time off), up to a maximum of 56 hours paid sick time at their regular rate of pay per calendar year. For purposes of this policy, "calendar year" is defined as a regular and consecutive twelve-month period from January 1 through December 31 of each year.

**Accrual Carry-Over:** All paid sick leave hours not used in the previous calendar year may be carried into the next calendar year. Usage per calendar year is capped at 56 hours.

## **Use**

Eligible employees may use up to 56 hours of accrued, paid sick time for absences from work during any single calendar year (January 1 – December 31) for any of the following reasons:

- For a mental or physical illness, injury, or health condition of the individual or the individual's family member, regardless of whether the illness, injury, or health condition has been diagnosed or requires medical care at the time that the individual requests such leave.
- For the diagnosis, care, or treatment of a mental or physical illness, injury, or health condition of, or need for medical diagnosis of, or preventive care for, the individual or the individual's family member.
- When the individual or the individual's family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking, for the individual to avail themselves or a family member of services or assistance including, but not limited to:

- Obtaining services from a domestic violence shelter, rape crisis center, or other shelter or services program for relief from a family offense matter, sexual offense, stalking, or human trafficking.
- Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the individual or individual's family members from future family offense matters, sexual offenses, stalking, or human trafficking.
- Meeting with a civil attorney or other social services provider to obtain information and advice on, and to prepare for or participate in any criminal or civil proceeding, including, but not limited to, matters related to a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing, or consumer credit.
- Filing a domestic violence complaint or domestic incident report with law enforcement.
- Meeting with a district attorney's office about domestic violence, family offense, sexual offense, stalking, or human trafficking.
- Enrolling children in a new school because of domestic violence, a family offense, sexual offense, stalking, or human trafficking; or
- taking other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the individual or the individual's family member to protect those who associate or work with the individual.

An eligible employee may determine how much accrued sick time they need to use for any of the reasons listed above, but an employee must use a minimum of 4 hours of accrued sick time during any qualified absence.

Absence for illness exceeding the amount of accrued sick leave will be considered leave without pay. Persons who have leave without pay status do not accumulate sick leave while in that status. With prior approval from supervisors, employees needing to use sick leave may offset the length of their absence by a temporary change in the employee's work schedule within the same work week. An eligible adjunct professor may work such additional credit hours at any time during the applicable academic term.

An eligible employee who uses paid sick time for any reason other than one of the reasons listed above may be subject to appropriate disciplinary action.

**Written Documentation:** When an eligible employee uses paid sick time for any of the reasons set forth above, the employee must provide their supervisor with written confirmation that the employee used sick time pursuant to this policy, which must include how many accrued hours were used. It is the employee's responsibility to indicate that eligible sick time is being used.

**Reasonable Notice:** Supervisors may establish procedures in their departments regarding notification of need for sick leave consistent with this policy and employees are expected to comply with those requirements. An eligible employee must give their supervisor 7 calendar

days' notice of the absence where the need for sick leave is foreseeable. If the need for the sick leave is not foreseeable, the employee must promptly notify their supervisor as soon as the need for the leave arises. Eligible employees should ensure that their supervisor is notified each day the employee will be absent.

**Medical Documentation:** Where an eligible employee is absent for more than three consecutive workdays due to their own injury, illness or medical condition or for the treatment, or the injury, illness, or medical condition or treatment of a family member, the employee must provide their manager documentation from a licensed health care provider indicating the need for, and amount of sick time taken. (An employee is not required to specify the nature of the employee or family member's injury, illness or condition, unless otherwise required by law.)

**Coordination with Other Leaves:** Paid sick leave may also be used in conjunction with various medical and family leaves available to qualified employees, including, but not limited to federal Family and Medical Leave, New York State Paid Family Leave, and New York State Workers' Compensation.

**Termination:** Upon termination of employment, paid sick leave balances are canceled.

**Record Keeping and Access to Leave Balance:** The payroll system is the official record. Supervisors/Managers should inform individuals who are eligible for paid sick leave how to record the use of paid sick leave and how to access their paid sick leave balance information. Management and individuals are both responsible for periodically reviewing this information as needed to verify that balances are correct.

## **Non-Retaliation**

The University will not in any way retaliate against an employee for exercising or attempting to exercise his/her rights under this policy. These rights include, (but are not limited to):

- Informing an employer, union or legal counsel about alleged violations of the Act.
- Filing a complaint about alleged violations of the Act.
- Participating in an investigation of alleged violations of the Act.
- Informing other employees of their rights under the Act.

## **Contact**

Human Resources  
100 Summit Lake Drive  
Valhalla, NY 10595  
914-923-2730

This policy may be amended periodically as determined by the University. **This policy was last updated on 9/30/2020.**

## POLICY AND PROCEDURE – DISCRIMINATION, HARASSMENT AND RETALIATION

The [entire Policy](#) can be found in full on the [Office of Institutional Equity And Title IX Compliance website](#).

### SEX-BASED MISCONDUCT POLICY AND PROCEDURE

Pace University is committed to providing a safe environment for every member of its community and to ensuring that no student, faculty or staff member is excluded from participation in or denied the benefits of any University program or activity on the basis of sex. View the entire [Sex-Based Misconduct policy](#).

### WORKPLACE SEX-BASED HARASSMENT SUPPLEMENTAL POLICY

In compliance with New York State law, the University provides for the following notifications concerning workplace sexual harassment at [Workplace Sex-Based Harassment Supplemental Policy](#). The following does not replace -- and is instead in addition to -- the University's Sex-Based Misconduct Policy and Procedure above.

### STAFF GRIEVANCE PROCEDURE

#### **Purpose**

It is the purpose of these provisions to secure proper and equitable solutions to the grievances of staff members. The management system, with the President as Chief Executive Officer, provides the channels and authority for review of complaints and misunderstandings between subordinates and supervisors.

If a supervisor is unable to resolve a problem in a manner that seems fair to a member of the staff, the staff member may seek a review at sequentially higher levels through the management line described in the organizational chart.

If the grievance arises from or concerns the actions of the staff member's immediate supervisor and/or the supervisor's supervisor, the staff member may first bring the complaint to the Employee & Labor Relations department of Human Resources.

Final appeal may be made to the President, who will render a final decision.

This Grievance Procedure does not apply to claims relating to discrimination, non sex-based harassment and retaliation, which are subject to the University's Policy and Procedure - [Discrimination, Non Sex-Based Harassment and Retaliation](#); or to claims relating to sex-based misconduct (including sexual assault sexual harassment, gender-based harassment, dating violence, domestic/intimate partner violence, sexual exploitation, and stalking, which is subject to the University's Sex-Based Misconduct Policy and Procedure.

## Procedures Regarding Grievances

1. Discuss the problem with the following persons:
  - a) Supervisor
  - b) Supervisor's supervisor
  - c) Employee & Labor Relations department of Human Resources
  - d) Up through successive levels of management to the Officer of the area or, in the absence of said officer, to the President.
2. Final appeal to the President.

## Notes

Appeal to the President may only be made following completion of the review process in subdivision "1" above.

If an issue of discrimination or sex-based misconduct arises at any time during the course of the Staff Grievance Procedure, the Grievance Procedure shall be suspended pending resolution of the discrimination or sex-based misconduct issue(s) pursuant to the University's Policy and Procedure - Discrimination, Non Sex-Based Harassment and Retaliation or the Sex-Based Misconduct Policy and Procedure, as applicable. As soon as practicable after an issue of discrimination or sex-based misconduct arises, the University Supervisor, Employee & Labor Relations representative or Officer before whom the grievance is pending, shall refer the matter to the University's Affirmative Action\Title IX Officer for investigation pursuant to the University's Policy and Procedure - Discrimination, Non Sex-Based Harassment and Retaliation or the Sex-Based Misconduct Policy and Procedure.

### 1. Miscellaneous General Provisions:

Time Limits: All time limits contained in the foregoing procedures may be extended by the University Supervisor, Employee & Labor Relations representative or Officer before whom the grievance is pending, Confidentiality of Proceedings: The University shall take all reasonable steps to ensure the confidentiality of all proceedings, hearings, and the records produced therefrom. However, should any matter developed during the course of the proceedings become public knowledge, the University reserves the right to issue appropriate statements.

## HATE/BIAS-RELATED CRIME POLICY

The New York State Legislature found and determined that "criminal acts involving violence, intimidation, and destruction of property based upon bias and prejudice have become more prevalent in New York State in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes," victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims, incalculable, physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm

individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victims belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic process. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others but must never commit criminal acts on account of them.

Pace University's Guiding Principles of Conduct clearly and unequivocally states that "membership in the University community is accompanied by the responsibility to maintain and foster an environment characterized by freedom of expression, inquiry and exchange of ideas and respect for the dignity and uniqueness of each individual." In addition, the University has established standards of behavior to ensure the safety of all members of the University community. For more information, please refer to the [Hate/Bias-Related Crime Policy](#).

## ETHICS REPORTING HOTLINE

Maintaining ethical standards is the responsibility of every member of the Pace community. Those ethical standards are embodied in the University's Guiding Principles of Conduct and other policies as well as federal, state and local laws. Pace University employees are expected to adhere to high standards of professional and ethical conduct in carrying out their duties. This includes avoiding conflicts of interest and commitment, appropriately accounting for financial transactions, properly using University property and resources, adhering to internal control protocols, complying with internal and external audit requirements and complying with intercollegiate athletics rules. The University believes that early identification and timely investigation and resolution of possible violations of ethical standards are critical to maintaining a sound and ethical business and educational environment.

Members of the University community have many options within Pace for reporting violations of University policies and federal, state or local laws. You are encouraged to discuss any concerns you may have about such violations with your supervisor and/or the University administrator who has authority over the area in which your concerns arise. Other alternatives include contacting Human Resources, the Affirmative Action Officer, Safety & Security, or University Counsel (212-346-1274). Also, please be advised that the University has an Official Grievance Process for employment related issues, including discriminatory harassment which is handled by the Affirmative Action Officer.

The University has also created a toll-free hotline number to allow the University community to anonymously and confidentially report suspected violations of University policies and federal, state and local laws. The University's toll-free hotline phone number is 1-800-821-2456.

The hotline does not replace or supersede previously existing reporting options. Staff and other members of the Pace community may still report their concerns through the traditional reporting channels. Furthermore, the hotline is not designed to capture reports related to academic matters such as grading and academic integrity. Those reports should be directed to the appropriate Academic Department Chairperson, Dean and/or the Provost.

Pace University pledges to use its best reasonable efforts to promptly and discretely investigate all reports of suspected violations of University policies and federal, state and local laws and to take appropriate corrective action whenever it concludes that improper conduct has actually occurred. The

University also pledges that it will neither take nor allow anyone acting on its behalf to engage in any retaliatory action against anyone for reporting in good faith actual or suspected violations of University policies or federal, state or local laws.

The University's Whistleblowers Policy & Procedure policy is included herewith. [Whistleblowers Policy and Procedure \(PDF\)](#).

## DRUG AND ALCOHOL

The University seeks to promote individual wellness in as many ways as possible. Accordingly, in summary, the Policy prohibits the unlawful use, possession, sale, distribution, or manufacture of controlled substances, and generally prohibits the consumption of alcohol, on University property or at University-sponsored programs and activities.

Problems with alcohol and drug abuse are addressed most effectively through the coordinated efforts of peers, family members, counselors, and the University. To these ends, the University has identified several University departments with highly trained staff to assist students and employees. These services are provided at no cost to faculty and staff. The contact numbers for these departments, as well as additional off-campus resources, can be found under the "Counseling and Treatment" portion of the policy. We encourage you to read the Policy and its appendices carefully and thoroughly.

Should you have any related questions, please contact the University's Employee and Labor Relations office at 212-346-1869 in New York or 914-923-2781 in Westchester.

### Policy Statement

Pace University has a strong commitment to a healthy and safe environment for all members of the University community. Any use of alcohol and drugs that is illegal or violates this Policy will not be tolerated.

It is the policy of the University that the unlawful use, possession, sale, distribution, or manufacture of controlled substances and alcohol on University property or at University sponsored programs and activities are prohibited. Even though its possession or consumption may otherwise be lawful, alcohol, except in limited circumstances, is not permitted on University property or at University sponsored programs and activities.

There are two exceptions to the prohibition against the possession and consumption of alcohol on University property and at University sponsored programs and activities. One exception to this Policy is for the moderate possession and consumption of alcohol at University sponsored programs and activities by individuals legally permitted to possess and consume alcohol, provided prior written approval from the appropriate University representative has been granted. The second exception permits students, except for those who reside in Maria's Tower, who are at least 21 years of age to possess and consume a moderate amount of beer or wine (not hard liquor) in their residential housing room.

This Policy applies to each member of the University community -- students, faculty, and staff -- as well as to contractors, vendors, licensees, invitees and visitors.

This Policy is in compliance with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act, and it is distributed to every student and faculty and staff member.

### Health Risks of Controlled Substances and Alcohol

The illegal use of controlled substances and alcohol and the abuse of alcohol and prescription drugs may lead to permanent health conditions including, but not limited to, disorders of the central nervous system, reproductive functioning, cardiovascular and pulmonary systems, and endocrine functioning. In addition, there may be both short-term and long-term effects on cognition, memory, retention, information processing, coordination, athletic performance, academic performance, and the exercise of judgment.

*Controlled Substances:* All drugs, whether illegal or prescribed, alter the chemical balance of the body. The misuse of drugs may lead to addiction and even death. Drug addiction and abuse can cause serious damage to the brain, stomach, lungs, liver, kidneys, heart, and the immune and reproductive systems. The sharing of needles is a significant factor in the spread of HIV.

*Alcohol:* Inappropriate use and abuse of alcohol is often associated with lower academic performance and failures, sexually transmitted diseases and unplanned pregnancies, vandalism, aggressive behaviors including sexual assault and rape, injuries, death, and prosecution for crimes related to the consumption of alcohol. Even small amounts of alcohol may impair the ability to concentrate, as well as the judgment and coordination required to drive a car safely thus increasing the likelihood that the driver will be involved in an accident. Small to moderate amounts of alcohol may also increase the incidence of a variety of aggressive acts, including spousal and child abuse. Moderate to high doses of alcohol can cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses may result in respiratory depression and even death. When used in conjunction with other depressants of the nervous system, even a small amount of alcohol can result in these effects.

Repeated use of alcohol may lead to dependence or addiction. The sudden cessation of alcohol consumption produces withdrawal symptoms such as severe anxiety, tremors, hallucinations and convulsions, and can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, may also lead to permanent damage to vital organs such as the brain and liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Infants with fetal alcohol syndrome have irreversible physical abnormalities and mental retardation. Further, research shows that children of alcoholic parents are at greater risk than other children of becoming alcoholics themselves.

Information regarding the possible effects of various controlled substances and alcohol, including the effects of an overdose and withdrawal, is available on the U.S. Department of Justice website indicated at the end of this policy.

## **Legal Sanctions**

*Possession Of A Controlled Substance.* It is a crime under federal law to knowingly or intentionally possess a controlled substance unless the possession is otherwise permitted by law, *e.g.*, the controlled substance has been obtained pursuant to a valid prescription. The penalties for the conviction of the unlawful simple possession of a controlled substance, sometimes referred to as personal use amounts, are severe.

*Trafficking In Controlled Substances.* It is a violation of federal law to knowingly or intentionally manufacture, distribute, or dispense, or possess with the intent to manufacture, distribute, or dispense a controlled substance. Penalties for trafficking in controlled substances are considerably more severe than those for the possession of a personal use amount of a controlled substance. Information regarding these penalties is available at the website of the U.S. Department of Justice, Drug Enforcement Administration, "Federal Trafficking Penalties." Moreover, if a person 18 years



or older distributes a controlled substance to a person under 21 years of age, the penalties will be doubled for a first conviction and tripled for subsequent convictions. Similarly, penalties will be doubled for a first conviction and tripled for subsequent convictions of distributing, possessing with intent to distribute, or manufacturing a controlled substance in or within 1000 feet of an elementary or secondary school, college or university, playground, or public housing facility, or within 100 feet of a youth center, public swimming pool, or video arcade facility.

The [website of the Drug Enforcement Administration](#) is a useful source of information about controlled substances.

*Alcohol.* The following actions violate New York State law with regard to the possession of alcohol by, or the provision of alcohol to, persons under 21 years of age:

1. It is a misdemeanor to sell or give, or cause to be sold or given, any alcoholic beverage to any person under the age of 21. A person convicted of selling or giving any alcoholic beverages to someone underage may be imprisoned for up to 1 year and fined up to \$1000.
2. Further, no person under the age of 21 may possess an alcoholic beverage with the intent to consume it. The penalties for possession of an alcoholic beverage with the intent to consume it include a fine not exceeding \$50, completion of an alcohol awareness program, and/or community service not to exceed thirty hours.
3. It is a violation of New York law for a person under 21 years of age to present written evidence of age which is false, fraudulent or not his or her own, for the purpose of purchasing or attempting to purchase any alcoholic beverage. Such conduct is subject to payment of a fine of, depending on the number of prior violations, between \$50 and \$700, community service, or both, and completion of an alcohol awareness program or evaluation to determine whether the person suffers from alcoholism or alcohol abuse.
4. Using a false or fraudulent written instrument officially issued or created by a public office or governmental instrumentality (*e.g.*, a driver's license) to procure alcohol is also a crime. The penalties include imprisonment of up to seven years and a monetary fine.
5. It is unlawful to drive while intoxicated, *i.e.*, blood alcohol content of .08 and higher, or "in an intoxicated condition." It is also a criminal offense for anyone to operate a motor vehicle if the person's ability to operate the vehicle is impaired by alcohol or other drugs.
6. A person under 21 years of age who drives a motor vehicle and whose blood alcohol content is between .02 and .07, is subject to civil sanctions of monetary penalties and fees, and revocation or suspension of his or her driver's license.

The penalties for driving while intoxicated and driving while impaired, and the penalties for drivers who are under 21 and whose blood alcohol content is between .02 and .07, may be found on the [New York State Department of Motor Vehicles website](#).

### **University Sanctions**

Any violation of the University's Drug and Alcohol Policy may be disciplined in accordance with the University's disciplinary procedures for students and for employees. Further, the University may refer the student or employee for criminal prosecution. Any sanction imposed by the University is independent of, and is in addition to, any penalty imposed in connection with a criminal conviction.

The sanctions that may be imposed on a student include, but are not limited to, probation, and suspension, dismissal and expulsion from University housing and/or the University. The sanctions imposed on an employee may include the termination of his or her employment.

The sanctions described below are illustrative of the range and severity of sanctions that may be imposed on a student, but they do not constitute a complete list of the possible sanctions. In determining a sanction, the University will consider the nature and severity of the violation, the impact of the transaction on the Pace community as well as on the community at large, and the student's disciplinary history.

*Controlled Substances.* Violations of the University's Drug and Alcohol Policy relating to the unlawful possession, use, or distribution of controlled substances, even if a first offense, are extremely serious. Such violations may result in more severe disciplinary sanctions, even if there is no harm to the student, others, or property, than if the violation related to the use of alcohol. In addition to probation, suspension, dismissal or expulsion, the student may be fined up to \$200, and referred to a drug use assessment and required to comply with any recommendations.

*Alcohol.* There are 3 levels of alcohol violations. Greater sanctions may be imposed for each successively higher level of violation:

*Level 1.* Generally, a first violation and there is no harm to the student, others, or property. Sanctions include, but are not limited to, an admonition; a probationary period; participation in an alcohol prevention program (e.g., Alcohol 101); a fine of \$100 or, in lieu of a fine, submitting to an alcohol use assessment and complying with any recommendations; and community service.

*Level 2.* Generally, a repeat violation or a first violation that caused harm to the student, others, or property. Sanctions include, but are not limited to, submitting to an alcohol use assessment and complying with any recommendations; a probationary period; suspension, dismissal or expulsion from the University and/or University housing; a \$200 fine; and community service.

*Level 3.* Generally, a repeat violation indicative of a pattern of inappropriate behavior including disregarding previous admonitions, or a serious first or second violation involving harm to the student, others, or property. Sanctions include, but are not limited to, suspension, dismissal or expulsion from the University and/or University housing; a probationary period; a \$300 fine; community service; and submitting to an alcohol use assessment and complying with any recommendations.

## **Reporting Requirements**

Any employee, including a student employee, who works in any capacity under a federal grant or contract must notify his or her immediate supervisor of his or her conviction for a violation of any criminal drug statute (including misdemeanors) occurring in the workplace no later than 5 calendar days after such conviction. This applies to direct charge employees and to indirect charge employees who perform any support or overhead functions related to the grant. The supervisor must then promptly report the conviction to the Vice President for Human Resources. Under the Drug-Free Workplace Act, the University is required by law to report the conviction to the federal funding agency within 10 days of receiving notice of the conviction from the employee or from any other source.

## **Parental Notification**

If the University determines that a student under the age of 21 violated the Drug and Alcohol Policy, the University may disclose to a parent or legal guardian of the student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the University, governing the

use or possession of alcohol or controlled substances. If practicable, the student will be informed in advance that his or her parents or legal guardian are going to be given notice of the student's violation of the University's Drug and Alcohol Policy.

### **Counseling and Treatment**

Students and employees who have concerns about their use of alcohol or other drugs are urged to seek assistance. Faculty and staff may obtain counseling or referrals from Human Resources (212-346-1630 in New York; 914-923-2828 in Westchester).

**Aetna Resources for Living will be the Employee Assistance Program (EAP) provider as of January 1, 2022. You may contact Aetna's Employee Assistance Program 24 hours per day, 365 days per year, at 1 (888) 238-6232. You can also visit the [Resources For Living website](#) (Username: Pace University, Password: EAP).**

Resources for students who are seeking counseling or referrals include the Dean for Students (212-346-1306 in New York; 914-773-3351 in Westchester); Office of Residential Life (212-346-1295 in New York; 914-923-2791 in Westchester); and the Center for Student Development and Campus Activities (212-346-1590 in New York; 914-773-3767 in Westchester). Other resources available to all members of the University community include the Counseling Center (212-346-1526 in New York; 914-773-3710 in Westchester); and University Health Care (212-346-1600 in New York; 914-773-3760 in Westchester).

Organizations that provide support and assistance to individuals with substance abuse problems and to their families include:

### **Alcoholics Anonymous**

[www.aa.org](http://www.aa.org)

(212) 870-3400

(212) 647-1680

475 Riverside Drive #11 New York, N.Y. 10115

307 7<sup>th</sup> Avenue #201 N.Y., N.Y. 10001

### **Al-Anon and Alateen**

[www.nycalanon.org](http://www.nycalanon.org)

212-941-0094 (Greater New York)

350 Broadway, N.Y., N.Y. 10013-3911

### **Cocaine Anonymous**

[www.canewyork.org](http://www.canewyork.org)

212-929-7300 or 212COCAINE (212-262-2463)

48 W. 21<sup>st</sup> Street #9 N.Y. N.Y. 10010

### **Covenant House Nineline**

800-999-9999

460 West 21<sup>st</sup> Street N.Y, N.Y., 10036

### **Marijuana Anonymous**

[www.ma-newyork.org](http://www.ma-newyork.org)

212-459-4423

250 West 57<sup>th</sup> Street N.Y., N.Y. 10107

### **Nar-Anon**

[www.nar-anon.org](http://www.nar-anon.org)

1-800-477-6291

**Narcotics Anonymous**

154 Christopher Street N.Y., N.Y. 10014

[www.na.org](http://www.na.org)

212-929-6262 or 212-929-7117

**Nicotine Anonymous**

[www.nicotine-anonymous.org](http://www.nicotine-anonymous.org)

(631) 665-0527 or 877-879-6422

**LIFENET Crisis Referral Hotline 800-543-3638 [1-800-LIFENET]**

A list of NYC area substance abuse treatment facilities can be found in **Appendix A**.

**Links:**

1. Information regarding the Uses and Effects of Drugs of Abuse is located at:  
<http://www.dea.gov/druginfo/factsheets.shtml>
2. Information regarding Federal Trafficking Penalties is located at:  
<http://www.dea.gov/druginfo/ftp3.shtml>
3. Information regarding related New York State Drivers' License Penalties is located at: <http://dmv.ny.gov/org/tickets/penalties-alcohol-or-drug-related-violations>
4. [Appendix A Substance Abuse Treatment Facilities](#) additional substance abuse treatment facilities are available at <https://findtreatment.samhsa.gov/>

**SMOKING**

Pace University is committed to the improvement of the health and safety of students and employees. Smoking is not permitted in any building, shelter, indoor and outdoor athletic facility, indoor and outdoor seating area including and not limited to athletic fields, at open-air presentations or performances, outdoor dining areas, and University owned or operated transportation.

Pace University prohibits smoking or carrying of any ignited tobacco containing products, within a 50-foot perimeter, to all facilities owned, operated or leased by Pace University, at any University-sponsored event or program, or in any vehicle owned, operated or leased by Pace University.

Anyone who exercises his or rights, or attempts to exercise his or her rights, pursuant to this *Smoke-Free Policy*, shall not be retaliated against by Pace University.

For faculty and staff, complaints concerning violations of this policy should be directed to the Employee & Labor Relations department in Human Resources. For students, complaints concerning violation of this policy should be directed to the Dean for Students. Complaints about smoking in Residence Halls should be directed to the Resident Assistant or Residence Hall Director in that building.

Compliance with the smoke-free workplace policy is mandated for all employees and persons visiting the University and is not negotiable. Anyone who violates this policy is subject to discipline in accordance with the applicable disciplinary procedure.

All deans, directors, chairs, and department heads are responsible to enforce this *Smoke-Free Policy* and apply existing disciplinary policies as appropriate.

## **FLEXIBLE WORK ARRANGEMENTS**

Flexible Work Arrangements allow Pace University supervisors and employees to make arrangements for working conditions that suit their academic and organizational needs along with helping employees maintain a work/life balance. The combined impact is to improve the productivity and efficiency of their work units, while increasing job satisfaction and engagement. Most typically, examples of allowable flexibility include changing what hours are worked (earlier or later start and end times, for example) and where work is performed. Deans and Vice Presidents must authorize whether a flexible work arrangement will be approved, provided all eligibility and guidelines are met.

### **Eligibility**

All full-time and part-time individual staff members are eligible for consideration of flexible work arrangements when their supervisor has confirmed that the employee can, or has demonstrated the ability to, maintain the expected quantity and quality of work as well as the appropriate service support for the Pace community.

Requests for a flexible work arrangement should not be considered when:

- The nature of the job requires the employee's physical presence (e.g. remote work may not be appropriate where the employee is to be in a front-facing position, or supervising the work of other employees, or providing customer service to students and others), or efficiency is compromised when the employee is not physically present.
- The employee's productivity levels do not indicate sustained high performance, or are problematic, or the employee has received disciplinary action, or has a demonstrated attendance problem.

### **Guidelines**

The following guidelines apply to flexible work arrangements:

- A work schedule, including workdays and hours, should be agreed upon in advance.
- Employees should be on-site as required by their supervisor to attend meetings, training sessions, or similar events as needed.
- Employees should maintain a workload consistent with their position description in order to satisfy job requirements.
- Employees who are unable to work due to illness should use sick leave (if applicable) and should report their absence to their supervisor.
- Employees who wish to be relieved of responsibility for work on a particular day or days should use vacation leave as approved.
- Employees are responsible for the safety and security of all University property and confidential and/or proprietary information, as stated in the Employee Handbook.
- The Benefits office must be notified if an employee's status changes from part-time to

full-time or full-time to part-time.

## **Approval Period and Regular Reviews**

All flexible work arrangements are granted on a revocable basis and can be discontinued by a manager at any time, subject to periodic evaluation periods, during which the effectiveness of the arrangement will be evaluated. Either the employee or the University can decide to discontinue the work arrangement upon review if it is determined to be against the best interests of the University.

Periodic reviews of ongoing flexible work arrangements must be conducted to evaluate whether the arrangement continues to meet the needs of the unit. The schedule for periodic reviews is established by the supervisor and is recommended to occur at least on a quarterly basis.

In the event that the division/school/University's goals and/or the position's scope of duties and responsibilities change, it is at the discretion of the supervisor to modify or terminate the flexible work arrangement.

## **Legal Compliance**

All flexible work arrangements must conform to the overtime, recordkeeping, and meal break provisions of the Federal Fair Labor Standards Act (FLSA) and New York State labor law for employees covered by those provisions, as seen in the Time Reporting Policy located in the Employee Handbook and Policies section of the HR website.

## **Request and Approval Process**

Requests for flexible work arrangements are considered on a case-by-case basis and determinations are made in accordance with the needs, requirements, and constraints of both the department and employee. The arrangement should be in writing, and the parameters should be clear and documented (i.e., schedule, duration, work expectations). The supervisor has the option to use the [Proposal Request](#) and [Agreement Forms](#) or may utilize other written forms. It is recommended that the supervisor and employee keep a copy of the arrangement.

## **Contact**

If there are any further questions and guidance needed regarding this policy, please consult with your supervisor or the Employee & Labor Relations department at [employeerelations@pace.edu](mailto:employeerelations@pace.edu).

## **Appendix A**

### **Flextime**

**Scope:** This flexible scheduling arrangement permits variations in daily beginning and ending times but does not alter the total number of hours worked in a day and in a work week. For example, an employee whose normal hours of work are from 9:00 a.m. to 5:00 p.m. may request to work 9:30 a.m. to 5:30 p.m.

**Considerations:** Flextime scheduling may be useful to improve coverage in a department, enhance recruitment, extend service hours, and enhance staff morale. However, not all jobs are well-suited for flextime, and the decision to accommodate a request lies with the University.

- The impact, if any, on the population being serviced should be considered.
- The needs of a department may require that employees be present or accessible during a core period of hours each workday, during peak workload periods, or on a particular day of the week.

**Requirements:** The work schedule that is agreed to should be put in writing so that both the University and the employee have a mutual understanding of the work arrangement. Any modifications to the schedule must be approved in writing by the supervisor. The timing for periodic reviews of the work arrangement should be established.

## **Appendix B**

### **Remote Work**

**Scope:** This type of flexible work arrangement allows an employee to work at home or at another off-site location for a specified number of days or hours per week; in some cases, this arrangement may be full-time remote. Permission to remote work is dependent upon the employee having a suitable work location at the off-site premises, and in compliance with the requirements set forth below.

**Considerations:** When considering a remote work arrangement, supervisors should weigh the following:

1. How well-suited the job is for remote work, considering the impact on the population being serviced.
2. The employee's demonstrated time-management skills, productivity, and independent work performance.
3. The needs of the unit or department, its available resources, and its ability to support remote work objectives.
  - a. What equipment the employee would require to perform the position off-site (i.e. computer, telephone, fax machine, file cabinet, etc.).
  - b. The department's financial ability to support the equipment needs.

**Requirements:** To ensure that the employee and the University have a mutual understanding of the terms of the flexible work arrangement, clear expectations should be agreed to in writing in advance. Examples of criteria that should be addressed specifically include, but are not limited to:

- The work schedule, including the starting and ending dates (for temporary arrangements) of the remote work arrangement.
- The work setting (explain location of remote work site) and if conducive to productivity.
- Frequency and scheduling of onsite time at the University.
- Loaned University equipment and supplies accurately reflect the work needs in the employee's primary facility.

**Benefits:** For full-time employees the status of benefits will not be affected by participation in a

remote work arrangement, unless the hours per week are reduced. Working less than 28 hours puts the employee in a part-time status, and therefore, eliminates certain benefits. Please contact [University Benefits](#) for more information.

**New York Tax Policy on Nonresident Employees:** New York State and federal taxes will be withheld for all employees.

Employees may wish to consult their tax advisor and the University with respect to inter-state tax consequences. Depending on the state from which the employee is engaged in a remote work arrangement, taxes may be shared between New York State and the state of the employee's remote work site.

### **Guidelines for a Safe Home Work Environment**

Remote workers are responsible for maintaining a safe and functional home work environment and following common safety practices. Below are links to guidelines for maintaining a safe and productive work setting at home:

- <http://gislounge.com/creating-an-ergonomic-workspace-a-guide-to-reducing-pain/>
- <http://www.osha.gov/SLTC/ergonomics/index.html>
- <http://ergo.human.cornell.edu/>
- <http://www.ccohs.ca/oshanswers/hsprograms/telework.html>

### **University Property**

The employee must refer to the [ITS Appropriate Use Policy](#), which outlines the responsibility of the employee to maintain full confidentiality of University information and data during access to the University network.

Equipment provided on loan by the University, including a desktop or laptop computer, remain the property of the University while on loan, and must be returned upon termination of the remote work arrangement or employment.

Employees must return the equipment in the same condition in which it was originally received, less normal wear and tear and any defects acknowledged and recorded by the University prior to the actual loan of equipment. Employees are personally liable for missing or damaged University equipment, as well as any compromise of confidential University data and information.

### **Insurance**

The University assumes no liability for injuries occurring in the employee's approved alternate worksite outside of work hours.

Employees should note that some homeowner policies do not automatically cover injuries arising out of, or relating to, the business use of the home. In addition to the University's theft policy, for the employee's protection, employees are required to have their homeowner's/tenant's liability policy endorsed to cover bodily injury, property damage or theft, and the business use of University and personal equipment to all parties arising out of or



relating to the business use of their approved alternate worksite.

Employees who live in rented property should be aware that their lease may not permit business use on the premises. The University is not responsible for business meetings conducted at the employee's home or on non-university property.

## NEPOTISM POLICY

This *Nepotism Policy* applies when members of the same family are employed by the University and assigned to positions in which a non-faculty employee ("Staff") has supervisory or managerial authority over the other family member.<sup>1</sup> In such cases, the supervision by one family member of another, including with respect to hiring, promotion, salary, performance evaluation and other staffing decisions may create an apparent, actual or potential conflict of interest (collectively, "Conflicts of Interest").

For the purpose of this Policy, family member is defined as a spouse, domestic partner, romantic partner, children, parents, siblings, nieces, nephews, grandparents, grandchildren, aunts, uncles, first cousins, and corresponding in-law or step relationships (collectively, "Family Member").

The University prohibits discrimination on the basis of family relationships, and such relationships shall not be used as a basis for denying rights, privileges, or benefits of employment. Concurrently, however, it is the intent of the University to minimize Conflicts of Interest, which may be created when Staff:

- Participate in hiring, salary, promotion and/or other staffing decisions affecting the status of a Family Member (whether in a faculty or staff position); and/or
- Supervises, or evaluates a Family Member (whether in a faculty or staff position).

In order to avoid Conflicts of Interests, Staff may not participate in the initial appointment, promotion and/or other staffing decisions affecting the status of a Family Member (whether in a faculty or staff position). Further, Staff may not be assigned or transferred to a position, where they would supervise or be supervised by a Family Member.

Exceptions to this Policy are expected to be very rare and shall be based on the need to hire and retain individuals who are most qualified for certain positions. Before an individual is assigned or transferred to a department where they would supervise or be supervised by a Family Member, the supervisor proposing the assignment or transfer shall send a written request to the Vice President for Human Resources ("Vice President") for approval of the assignment or transfer. The Vice President or his or her designee, shall consult with the supervisor and other University administrators (including, without limitation, academic administrators) as may be appropriate in a particular case, to determine whether measures can be implemented to avoid a Conflict of Interest.

<sup>1</sup> A separate Nepotism Policy applies when a faculty member supervises a Family Member. That *Policy* may be found in the *2013 Pace University Faculty Handbook*.

## RIGHTS OF NURSING MOTHERS

Pace University has adopted this policy in accordance with New York State Law and the Federal Fair Labor Standards Act, to ensure that nursing mothers in its employ are provided the opportunity to express milk at appropriate locations during reasonable break times during the workday. Additionally, it is the policy of Pace University that discrimination against and/or harassment of employees, who exercise their rights under this policy, is prohibited.

Upon return to work, any employee who is nursing is eligible for up to three (3) years following the birth of a child. Eligible employees wishing to express milk in the workplace must contact their supervisor and the Employee & Labor Relations representative prior to returning to work following the birth of a child to discuss appropriate arrangements including, but not limited to location, and work scheduling. The Employee & Labor Relations representative and the employee's supervisor will work with the employee to help ensure that all appropriate needs are met while at the same time ensuring that the disruption to the University's operations will be kept to a minimum. The University will make a reasonable effort to provide a private room or other location (other than a bathroom) that is shielded from view and free from intrusion from coworkers and the public; within a close proximity of the employee's work station for the purpose of expression of milk.

Employees shall be provided sufficient unpaid break time to allow the employee to express milk. Generally, these breaks shall be twenty to thirty minutes in duration. If an employee believes they have not been provided sufficient time, they should immediately inform their Supervisor or the Employee & Labor Relations department of Human Resources. An employee is also permitted to use their normal meal period and/or scheduled break times to express milk. Under certain circumstances an employee may be permitted to work before or after their normal shift to make up the amount of time used during the unpaid break time(s). An employee may be required to postpone a scheduled break to express milk for a reasonable period of up to thirty (30) minutes if they cannot be spared their duties until appropriate coverage arrives.

The University will not discriminate in any way against an employee who chooses to express breast milk in the workplace. The University also strictly prohibits any form of discrimination, retaliation or harassment against an employee requesting or obtaining leave for expression of breast milk. Any person who believes they have been the victim of such discrimination, retaliation or harassment must immediately report the incident to the Employee & Labor Relations department.

Please contact an Employee & Labor Relations department if you have questions about this policy or need location information for campus nursing locations.

## APPROPRIATE USE POLICY FOR INFORMATION TECHNOLOGY

Information Technology (I.T.) at Pace University encompasses the use of all campuses' computing, telecommunications, document services, educational media, and management information systems technologies. These I.T. resources support the instructional, research, and administrative activities of the University.

Users of these services and facilities have access to valuable University resources, sensitive data, and external networks. Consequently, it is important for all users to behave in a responsible, ethical, and legal manner. In general, appropriate use means understanding the intended use for Pace I.T. (and making certain that one's use complies), respecting the rights of other Pace

information technology users, maintaining the integrity of the physical facilities, and obeying all pertinent license and contractual agreements.

It is the responsibility of each Pace employee to read and abide by the terms of the [Appropriate Use Policy for I.T.](#)

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### **E-Mail:**

E-mail has become an important vehicle for sharing information throughout the University. For assistance with e-mail, or any other IT Service, please contact the ITS Help Desk at Ext. 33648, <http://help.pace.edu>, or send an email to [itshelpdesk@pace.edu](mailto:itshelpdesk@pace.edu). ITS also provides online self-help guides on using Outlook. For further information on using e-mail, look for the Talent Development program, Outlook Exchange E-mail and Calendar Overview. For the University's policy on the proper use of e-mail, refer to Pace University's Appropriate Use Policy for Information Technology.

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### **Voice Mail System:**

Pace University's Voice Mail System enhances voice communications with a backup for busy or unanswered calls. It allows the members of the Pace community to receive phone messages in their confidential mailboxes, each of which is passcode protected. Mailboxes can be created or customized to meet specific individual/departmental needs. Contact the ITS Help Desk at Ext. 33648, <http://help.pace.edu>, or send an email to [itshelpdesk@pace.edu](mailto:itshelpdesk@pace.edu) for more information. For the University's policy on the proper use of the Voice Mail System, refer to Pace University's Appropriate Use Policy for Information Technology.

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### **Emergency Notification System:**

PaceAlert is Pace University's emergency notification system for Pace students, faculty, and staff. This system delivers time-sensitive emergency notifications via telephone (cellular or landline), e-mail, and text messaging to all members of the Pace community who have signed up and provided their information. This system is used when there is a campus closing, severe, uncontained threat to public safety and health of the campus community, and when immediate action is required on the part of the recipient group (e.g., chemical spills, tornado warnings, etc.) To register, visit <http://alert.pace.edu>.

### **CONFLICT OF INTEREST**

Employees of Pace University have an obligation to avoid activities or situations that may result in a conflict of interest or the appearance of a conflict of interest. Employees must not use their University positions to influence outside organizations or individuals for the direct financial, personal, or professional benefit of themselves, members of their families, or others with whom there is a personal relationship.

Employees should not accept employment outside the University if it interferes with satisfactory job performance in a University position, or if there is a conflict of interest or the appearance of a conflict of interest as a result of the outside employment.

The potential for conflict of interest exists across a wide range of activities in all areas of the

University. Circumstances surrounding actions and decisions may be complex, and judgments on whether a conflict exists may be difficult to make.

All employees have an affirmative obligation to examine carefully any situation where there is potential for conflict of interest or the appearance of conflict of interest. Failure to do so may result in disciplinary action. Employees, who are concerned that a conflict may exist, or who are uncertain as to the effect or appearance of their activities, should always consult with their supervisor or Human Resources prior to engaging in the activity.

## GIFTS AND GRATUITIES

Employees are prohibited from soliciting or accepting gifts from a vendor or contractor. Gifts valued in excess of \$25 or of an undetermined value should be returned immediately. Gifts of promotional items without significant value that are routinely distributed by vendors to clients are acceptable. Ordinary business courtesies, such as payment for a modest lunch or dinner, are also acceptable. Gratuities or gifts of money, whatever the amount, cannot be accepted at any time, and should be returned immediately.

## GIFTS AND GRATUITIES POLICY FOR OFFICERS AND DEANS

University Officers and Deans are prohibited from soliciting or accepting cash gifts or gratuities of any amount from any person or entity doing (or proposing to do) business with the University. Furthermore, unless specifically excepted by this policy, University Officers and Deans are also prohibited from accepting non-cash gifts of any type, including materials, services, travel, and attendance at a charitable or similar event as a guest and entertainment at no cost or at unreasonably discounted prices from persons or entities doing (or proposing to do) business with the University. Excepted from this prohibition are usual and customary:

holiday business gifts of a value of not more than \$75 for the shared use of department personnel; occasional meals in connection with University business meetings and events and University sponsored or pre-approved charitable or similar events; review copies of vendor provided textbooks and other teaching related materials; and ceremonial gifts received by University employees in the course of official business. Such ceremonial gifts are the property of the University.

All unpermitted gifts must be immediately declined, returned or discarded. Officers and Deans must report to their supervisors and the Vice President for Human Resources at the end of each month regarding all gifts received during the month (including those permitted by this policy). Notice of this Gifts and Gratuities Policy will be given to all University vendors and prospective vendors. Any proposed exceptions from this policy must be approved in advance, with respect to the President, by the Chairman of the Board of Trustees, with respect to other University Officers, by the President, with respect to Deans, by the Provost and the President, with respect to Department Chairs and faculty, by the School's Dean and the Provost, and with respect to other employees, by the Dean or Vice President who is in charge of the employee's administrative unit. If you have any question concerning this policy, consult with the University Counsel.

## SOLICITATION AND DISTRIBUTION

The solicitation of goods or services by one staff member to another during regularly scheduled work time is prohibited. Selling commercial goods and distributing promotional information and handbills in regular work areas are also prohibited. Exceptions to this policy are made for

University-sponsored activities and, at the discretion of the supervisor, for charitable sales in the workplace.

## **OFF CYCLE PAYROLL PAYMENT**

The purpose of this policy is to establish the guidelines for requesting an off-cycle payroll payment (manual check) for a Pace University employee.

Off-cycle check requests are typically requested when an individual, paid through University payroll, was not paid or not paid correctly on the regularly scheduled pay period. In most cases, an “off cycle” check is issued to the employee before the next scheduled pay date.

Note: The off-cycle paycheck provision is not intended to be used as an alternative to submitting payroll/human resources information in a timely and efficient manner.

### **Criteria**

Manual payroll checks are a very time consuming and costly administrative correction. Therefore, managers are encouraged to request off-cycle payroll payments in limited financial hardship situations only. Below are some general criteria for consideration:

1. The employee received no money at all on the regular pay day.
2. The employee is missing a significant portion of their semi-monthly check and needs to be made financially “whole”.
3. The employee's job is being involuntarily terminated.

**Exceptions:** Off cycle checks for ADDITIONAL PAY (compensation which is earned in addition to base pay) to an employee will not be issued. Payments for additional pay will be included in the next scheduled pay cycle.

### **Required Documentation**

Federal and state law requires that employees are paid on a “regular payday” designated in advance by the employer. This is accomplished through timely preparation and submission of complete authorized payroll and human resource documents.

In situations where a payment was not processed due to missing or incomplete department, payroll or human resource documentation, an off-cycle check request will only be considered for payment after the following documents have been received from the home/requesting department:

New Hires:

- Work authorization (proof of I-9 completion)
- New Hire/Rehire Paperwork
- Electronic Time Record (Kronos) approval and/or substantiation of payment needed

Existing Employees:

- Electronic Time Record (Kronos) approval and/or substantiation of payment needed

### **Processing Time and Distribution**

An approved off-cycle paycheck will normally be available for the employee within three business

days of requesting it. The employee or requesting department will be notified when the off-cycle check is ready for pick-up.

**Black-out Dates:** Off-cycle checks will not be issued during the processing of the normal payroll cycle. A black-out period is defined as the time interval between the date Payroll begins processing pay data for a designated pay period and the date Payroll concludes processing pay data for a designated pay period. During this period of time, the ability of the end user to request changes to an employee record is temporarily suspended or restricted. Any necessary adjustments or corrections to an employee pay record will be made after the Blackout Period.

**\* NOTE \* Direct deposit is not available for off-cycle payments!**

## **Enforcement**

The University requires all Time Approvers and/or Department Timekeepers to review and approve work time, leave time and overtime in accordance with the University's semi-monthly [Payroll Calendar](#).

The VP of Human Resources may request, at any time, a manual check report. This report will indicate all Employee Names and Department Names who have used the manual check process in previous months. Managers who regularly request payroll transaction corrections as a result of insufficient administrative processing may be subject to disciplinary action.

## **OVERPAYMENT RECOVERY**

### **Policy Statement**

To establish University policy and procedures for identifying, correcting, and recovering salary overpayments to University employees.

### **Reason for Policy**

Due to errors in processing an employee's leave time or salary earnings, a Pace University employee may be paid more than is owed to them. Overpayments, as a legal debt, must be promptly repaid to the University regardless of the origin of error. This policy is intended to identify the appropriate procedure to seek collection of excess wage and salary payments.

### **Definitions**

"Overpayment" is defined as compensation paid to an employee in excess of the amount owed to them. For the purposes of this policy, overpayments also include voluntary and involuntary deductions. "Repayment" is the process by which an employee or former employee returns the excess funds to the University.

### **Administration**

Overpayments can result from inaccurate processing or delays in processing of pay-related information, inaccurate accrual payments upon termination, system failures, and human error. Regardless of the origin of error, there is a shared responsibility among the employee, Budget Representatives, Human Resources and Payroll to correct the errors and recover the funds in a timely

manner.

## **Responsibilities**

*Employees* are expected to review their salary payments each pay period for accuracy and promptly report any discrepancies to their supervisor. When overpayments have been identified, employees will work with Payroll to promptly repay the University the debt.

*Budget Representatives* are responsible for managing financial and related resources, including monitoring of salary matters for their respective departments. To that end, Budget Representatives are provided with a Payroll Report to assist in reconciliation and verification of salary payments. When a salary overpayment occurs, Budget Representatives are expected to fully cooperate with and assist Human Resources and Payroll in efforts to recover funds in a timely manner.

*Human Resources Information Systems* will manage the recovery process, including correspondence, repayment arrangements, and initiation of collection processes when necessary. In particular, HRIS is responsible for providing the overpayment information to Payroll, and making necessary adjustments, when authorization is obtained, to recoup funds from upcoming pay.

*Payroll* is responsible for making timely and accurate salary payments to University employees. When an overpayment is identified, Payroll will review system records to determine the source of the error and calculate the net overpayment amount, accounting for taxes and withholdings. (Note - The employee is only required to repay the net amount if repayment is recouped within the same tax year. By federal regulation, if repayment crosses tax years, the full gross amount must be repaid less Social Security, Medicare, retirement, and long-term disability variances.) Payroll will credit the department after overpayment is recovered and will also complete and mail an amended W-2 or W-2C, if applicable.

All notifications of overpayments where the department is seeking recovery via payroll deduction must be made within eight (8) weeks of the overpayment. Notice should be sent to HRIS – this may include notifications from Budget Representatives, Faculty Load Representatives, Payroll or any other area of University on notice of the overpayment occurrence.

If the overpayment is less than or equal to 12.5% of employee's gross wages, the overpayment may be recovered by deduction in the next available pay period, in full. (This requires at least 3 days' notice to employee). If the overpayment exceeds 12.5% of employee's gross wages, it may be recovered by deduction over a number of pay periods. (This requires at least 3 weeks' notice to employee.)

In such cases where the entire overpayment is less than or equal to the net wages earned after other permissible deductions in the next wage payment, the employer may recover the entire amount of such overpayment in that next wage payment.

The overpayment recoupment process may not begin after 8 weeks. No overpayment may be sought if the deduction reduces the effective hourly wage below the statutory state minimum hourly wage.

**Stage 2: Notice and communication with Employee/Former Employee** – within 8 weeks of overpayment:

For active employees where overpayment is to be recouped via deduction(s):

- Payroll or HRIS will send a notice to employee via email.

For separated/separating employees:

- A letter of notice will be sent to the employee/former employee's home address on record (as listed in Banner), via certified mail, return receipt requested. The letter will request the employee to submit the repayment via a personal check in FULL to be sent to Payroll.

## **Repayment Options**

An active employee may elect to repay the University in one of the following ways:

1. Personal check made payable to Pace University.
2. Payment Plan agreed upon by Pace University – through a series of payroll deductions for a period not to exceed six (6) months or June 30 of the following calendar year in which the overpayment occurred, whichever comes first. An exception request can be submitted in writing and will be reviewed on a case-by-case basis. When establishing a payment plan, keep in mind that the total deduction amount cannot bring the employee's semi-monthly gross hourly wage amount below minimum wage. All employees who elect to repay the debt through payroll deductions must provide Payroll with written approval to deduct such amounts.

Once full repayment is received, the funds are returned to the department and updates are made to the employee's gross pay, taxes, deductions, and benefit records. If required, Payroll will issue an amended W-2 or W-2C Form.

Separated employees may opt to repay the debt through personal check or on a Personal Payment Plan agreed upon by Pace University not to exceed six (6) months or June 30 of the following calendar year in which the overpayment occurred, whichever comes first.

## **Positive relationships**

Human Resources has established the above guidelines to ensure that a policy and process is in place for salary overpayments. The University is mindful that issues around monetary compensation can pose a hardship for employees and may be difficult to address. Notification and recovery of all overpayment funds should be undertaken with discretion and in a matter that preserves the employee's dignity.

## **Enforcement**

Violations of this policy by active employees may result in disciplinary action, up to and including termination. The University reserves the right to take additional steps to recover overpayments, including filing the claim with a collection agency.



## TIME REPORTING

It is the University's policy to ensure: all employees are paid in an accurate and timely manner, in accordance with federal, state, and local laws, and the required reporting records and supporting documentation are managed and accessible for review as prescribed by the Fair Labor Standards Act ("FLSA").

The purpose of this policy is to formalize existing time and record keeping practices to accurately account for all hours worked and leave time used, to ensure compliance with the overtime and recordkeeping requirements of the FLSA.

The "real-time" labor information captured in Kronos allows employees, managers and administrators to review pay data on a daily basis to proactively monitor regulatory compliance and ensure consistent application of pay policies across the university. The integrity of the data in the system depends upon the extent to which employees, timekeepers and time approvers comply with the guidelines set forth in this policy as follows:

- Employees are expected to comply with the Semi-Monthly Payroll Time Reporting guidelines.
- Timekeepers/Time Approvers are responsible for assuring department compliance with both the university guidelines and the general provisions of the FLSA.

### **Payroll Time Reporting Policy**

The University utilizes a Kronos Time Management System to:

- Collect, view, edit, calculate and approve employee time
- Create schedules
- Track accruals (leave time, example: vacation time)
- Maintain the required reporting documentation for compliance with all governmental regulations
- Generate reports

All Pace University full-time, part-time, staff and student employees are required to use the Kronos Time and Attendance System regardless of their FLSA exempt/non-exempt status. Employees and Timekeepers can access the system through Internet Explorer at the following web link <https://timesheets.pace.edu>.

***Non-exempt Employees*** are required to record hours worked each scheduled workday. The system also records absences from work (paid and unpaid), pre-approved additional work time and any leave taken or accrued. It is the employee's responsibility to ensure that individual time and attendance information is reported accurately, and the electronic timecard is completed within the designated timeframe. Employees should not clock in early or stay beyond the end of their shift unless previously authorized by their supervisor. Time spent at work by the employee beyond normal shift assignment (that is, for the convenience of the employee) is not considered time worked, providing the employee did not perform any work.

***Exempt Employees***, who are full time, are typically paid for 75.83 hours per semi-monthly pay period, unless they move into an unpaid leave or disciplinary status in accordance with University Policy. Exempt employees must record any full or half-day absences and leave usages per University Policy.

***Student Employees*** are required to record hours worked each scheduled workday. Student employees are not permitted to work more than 20 hours in any given week.

***\*Note -All KRONOS time records require approval, including exempt employees.***

## ALL KRONOS USERS

Employees are required to record individual time and attendance information by logging into the system using their “My Pace Portal Credential” Log-in. The employee’s network identification or “My Pace Portal Credential” Log-in is his/her “electronic signature”. By approving the timecard with an electronic signature the employee certifies that the entries reported for the designated pay period are accurate and complete.

Employees are not to alter the time record (or, if applicable, punch the timeclock) of another employee or permit their own time record to be punched or altered by another employee. Such conduct is grounds for dismissal.

## **Important FLSA Considerations**

In order to accurately record hours of work and approve compensation, Timekeepers/Time Approvers and Supervisors must have a working knowledge of the provisions of the federal and state regulations affecting pay and hours worked.

Below is a brief summary of some key factors influencing time reporting and compensation:

### **Meal Periods:**

New York State Labor Law entitles employees to a noon-hour break of at least 30 minutes after six hours of work. It is the policy of Pace University to provide most employees with a one-hour unpaid meal period for each 8-hour workday. Meal periods are unpaid time and as such, employees must be completely relieved of duty for the purpose of eating lunch. You and your supervisor must arrange these times to ensure adequate coverage throughout the day. Under the FLSA regulations, if the employee is engaged in any kind of work activity during the meal observance period, it is considered “time worked” and the employee must be paid for it. Employees may not forego the meal period in order to shorten the workday.

### **Travel Time:**

Generally, daily commute to and from work is not work time. However, the following situations are considered work time:

- Time spent traveling to and returning from a special assignment location (assignment in another city or assignment in another work location other than the normal work site) is considered time worked. Because such travel is performed for the employer’s benefit and at the employer’s request, the employer is required to compensate the employee. However, the employer may deduct the time the employee would normally spend commuting to and from the regular work site from the total off site commute time.
- Any work which an employee is required to perform while traveling is work time.
- Travel time on a day off during hours that are normal work hours during the week is work time.

- A break in travel for a meal period is not work time.
- Time at the destination when the employee is free to come and go as they wish is not work time.

*Note: An exempt staff employee is not subject to the travel provisions of the FLSA. Since an exempt staff employee is not paid per hour, the employee does not receive additional pay for travel time.*

### **Training Time:**

All training time is work time if it occurs during an employee's regular shift or if it is required by the employer. Training time need not be counted as work time only if all four of the following conditions are met:

- Occurs outside of the employee's normal work schedule
- Is truly voluntary
- Not directly related to the employees' current job (training is designated to qualify the employee for another job).
- The employee performs no work of any value to the employer during the training.

### **Overtime:**

#### *Rate of Pay*

The FLSA mandates that non-exempt employees receive time and one-half their regular rate for all hours worked in excess of 40 hours per week.

At Pace, full-time employees who are in non-exempt positions, and who are authorized to work overtime, will receive 1½ their regular rate for all hours worked in excess of **35 hours** per week (please note, sick hours are not considered to be hours worked for overtime determination).

However, the employee's supervisor should approve all such overtime, generally in advance (as there are strict rules concerning compensatory time off in lieu of overtime for non-exempt employees, Human Resources should be consulted before any such compensatory time is granted).

Part-time employees who are non-exempt will receive 1½ their regular rate for all hours worked in excess of 40 hours in a particular workweek.

#### *Approval*

Supervisors are responsible for scheduling staff and approving overtime based upon the operational needs of the University. Supervisors are encouraged to explore all options before approving overtime (changing work priorities, reassigning work, off-setting additional hours in one day with a reduction of hours in another day in the same workweek, etc.).

All employees who work overtime, regardless of approval, will be compensated for the hours as stipulated by the [Fair Labor Standards Act](#). Employees who work overtime without the appropriate approval from their supervisor are in violation of this policy and may be disciplined.

### **“Timekeepers and “Time Approvers” Responsibilities**

Timekeepers and Time Approvers are responsible for ensuring that work and leave time is reported accurately and reflects each employee's work activity for the designated pay period. To

accomplish this, Timekeepers/Time Approvers edit and review missing time records, employee sick leave, vacation and other absences on a daily basis. A Timekeeper Proxy is a person who has been designated by the Departmental Manager to assume payroll reporting responsibilities for a designated department or group prior to the processing of payroll. In all cases, Timekeepers/Time Approvers must be persons with knowledge of employee schedules and hours worked for those which they review. Approvers are responsible for approving and finalizing time in the Kronos system.

## **Enforcement**

Falsification by an employee of any attendance and leave record may be grounds for dismissal.

Timekeepers/Time Approvers or payroll processors who intentionally or knowingly approve false records or who repeatedly fail to comply with their obligation to review, approve and correct time records in a timely and accurate manner are subject to disciplinary action, up to and including termination.

## **Contact**

For questions regarding the KRONOS system, please contact Financial Information Systems at 914-923-2899.

For Payroll related questions, please contact [payroll@pace.edu](mailto:payroll@pace.edu), or call 914-923-2898.

For FLSA related questions, please contact the Compensation Department at 914-923-2765.

## **OSHA STATEMENT**

Pace University is committed to providing all employees with a safe and healthy working environment that is free of recognizable hazards. Furthermore, it is the policy of the University to comply with all applicable state and federal codes and regulations including those promulgated by the Occupational Safety and Health Administration (OSHA). OSHA requires employers to maintain a log that details workers' job-related illnesses or injuries, and to provide employees with a working environment that is free from safety hazards. If you have emergency involving hazardous chemicals, or a question about anything you feel is creating an unsafe work environment, please contact your supervisor, campus Security, or campus Building and Grounds office. For the University Emergency Protocol policy regarding Hazardous chemicals, please refer to the Hazard Communication webpage.

The local Buildings and Grounds department, Safety and Security department, Mail Services, and Science departments maintain a binder with Material Safety Data Sheets (MSDS) for all products known to be in non- academic use (cleaning and maintenance) at each campus. Materials for instructional use are the responsibility of the academic department using them.

## **CONFIDENTIALITY STATEMENT**

As an employee of Pace University, you may encounter a variety of confidential matters regarding other employees, faculty, staff, students, clients, donors, and research. When doing so, it is your responsibility to maintain the highest level of privacy for your fellow employees and other

members of the Pace community.

## **HIRING FOREIGN NATIONALS**

For purposes of this policy, foreign nationals do not include those who hold permanent resident status (green card holders) or those who have been granted employment authorization documents by U.S. Citizenship & Immigration Services.

The process for hiring foreign nationals differs significantly from hiring U.S. citizens. This policy is intended to provide guidance on the hiring of foreign nationals and to ensure that all foreign hires are in compliance with federal and state laws regarding nonimmigrant employment in the United States.

In general, hiring foreign nationals is a significant commitment and requires the University to designate both financial and administrative resources to the process. To that end, The Human Resources Talent Acquisition Team will work directly with hiring managers to ensure that the University maintains compliance in all aspects of the recruitment, hiring and sponsorship process. Below are some general recruitment guidelines to be followed:

### **Recruitment Guidelines**

The University requires any hiring of foreign nationals to be approved by the Provost or President's offices prior to the commencement of the search.

Hiring departments are responsible for paying for all employment visa fees, as well as any associated legal fees, for foreign national employees.

As an equal employment and affirmative action employer, Pace University considers carefully the methods used for advertising open positions. Hiring managers who anticipate hiring a foreign national and later sponsoring the individual for permanent residency should be aware that certain advertisement requirements exist. It is important to note that if a foreign national is being considered for a position and the hiring manager requires an in-person interview, the time to fill the position may be longer than expected. If a visitor visa is required to bring a foreign candidate to the U.S. for an interview, the time it takes to obtain the visa will vary based on the location of the U.S. embassy and the appointment schedules.

The U.S. Department of Labor issues guidelines for determining the prevailing wage (average wage paid to similarly employed workers in a specific occupation in the area of intended employment) for positions. So as to not adversely affect the wages and working conditions of other Pace University employees, the University is required to pay H-1B visa holders the higher of either the actual wage paid to similarly skilled/experienced employees or the prevailing wage.

Hiring a foreign national requires a coordination of resources and expertise. It is expected that departments will partner with Human Resources at the beginning of the recruitment process. Preparation and coordination of responsibilities will help to ensure that foreign nationals who are hired to work at Pace will obtain and maintain lawful status while at the University.

## **Determining the Appropriate Visa Category**

The federal Immigration Reform & Control Act requires all employers to verify that workers are legally entitled to work in the U.S. The Human Resources Office will review the documents of all new hires to verify (1) employee's identity and (2) employment eligibility.

Foreign nationals who are offered employment at Pace University must obtain employment authorization in the form of an employment-based visa before they begin work in the U.S. There are several different types of visas depending on the position and the length of the assignment. Below is a grid that identifies the visa categories that will most commonly be used to hire/pay international employees holding staff or faculty positions at Pace University.

Visa Options To Hire/Pay International Employees					
TYPE OF VISA	ELIGIBILITY CRITERIA	PERIOD OF STAY IN US	DOCUMENTATION NEEDED	PROCESSING TIME	SPECIAL CONSIDERATIONS
B-1 TEMPORARY BUSINESS or B-2 VISITOR VISA	Proof of academic or business purpose for visit to US. Primarily used for foreign visitors who come to U.S. to explore business options or participate in a lecture series.	1-6 months, renewable for additional 6 months up to 1 year.	Invitation letter from Pace with dates of engagement and purpose of visit. Visitor must show proof of adequate funds to return to country of origin; as well as return ticket	Visitor must obtain the B1 / B2 Visa at the US Visa post in his/her home country of residency.	B-Visa holders cannot receive salary. Honoraria may be given to visitors provided it is a gratuitous gift in recognition of a special event which last no longer than nine days.
O-1 ALIEN OF EXTRAORDINARY ABILITY SCIENCES, ARTS, EDUCATION, BUSINESS	Possession of professional degree & demonstrated extraordinary achievement in field	3 years with option to renew annually for an indefinite period of time.	Copy of contract/offer letter Review from peer group. Proof of sustained international acclaim.	If overseas, processing times will vary based on Visa post location and the availability of appointments.	
PERMANENT RESIDENCY	Must possess a visa. Must have offer of permanent employment.	Indefinitely.	Certification from U.S Department of Labor.		The hiring department is required to pay all fees associated with the labor certification portion of the permanent resident application, but not the fees associated with the U.S. Citizenship & Immigration petition & application.
J-1 EXCHANGE VISITOR IN SCHOLAR CATEGORY	Invitation to teach, lecture or conduct research. Must have a minimum of a Bachelors Degree.	5 Years for Professor/ Research Scholar	Proof of financial support in the US. Copy of employment offer letter.	If overseas, processing times will vary based on Visa post location and the availability of appointments.	
H-1B TEMPORARY WORKER IN SPECIALTY OCCUPATIONS	Possession of at least a B.S. degree. Position to fill must be one that requires a body of specialized knowledge.	6 Year maximum. Employer may only request 3 years at a time.		3 months or more. 15 days if willing to pay expedited processing fee.	An individual cannot self-petition for an H-1B Visa. Spouses are not eligible for work permission.
* Note : F-1 and J-1 Student Visas are typically handled through the International Students and Scholars Office					

## After the Hire

Within three business days of the employee's start date, Human Resources will meet with the employee to ensure that the correct visa status and expiration date are recorded accurately on the I-9 Employment Eligibility Verification form.

Sponsoring departments are required to closely monitor the status of all visa holders and promptly communicate any changes in employment assignment, funding, employee address changes, name changes, etc. that may affect visa status.

For additional information regarding hiring foreign nationals visit <http://www.uscis.gov> or contact: University Talent Acquisition at (914) 923-2730.

## BACKGROUND CHECK POLICY

### **Purpose**

The University endeavors to provide a safe environment for all members of the University Community. An important part of those efforts is the University's process for screening candidates for employment and when appropriate, for reviewing employees for continuation of employment. This process includes inquiring about an applicant's conviction record and pending arrests (and performing criminal history and related background checks) after the otherwise qualified applicant has been given a conditional offer of employment; and also, when conducting post-hire re-checks under appropriate circumstances.

Convictions and the existence of pending criminal proceedings (a "Criminal Record") disclosed or discovered through these background checks may influence the hiring of an individual who has been conditionally offered employment (or the continuation of a current employee) when the facts related to the criminal activity reasonably bring into question whether the individual can be relied upon to safely and honestly perform his or her job duties. Likewise, the failure of an individual to be forthcoming about his or her Criminal Record or any misrepresentation of education or work history may also influence decisions regarding the hiring of an individual who has been conditionally offered employment or the continuation of an employee.

When performing Criminal Record background checks, the University (as a New York State and New York City employer) must comply with applicable law, including Article 23-A of the New York Correction Law ("Article 23-A") and New York City Administrative Code, Chapter 1, § 8-107 Subdivisions 10 and 11. Article 23-A prohibits arbitrary and discriminatory treatment of persons with a Criminal Record. In compliance with Article 23-A, in each case the University will conduct an individualized review to determine whether: (1) there is a direct relationship (a direct bearing on the individual's fitness or ability) between one or more of the previous criminal offenses and the employment sought or held by the individual; and/or (2) the granting or continuation of employment would involve an unreasonable risk to property or to the safety or welfare of one or more members of the University community or the general public. In compliance with the New York City Administrative Code in New York City, and voluntarily at its Westchester campuses, the University will not inquire about criminal convictions and pending arrests (or conduct a Criminal Record background check) until it has conditionally offered employment to a candidate.

This Policy is intended to establish the parameters for the University's performance of Criminal Record and related inquiries and background checks.

### **Policy Provisions**

#### *Requirements for Background Checks*

Background checks are required for all new prospective full and part-time University employees, trainees and volunteers.

Updated background checks may also be performed when an employee assumes a new staff or administrative position; or assumes new job responsibilities involving financial or fiduciary



responsibility or supervision of minors; or when the University is required to certify that an employee providing contract or grant funded services on behalf of the University has no Criminal or other disqualifying Record.

Annual updates may be required as a condition of employment for certain positions (e.g., drivers of University vehicles who are required to have Commercial Driver's Licenses).

Background checks will not be updated as part of the faculty post-employment tenure and promotion review process.

### *Background Checks for Rehires*

Individuals who incur a break in service of twelve months or greater are required to undergo a new criminal background check. Those who are rehired within less than a year following the termination date for whom the University did not previously perform a criminal background check, will also be required to undergo a new background check. Sabbaticals and other leaves of absence granted to faculty members pursuant to the Faculty Handbook are not deemed breaks in service for the purposes of this Policy.

### *Information Obtained as Part of the Background Check*

Each background check will consist of:

- Social Security Number Trace Search
- Criminal Record Search (Federal and County Level – Felony and misdemeanor convictions and pending felony and misdemeanor criminal charges – but not violations.)
- Sexual Offender Database Search
- Education verification - Professional licensure and/or certification may also be requested. With respect to faculty, such requests will be coordinated with the appropriate College or School.

A Motor Vehicle Violation report may be requested for individuals being hired to drive University Vehicles and/or who are authorized to drive their own vehicles to transport students in connection with University activities. In accordance with applicable law, credit and other financial background checks may be requested for individuals being hired to positions involving the handling of University funds and/or finances. To maintain University compliance with regulations of the Office of Foreign Assets Control (OFAC) of the US Treasury Department, the University may request a search to confirm that individuals being hired are not listed in the OFAC/Terrorist Watch List. The University may request a FACIS® (Fraud and Abuse Control Information System) Report to identify whether a licensed professional being hired in the College of Health Professions, Health Care Unit, Center for Psychological Counseling, Student Counseling Centers and/or similar units has engaged in wrongful action in the health care field. Other background checks may be required by grant funding agencies, government agencies, vendors and University affiliates as a condition for University personnel to participate in particular programs, projects and/or activities.

### **Access and Privacy**

#### *Participants in the Review of the Background Check Result*

Human Resources will receive and retain the results of completed background checks.

In connection with hiring: If there is no Criminal Record or other issues of concern revealed in the background check, Human Resources will notify the department to finalize the hiring process and proceed with the on-boarding process. If a Criminal Record or other issues of concern are revealed in the background check, Human Resources will notify the hiring manager, review the results with him or her, and collectively make a final determination regarding the suitability of the candidate for the offered position, in consultation with appropriate University administrators and University Counsel.

In connection with post-employment updates: If a Criminal Record or other issues of concern are revealed in the background check, Human Resources will notify the department manager and review the results with him or her. Collectively, Human Resources and the department manager will make a final determination regarding the suitability of continuing the employee in his or her position, in consultation with appropriate University administrators and University Counsel.

Both in connection with hiring and post-employment updates, the individual's post-rejection response/explanation of extenuating circumstances will be reviewed before a final decision is made. In the case of a faculty search or post-employment update, if the candidate or faculty member is found to have a Criminal Record, Human Resources shall include respectively, the chair of the search committee or the applicable Department Chair, among the University administrators to be consulted before a final decision is made.

**Confidentiality:** All persons reviewing records produced in connection with a background check will be required to keep confidential all information relating to the candidate's or employee's Criminal Record, the University's consideration of such Record as part of the hiring process (or employment continuation review) and the final employment decision. If a candidate's offer of employment is rescinded or a decision is made to terminate an individual's employment as a result of consideration of information disclosed by the Criminal background check, Human Resources will notify the candidate or employee in writing in accordance with applicable law.

#### *Protecting an Individual's Privacy*

Pace University conducts background checks through a third party vendor ("Vendor"). Human Resources will serve as the Office of Record for all background check results and will strive to maintain confidentiality. Departments will not receive any details of a background check, except as otherwise provided by this Policy. Pace University prohibits its employees, contractors and agents from seeking out, using, or disclosing background check information except within the scope of assigned duties and this Policy, and/or as allowed or required by applicable laws.

#### *Maintenance of Background Check Information*

If the individual is hired as an employee, the background check results will be filed in and become a permanent part of the employee file in Human Resources. These are maintained in a secure electronic database, accessible only to authorized University representatives. Background check results will be maintained with the individual's application in Human Resources. The background check results are also stored in the Vendor's database. The initial background check information must be maintained for a period of seven years after the position has been filled. All background check results may be accessed only on a need-to-know basis or as allowed or required by applicable law. The Human Resources Division will provide an annual report to the Faculty Councils, by the end of February,

indicating the total number of faculty background re-checks post-hire that were conducted during the preceding calendar year.

### **Issues in Hiring due to background check information**

#### *Completion of Background Check as Condition of Employment/New Responsibilities*

A completed background report that has been reviewed and determined to be satisfactory is a condition of employment for prospective new hires. It is also a condition for appointment of current employees to new staff or administrative positions or current employees' assumption of new job duties or assumption of new job responsibilities in accordance with Section 02 of this Policy. All offers of employment will be extended with the understanding that commencement of employment (or commencement of the new position or job responsibilities) is dependent upon acceptable results with respect to the background check.

#### *Criminal Conviction's Effect on Employment/Reclassification or Promotion*

In compliance with Article 23-A, when a Criminal Record is revealed in the background check, Human Resources and the manager will review the results and make the final determination regarding the individual's suitability for (or continuation of) employment in the position. In some instances, Human Resources may recommend additional controls that a department would need to implement before employing, promoting, or reclassifying a person with a Criminal Record. In accordance with Article 23-A consideration will be given only to relevant factors, including but not limited to:

- The public policy of New York State to encourage the employment of persons previously convicted of one or more criminal offenses.
- The specific duties and responsibilities necessarily related to the employment.
- The bearing, if any, the criminal offense(s) for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
- The time which has elapsed since the occurrence of the criminal offense(s).
- The age of the person at the time of occurrence of the criminal offense(s).
- The seriousness of the offense(s).
- Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- Whether a certificate of relief from disabilities or a certificate of good conduct has been issued to the individual, which creates a presumption of rehabilitation in regard to the specified offense(s).
- Whether the Criminal Record was disclosed during the application process.
- The legitimate interest of a private employer in protecting property, and the safety and welfare of one or more members of the University or the general public.

#### *Convictions That Will Generally Preclude Hiring a Candidate*

Consistent with Article 23-A, in each instance, a thorough analysis will be conducted by Human Resources and others specified in this Policy, in consultation with appropriate administrators and University Counsel.

## **Hiring Process & Forms**

### *Hiring Procedure*

Once the Hiring Manager identifies a finalist, the Manager will then notify the University Talent Acquisition department. This must take place prior to extending a conditional offer of employment. A Talent Acquisition representative (or an authorized designee) will then contact the finalist to extend a conditional offer of employment and inform them of the next steps in the process (which will include alerting the candidate that they will be receiving an invitation to complete a criminal background check from the University's screening Vendor).

### *Forms and Documents*

Candidates who have been conditionally offered employment must complete a Disclosure and Authorization Form that informs the candidate that Pace University will be utilizing the services of its Vendor to conduct the background check. This form requests specific biographical information necessary to complete a background screening. In addition, the candidate must be given a copy of A Summary of Your Rights under the Fair Credit Reporting Act. New York State residents will be given a copy of New York Correction Law Article 23-A. These documents will be sent to the candidate via email by the Vendor or by University Talent Acquisition department.

### **Employee and Supervisor Self-Disclosure Requirements<sup>1</sup>**

Employees have an ongoing responsibility to disclose any post-employment criminal convictions and/or criminal charges filed against them. Employees shall disclose such information to their Supervisor and/or an Employee & Labor Relations representative from the Human Resources department within three business days following the event. Supervisors notified of a post-employment criminal conviction and/or felony or misdemeanor criminal charges have an obligation to report it to Employee & Labor Relations. Supervisors who fail to report the information may be subject to disciplinary action, up to and including termination.

### **Employment Action Based on Discovered or Self-Disclosed Criminal Background Information**

Upon discovery or receipt of criminal background information from any source, the University reserves the right to take any actions it deems appropriate regarding employment, up to and including termination. Before taking any employment action based on criminal background information, the University will analyze the facts as required by Article 23-A of the New York Correction Law.<sup>2</sup>

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<sup>1</sup>This section of the Policy is applicable to all officers, academic and non-academic administrators and non-faculty staff.

<sup>2</sup>Any termination of a tenured faculty member or non-tenured full-time faculty member prior to the expiration of a contract of appointment shall be subject to the Academic Dismissal Policy set forth in the Faculty Handbook.

## **STUDENT EMPLOYMENT**

The basis for student employment is to help meet the needs of the university, provide university students with financial support in pursuit of their academic goals, and provide opportunities for academic or business-related job experience. The job duties and responsibilities of students vary widely and may or may not be related to their field of study. A student employee is defined as an individual who is:

1. Enrolled in the university on a full-time or part-time basis
2. Appointed to a position designated as student employment, and
3. Associated with the university primarily in pursuit of an academic degree.

The university maintains a distinction between student employment and regular staff employment. These distinctions may include but are not limited to nature of work, rate of pay, and benefit eligibility.

Student employees are employed at will and serve at the discretion of the employing unit.

## **Definitions**

There are three different kinds of Pace University Student Employment groups: Federal Work Study Student Employment, Non Work-Study Student Employment and Graduate Assistantship.

Employment of International students is subject to federal regulations, and special restrictions may apply. Contact the Office of International Students and Scholars for more information.

### ***1. Federal Work Study Student Employees***

The Federal Work Study Program (FWS) is a need-based program which provides jobs for graduate and undergraduate students with financial need, allowing them to earn money to help pay educational expenses. The money earned by working will be paid directly to the student employee and is not directed to their student account. Thus, the FWS listed in the financial aid package is not a grant going toward the student's tuition. Instead, it is a work assistance program.

Students are not "placed" into a job; rather, they must apply for a job based on their interests, skills and schedule. The Human Resources website serves as the central repository for campus work opportunities. Applying for jobs is a fast and simple process. For instructions on how to apply for an on-campus student employment job visit the [Student Employment](#) webpage.

Since most college students successfully carry a normal academic course load of 12 to 18 credit hours per term while working on a part-time basis, on-campus FWS is both necessary and desirable for many students. Students find they are better able to manage their time as they fit their part-time work schedule into classes, studying and personal commitments.

Eligible students are awarded FWS when they complete their Free Application for Federal Student Aid (FAFSA). FWS is only good for one academic year, beginning July 1 and ending June 30. It is important to know that the FWS earnings will not be counted against eligibility on next year's FAFSA. When completing the FAFSA, indicate the FWS earnings on the appropriate line so it can be excluded from the earned income. FWS wages are, however, taxable by the Internal Revenue Service.

### ***2. Non Work-Study Student Employees***

Student employment is a significant way for students to enhance their academic experience by

applying practical learning on the job in a supportive and challenging setting. Pace University is committed to providing part-time, on-campus employment to benefit both the departments of the university and the students they employ. The number of available positions is limited, and applicants are not guaranteed employment.

### **3. Graduate Assistants**

Graduate Assistants (GA) are enrolled students whose primary association with Pace is directed toward advance degree completion. Satisfactory progress is a condition of maintaining the assistantship. Graduate Assistants are paid a stipend and are exempt from overtime compensation. They are subject to the terms of their appointments, policies and eligible guidelines administered by the Graduate School.

Federal law prohibits the university from employing GA's with F-1 or J-1 visa status more than 20 hours per week (50%) during scheduled class periods and finals weeks. Exceptions exist for GA's who have been authorized for "practical or academic training".

### **New Employment Eligibility Information**

The Immigration Reform and Control Act of 1986 created a national employment verification system that places responsibility for verification of the identity and employment eligibility of all employees on the employer. Effective June 1, 1987, the law requires employers to request and examine documentation of the identity and employment eligibility of all newly hired and rehired employees, including students. All United States citizens, permanent residents, and non-immigrant visa holders must submit documentation.

All student employees must present original unexpired documents such as a U.S. Passport or a driver's license and social security card to a representative in Human Resources and complete Section 1 of the federal form I-9 on or before their first day of work. See the **List of Acceptable Documents** (page 9) <http://www.uscis.gov/sites/default/files/files/form/i-9.pdf>. After an authorized representative of the Human Resources Division has reviewed the documentation and completeness of the form, the employees must sign the eligibility verification form I-9 in the presence of the authorized representative. All employees who accept an offer of employment with Pace must complete the process within three days of their hire date.

### **Break Requirements/Hours per Week**

Student employees are not permitted to work more than 20 hours per week during the academic year, and no more than 35 hours per week during the summer and semester breaks. These hourly restrictions must be followed regardless of the number of student employment jobs held by the student. **Note:** students cannot work as both a Pace University employee (classified or unclassified, full-time or part-time) and a student employee at the same time – concurrent employee status is prohibited.

Student employees are to have the following breaks and meal period based on hours of work:

<b>Consecutive Hours Worked</b>	<b>Break Required</b>
6 hours	One 30 minute unpaid meal period
More than 8 hours	Two 15 minute unpaid breaks and a 30 minute unpaid meal period.

## **Employer Expectations**

If a student employee accepts a job on campus, in most cases, they are making a commitment for at least a semester. The following is expected of all student employees:

- A discussion regarding a weekly schedule of work hours should take place between the hiring manager and student employee before the first day of work. Student employee should strive to work the hours they have committed to work. Departments requiring students to work over fall, winter or spring breaks must inform students of this at the time of the job offer.
- Arrive at work on time and perform at highest level of ability. If a student cannot work because of illness or an emergency or will be late to work, they must notify their supervisor as soon as possible before the shift begins. Students should establish a record of their supervisor's contact information for this purpose.
- Dress appropriately for the job. Individual departments may adhere to certain dress codes for health or safety reasons, or in situations where the employees are highly visible to the community. The supervisor should inform the student employee of any specific dress requirements at the time of the job offer.
- During work hours, student employees are required to perform their work assignments. Students should refrain from doing homework, reading, initiating/receiving personal phone calls, checking personal email/text messages or browsing the internet.
- Act in a professional manner concerning confidentiality of university and/or student records. All proprietary and other information concerning the business and affairs of the university and its clients should remain private and confidential and should not be repeated to others or used for personal gain. Some departments may require an employee to sign a statement of confidentiality during the hiring process.
- Exercise responsible, ethical behavior when using the university's computing facilities.
- Keep in mind that student employment is a learning experience, not just a way to earn money. Use this opportunity to develop a strong work ethic, learn new skills, and prepare for the future.
- As a courtesy, student employees should provide their supervisor with at least two weeks' notice prior to their last day of work.

## **Pay Schedule**

It is imperative that the student employee accurately reports their hours in KRONOS. For a student to be paid, the timesheet must be completed, signed and electronically approved by the supervisor or proxy of the supervisor according to the payroll schedule. Deliberate falsification of a timesheet by any student employee is grounds for dismissal.

**NOTE:** If a student timesheet is approved after the KRONOS deadline, payment will be delayed.

It is important that the student employee logs their time before the due date and confirms that their supervisor has signed off on the timesheet.

Pay period dates, manager sign off deadlines, and check dates are listed on the [Payroll Calendar](#) website.

### **Workers' Compensation**

Every student employee is covered during working hours by Workers' Compensation insurance. The coverage provides medical care to a student employee who experiences a job-related injury or illness. It is essential that employees immediately report any job-related accident or illness to the hiring department, which needs to report the information to the Benefits Office at 914-923-2714 and the Security Department.

## **STANDARDS OF CONDUCT AT PACE UNIVERSITY**

In order for Pace University to successfully achieve its mission and strategic goals it must have an experienced, skillful, and cooperative staff. The University is committed to enhancing the learning process, increasing student retention, promoting a high performing work environment, and ensuring that systems and processes reinforce its mission.

The manner in which you do your job may well be the basis upon which others form their opinion of the University and may bear directly on efforts to strengthen our institutional reputation and compete successfully for talented students, faculty, and staff.

### **GUIDING PRINCIPLES OF CONDUCT**

The primary functions of an institution of higher learning are teaching, learning, scholarship and service. Each member of the University community is required to cooperate with the University in its endeavors to foster and maintain the freedom of expression and exchange of ideas necessary to achieve excellence in teaching, learning, scholarship and service. The University strives to protect the rights of its students and employees (including faculty members) to publicize opinions through written and oral communications; to organize and join political associations; to convene and conduct meetings; and to advocate, demonstrate and picket in an orderly fashion. Further, members of the University community are responsible for fostering and maintaining respect for the dignity and uniqueness of one another.

In order to preserve an atmosphere in which a free exchange of ideas may flourish, and to ensure the dignity and safety of all members of the University community as well as the unimpeded operation of the University (and as required by federal, state and local laws including, without limitation, N.Y. Educ. Law § 6430), the University has adopted the Guiding Principles of Conduct. The Guiding Principles of Conduct applies to all members of the University community including, among others, employees, faculty members, students, applicants for academic admission and employment, visitors, guests, vendors, contractors, and other third parties while they are on University premises or at University-sponsored activities. References to "University premises" in these Guiding Principles of Conduct apply to premises either owned or leased by the University.



The Guiding Principles of Conduct are not exhaustive and include, but are not limited to, the following:

1. Students and other persons participating in a class or activity related to a class (such as, for example, internships and field trips) must comply with a faculty member's reasonable standards of behavior for the class and/or related activities.
2. Theft, willful destruction or damage to or misuse of any University property or property owned by any member of the University community is prohibited.
3. The sale, purchase, possession or use of incendiary devices, explosives or dangerous weapons (including any item or material which could be used to inflict injury or harm or to intimidate) on University premises or at University-sponsored events is prohibited.
4. The unlawful use, possession, sale, distribution or manufacture of controlled substances and drug paraphernalia on University premises or at University-sponsored events is prohibited. (Further information may be found in the University's Drug and Alcohol Policy.)
5. Obstruction of or interference with the normal operations and processes essential to the University is prohibited.
6. Interference with academic freedom (including speech in the classroom and by University-approved guest speakers) is prohibited.
7. Strict compliance with the University's policies and procedures concerning demonstrations and rallies is required.
8. Strict compliance with the University's policies and procedures concerning the appropriate use of information technology is required.
9. Deliberate actions that cause, or might reasonably be expected to cause, injury, either physical or mental, to any member of the University community are prohibited. Such actions may include, for example, violence or threats of violence.
10. Members of the University community are required to comply with the instructions of a University administrator, or other duly authorized agent of the University, to, for example, display or present identification. Members of the University community are also required to evacuate University premises and University-sponsored events when directed to do so by authorized personnel or a mechanical device (such as a fire alarm).
11. Any action or situation which recklessly or intentionally endangers the safety or mental or physical health of any member of the University community or involves the forced consumption of alcohol or drugs for the purpose of initiation into or affiliation with any organization is prohibited on University premises and at University-sponsored events. In addition, such conduct by students and employees (including faculty), whether on or off University premises or at University-sponsored events, also is prohibited.
12. Engaging in violence or intimidation against another person and destroying property

because of bias or prejudice while on University premises or at University-sponsored events violates the University's Hate/Bias-Related Policy and is prohibited. Such conduct exhibited by students and employees (including faculty), whether on or off campus or at a University-sponsored event, is also prohibited.

13. Members of the University community are required to timely satisfy their financial obligations to the University, including, but not limited to, amounts due to the Office of Student Assistance, the University bookstore, the University library, University housing, the Student Development Office, and Security.

14. Consumption of alcohol by any member of the University community who is under the age of twenty-one is illegal and prohibited on University premises and at University-sponsored events. Supplying alcohol in any quantity to a member of the University community who is under the age of twenty-one is illegal and prohibited. (Further information may be found in the University's Drug and Alcohol Policy.)

15. Even though its possession or consumption may otherwise be lawful, alcohol, except in limited circumstances, is not permitted on University premises or at University-sponsored events. Members of the University community are not permitted to be intoxicated, or to become intoxicated, while on University premises or at a University-sponsored event.

16. Gambling is not permitted on University premises or at any event sponsored by a student group or organization.

17. Solicitation by students, student clubs and student organizations including, but not limited to, fund raising, on University premises or in connection with a University-sponsored event is prohibited without the prior approval of the Director of Student Development and Campus Activities or the Dean for Students.

18. "The solicitation of goods or services by one staff member to another during regularly scheduled work time is prohibited. Selling commercial goods and distributing promotional information and handbills in regular work areas is also prohibited." (A copy of the Solicitation and Distribution policy may be found in the Pace University Employee Handbook.)

19. Other members of the University community, such as applicants for academic admission and employment, visitors, guests, vendors, contractors and other third parties, are prohibited from soliciting and distributing on University premises or in connection with University-sponsored events without prior approval from the Director of Security.

20. Prior approval from the appropriate University administrator must be obtained before any materials or documents may be posted or distributed on University premises or at University-sponsored events.

21. The falsification of University documents is prohibited.

22. While on University premises or at University-sponsored events, members of the

University community must not dress or conduct themselves in a manner that would be considered lewd or indecent by the University.

23. Conduct on or off campus in a manner the University determines reflects adversely on the good name and reputation of the University is prohibited.

24. Conduct by students and employees (including faculty) on or off campus that violates local, state or federal laws may also constitute a basis for disciplinary action by the University.

25. Without appropriate prior authorization, video recording devices, including, but not limited to, cell phones equipped with a camera, may not be used on University premises or at University-sponsored events, other than in an emergency, in any area or circumstances where the recording of images reasonably would be considered to be inappropriate.

26. Strict compliance with all rules, policies and practices promulgated and/or adopted by the University is required.

Any member of the University community who violates the University's rules, policies or practices, including, among others, the Guiding Principles of Conduct, may be subject to disciplinary action (including without limitation immediate ejection from University premises and/or University-sponsored events) and/or to legal actions. Similarly, any recognized club or organization that violates its constitution and/or by-laws, or authorizes conduct prohibited by the University's rules, policies or practices may be subject to disciplinary action (including without limitation rescission of approval for that club or organization to operate on University premises or at University-sponsored events, whether on or off University premises). As may be necessary, the University may request the assistance of law enforcement agencies to maintain order and/or may seek injunctive relief.

## APPEARANCE

A professional appearance suitable for conducting business in a university environment, and that provides a model for students to follow, is expected of all our employees. Both dress and demeanor must be maintained accordingly to meet these standards.

## ATTENDANCE AND PUNCTUALITY

Pace depends upon the regular attendance of its employees and hence does not allot a fixed number of days to be taken for illness. Your supervisor will be as helpful as possible when illness occurs. If you are absent for more than three consecutive days, a statement from your physician may be required. If you are out for eight consecutive days (including the weekend) you will be considered as having a temporary disability. In that event, your supervisor will arrange to have Human Resources supply you and your physician with the appropriate forms to complete. Restoration of your position will be provided upon your return from a medically verified period of temporary disability.

A pattern of sporadic absences will result in an inquiry from your supervisor, who may require substantiation of the illness in each case.

Excessive tardiness and unexcused or sporadic absences may lead to disciplinary action up to and

including termination of employment.

Employees are not paid for absences during their first three months of employment.

## REPORTING ABSENCES

If you are going to be out all day or will be in late, you must notify your supervisor or designee within one hour of your scheduled start time. If you experience difficulty reaching your supervisor, contact Human Resources for assistance. If you are absent for three consecutive days without reporting, it will be understood that you have voluntarily resigned.

## UNIVERSITY PROPERTY

All employees are expected to exercise due care in his or her use of University property and to utilize such property only for authorized purposes. The removal of University property from the premises or its conversion for personal use is prohibited.

The name, insignia, seal, and address of the University are considered University Property, and may only be used for legitimate University purposes.

University property issued to an employee must be returned to the University at the time they terminate employment or when requested by the supervisor.

The University assumes no responsibility for loss or damage to the personal property of an employee.

## MEETING UNIVERSITY STANDARDS AND PERFORMANCE REVIEWS

In order for Pace University to successfully achieve its mission and strategic goals it must have an experienced, skillful, and cooperative staff. The University is committed to enhancing the learning process, increasing student retention, promoting a high performing work environment, and ensuring that systems and processes reinforce its mission.

The manner in which you do your job may well be the basis upon which others form their opinion of the University and may bear directly on efforts to strengthen our institutional reputation and compete successfully for talented students, faculty, and staff.

The formal and informal evaluation of your performance is an ongoing process. For new employees, an initial meeting with the supervisor to check performance progress should occur within the first month of employment. After 3 months, another meeting to provide performance feedback and to set performance objectives for the rest of the fiscal year should occur.

More informally, you should be meeting with your supervisor on a regular basis to discuss progress against your performance goals. These sessions are an opportunity to talk openly with your supervisor in order to get a clear understanding of what is expected of you.

The formal annual Performance Management and Development Process (PMDP) is scheduled towards the end of the fiscal year for the benefit of both the supervisor and the staff member. The primary purpose of such meetings is to review accomplishments from the previous fiscal year period and highlight areas in which performance can be strengthened. In addition, the PMDP goal setting meetings serve as the vehicle for planning the following period's performance objectives.

These performance goals are based on your department's goals and objectives as well as on your personal plans for development. If you do not receive a PMDP review, you should notify the Human Resources department.

Your supervisor should also explore with you your potential for advancement and the developmental opportunities that are available to you at Pace. An important consideration will be how well you have exhibited the Pace core competencies into your performance on the job.

When an experienced staff member does not maintain a satisfactory performance level (i.e. that which is required to fulfill the responsibilities of the position), the supervisor may schedule a meeting with the employee to discuss the situation and to make suggestions for improvement.

Although a supervisor is not required to follow any specific procedure and may bypass any or all the steps below, they may decide that corrective action is necessary. The following is one example of a procedure the supervisor may wish to follow:

1. The supervisor explains what aspect(s) of job performance is below standard, pointing out the improvements that must be made and the time in which the change must take place. At this time, the staff member may inform the supervisor of any extraordinary circumstances that may have contributed to his or her unsatisfactory performance.
2. Thereafter, if the supervisor decides that the employee has exhibited insufficient improvement, the supervisor may give the employee a Performance Improvement Plan indicating what must be done by the employee, within a specified period of time, to correct the situation. The employee can sign a copy of this plan to indicate that they have agreed with it. A copy of the Performance Improvement Plan can then be sent to the Employee & Labor Relations department of Human Resources.
3. If the employee has not made sustained satisfactory improvement by the end of the allotted time period, the supervisor will make the decision as to whether the deficiency warrants further action up to and including termination of employment.

## EMPLOYEE FILES

The Human Resources department maintains confidential personnel information for each employee. It is your responsibility to notify Human Resources immediately via the Pace Portal's **Personal Information** link (Staff or Faculty tab) when any change occurs in your personal status, such as change of name, address, telephone number, marital status, or emergency contact. Forms for indicating these changes can also be obtained from the Human Resources Offices in Westchester or New York, or [download the form \(PDF\)](#) and send it to the HRIS Department, 100 Summit Lake Drive, 3rd Floor, Valhalla, NY 10595. Some of the aforementioned changes may also affect your benefits. Please contact the [Benefits Office](#) to identify how these changes will affect you.

An employee's personnel file and its contents are the sole property of Pace University. Pace University is not obligated to provide copies of a personnel file or its contents to separated employees. Information regarding dates of employment or employment history will be provided to subsequent employers on a need-to-know basis and upon receipt of an appropriate written request. Notwithstanding the foregoing, a separated employee may be entitled to receive their personnel file or its contents by making a written request to the Human Resources Department, demonstrating a compelling need for the records. Granting such request will be determined by

the Human Resources Department on a case-by-case basis. Active employees who wish to review their personnel file may contact the Human Resources Department to schedule an appointment with a Human Resources representative. Separated employees are not permitted to review their personnel file.

Pace University is required to provide job-related information upon receipt of a subpoena, warrant or court order.

## RELEASE OF EMPLOYMENT INFORMATION

It is the policy of Pace University to secure the right to confidentiality and privacy of its current and former employees. Responsibility for maintaining information about current and former employees rests with Human Resources. Requests for employment information initiated by federal, state, and local agencies will be provided by Human Resources via [www.theworknumber.com](http://www.theworknumber.com), as required by law, without the use of a release form.

Employment verification requests are completed by an authorized vendor which will provide current (or last) position title, dates of employment, and status (active or inactive).

For more information on how to obtain employment verification or income verification, please visit the Human Resources website.

## COMMUNICATIONS

There are several ways in which you can find current Pace news and more information about the University's programs, special initiatives, resources and the people with whom you work.

### **Administrative Staff Councils:**

There are two councils for employees, and they are located in Pleasantville and New York. The purpose of the Councils is to provide a forum in which administration and staff may discuss University issues and make recommendations concerning such issues to the President. The council also facilitates communications between members, faculty, students, and colleagues on other campuses and fosters and supports the personal and professional development of its members.

### **E-Mail:**

E-mail is an important vehicle for sharing information throughout the University and the skilled use of this technology is crucial for good communications. For further information on using the Pace email system contact, ITS for training in Outlook Exchange, E-Mail and Calendar Overview. For the University's policy on the proper use of e-mail, refer to Pace University's Appropriate Use Policy for Information Technology.

### **Website**

Pace's website is managed by the Marketing and Communications Department in the Office of University Relations. The home page contains up-to-the-minute information on events and news at Pace. The Faculty and Staff site features information specific to Pace employees. You can contact the online communications team at [webhelp@pace.edu](mailto:webhelp@pace.edu).

### **MyPace Portal:**

Accessible through the Pace home page, [MyPace Portal](#) is an integrated system which can be reached by faculty, staff, and students who are using this centralized system to access employee and student information and provides employees with the ability to view their pay advice online, check status of and follow up on purchase orders online, update benefits enrollment, and update personal status such as change of name, address, telephone number, or emergency contact.

### **Voice Mail System**

Pace University's Voice Mail System enhances voice communications with a backup for busy or unanswered calls. It allows the members of the Pace community to receive phone messages in their confidential mailboxes, each of which is passcode protected. Mailboxes can be created or customized to meet specific individual/departamental needs by contacting the Voice Mail Coordinator at ext. 22692. For the University's policy on the proper use of the Voice Mail System, refer to Pace University's Appropriate Use Policy for Information Technology.

### **Magazine**

PACE Magazine is published by the Marketing and Communications Department in the Office of University Relations on a semi-annual basis and is mailed to Pace alumni and to parents and families of current students. It is also sent to all Pace employees via inter-office mail. . You can contact the PACE Magazine editorial staff at: [magazine@pace.edu](mailto:magazine@pace.edu).

### **Faculty and Staff eNewsletter**

*Opportunitas* is the e-newsletter for Pace faculty and staff and is produced by the Marketing and Communications Department in the Office of University Relations. *Opportunitas* is published monthly and emailed to all faculty and staff and features stories of general interest to Pace faculty and staff. If you would like to suggest story ideas for this publication, please email [opportunitas@pace.edu](mailto:opportunitas@pace.edu).

*Pulse* is a weekly e-newsletter that is distributed via email to all faculty, students and staff. It features events happening in and around each of the Pace campuses. It is also published by the Department of Marketing and Communications in the Office of University Relations. Please submit events to be featured at [pulse@pace.edu](mailto:pulse@pace.edu).

### **EMERGENCY CLOSING**

In response to unusual conditions such as inclement weather or unanticipated occurrences, the University may officially close its operations in whole or in part. The authority to cancel classes and/or close operations is vested and restricted to the Provost/Executive Vice President for Academic Affairs, and the Executive Vice President for Finance and Administration.

When an early morning decision is made to cancel or delay classes on a given campus due to emergency conditions, all offices will be subject to the same closure or delay. The time of such opening or closure will be specified in an announcement on Pace website's homepage and via electronic mail.

Employees are encouraged to sign up for the [PaceUniversityEmergencyAlertSystem](#) to receive a

phone call, text message and emails regarding emergency notifications, from the following link: <http://www.pace.edu/general-services/safety-security/campus-preparedness-and-emergency-planning/university-resources/emergency-closing>.

In addition to the Emergency Alert System, the following radio and television stations will make periodic announcements between 6:00 a.m. and 9:00 a.m. on:

<b>WESTCHESTER</b>	<b>NEW YORK</b>
WFAS – FM -103.9	WINS – AM - 1010
WVIP- FM – 93.5	WOR – AM – 710
WSTC – AM – 1400	WCBS – AM – 880
WGCH – AM - 1490	WBLI – FM – 106.1
WNLK – AM – 1350	WBAB – FM – 102.3
WEBE – FM - 108	WCBS – TV
WICC – AM – 600	
WLAD – AM – 800	
WHUD – FM – 100.7	
NEWS12 Westchester – TV	
Journal News Home Page	

The above radio and television stations are the only stations authorized to announce University closings and delayed openings. Closing information will also be posted on the Pace University home page.

When the University is open and a mid-day decision is made to cancel afternoon or evening classes, all offices will be notified on Pace website's homepage, via electronic mail and through Pace's emergency alert system.

When a closing on a given campus is effected, all employees shall be released from reporting to work on that campus and full-time employees shall be compensated at their regular rate of pay for such a period.

Those individuals required to report to work during such emergency closings are designated as essential services personnel. Non-exempt essential services employees shall be compensated for the extra hours worked at a rate of time and one-half of their regular rates of pay.

As a general rule, essential services include, but are not necessarily limited to:

- Physical Plant/Buildings and Grounds
- Security
- Residential Life
- Transportation
- Food Services
- Other designees, as dictated by circumstances on a case by case basis (i.e. - Evening/Weekend Administration)

Staff employees who have taken paid time off or are not at work for any reason when the University is closed for an emergency are not entitled to additional paid time off. When the



University is open, all staff employees are expected to report to work. If an employee does not report to work on such a day and does not charge the absence to vacation time, the employee will not be compensated.

## **SAFETY AND SECURITY**

The primary responsibility of the Security department is to ensure the safety and security of students, faculty, staff, and visitors to the University. The Pace Security department audits the University safety program and ensures that the University is in compliance with all applicable codes and standards from regulatory agencies. All employees must comply with all policies and procedures that have been developed to ensure safety at the University. All employees should report safety hazards to the Security department immediately. A procedure is in place with regards to safety hazards to take immediate precautionary steps and to notify Buildings and Grounds for corrective action. All accidents/incidents that occur on campus must be reported to your supervisor and the Security department immediately. An investigation will be conducted and a report will be prepared.

### **Services Provided by the Safety and Security Department**

The Security department provides the following services to the University community:

- Cuts and issues keys for doors and furniture
- provides an escort service between any two points on campus between dusk and dawn
- Administers the University parking program, including issuing permits and enforcing regulations
- Jump starts vehicles with dead batteries and provides general assistance to those who are locked out of their cars

### **Crime Reporting**

Consistent with legal requirements, members of the Pace community will be advised on a timely basis regarding crimes on campus. In the event that a crime is committed on campus, special security notices will be prepared and distributed throughout the University. These notices provide the facts related to the incident and alert members of the community in order to prevent future incidents from occurring. All incidents that occur on campus should be reported to the Security department immediately. For victims of sexual assault, Pace University offers emotional support and access to legal information. All University services and procedures provided to sexual assault victims are confidential. For a complete guide of what to do and who to call in the event of a sexual assault, refer to [Sexual and Interpersonal Wellness](#) webpage.

### **Lost and Found**

Pace assumes no responsibility for personal property missing from or lost on University premises. You should exercise care for all personal property including apparel, wallets, briefcases, books, and equipment. Missing property should be reported to the Security department, which will make every effort to recover it. Anyone finding unidentified property should bring it to the campus security office immediately.

### **Parking**

All vehicles brought on campus must be registered with the University. To obtain an annual parking decal, current vehicle registration and a valid Pace I.D. must be presented to Security. Special permits are available for individuals with unique needs or disabilities. Parking is permitted in designated areas only and prohibited in crosswalks, fire lanes, bus stops, unpaved areas, spaces reserved for the disabled and other areas designated as no parking areas. Pace University assumes no responsibility for theft or damage to any vehicle. Complete parking and traffic regulations are available in campus security offices.

### **Fire Safety**

Employees should be aware of the emergency evacuation plans for their buildings. Elevators should not be used if a fire alarm sounds. You should close your door, walk to the nearest exit, and proceed immediately to the street. For the full fire emergency policy, refer to the [Security and Emergency Management Fire Safety](#) webpage.

### **Identification Cards**

All employees are issued University identification cards. These cards are issued at the time of hire and are validated annually. All students, faculty and staff members must have in their possession a Pace issued Identification Card while on Pace University property and be prepared to present the card upon request by any Security Officer or other University official.

In addition to security purposes, I.D. cards also serve as University library cards and as proof of identity for a 10% bookstore discount on all merchandise except textbooks. The I.D. cards also allow employees to attend University sponsored events at reduced rates and offer access to University facilities, such as the art gallery and Goldstein Fitness Center if a member. Contact Auxiliary Services or the ID office on your campus for more information.

### **SEPARATION FROM EMPLOYMENT**

The separation date is normally defined as the last day of active work. Holidays and vacation days cannot be used as a separation date.

Employees separating from the University are responsible for returning library materials to the library, settling any outstanding loans with the University, and for returning keys, computer materials, Pace identification cards, purchase cards and other University property to their immediate supervisor before or on their last day of employment. Computing and e-mail accounts are cancelled on the last day of employment.

Exceptions for identification cards and e-mail accounts apply only to qualified retirees and individuals on long term disability.

### **Exit Interview**

Upon receipt of an online Separation Form from an employee's supervisor, Human Resources will ask the employee to complete the Exit Online Survey. The link to the Exit Online Survey will be sent directly to the employee in an email. If the employee would like to schedule a personal interview, please contact the Employee & Labor Relations department at 914-923-2645 directly. A letter explaining the employee's rights to continue certain insurances and information about accrued and unused vacation time will be mailed to the employee by the Employee & Labor Relations department.

## **Separation Pay**

Please refer to the time off/vacation days section of the employee handbook for further information about separation pay.

The employee's final paycheck will be available within 30 days of their separation. Direct deposit is not available for the final paycheck. Accrued vacation days, if any, will be paid out through a manual check that will be mailed to the employee.

## **REHIRE**

Rehire occurs when an individual who has separated from the University applies and is selected for the same or a different position. The individual must have been an employee in good standing at the time of separation, must meet the requirements of the position for which they are applying, and must participate in the normal employment process in order to be considered for vacancies at the University. Employees who are rehired may be eligible for the crediting of prior University service.

## **CREDITING OF UNIVERSITY SERVICE**

University service is the length of time that an individual has been continuously employed by the University on a full-time or part-time basis, including authorized leaves of absence. However, when a former employee is rehired or recalled crediting of prior service may occur.

If an individual separates from the University after at least one year of service, and is rehired within 6 months, there will be no break in continuous service and no loss in fringe benefits.

If an individual separates from the University after at least one year of service, and is rehired within 7 to 12 months, after having been employed by the University for at least one year, and works at least one year after the date of rehire, service dates will be bridged, and there will be no break in continuous service

An individual rehired after 12 months of separation will be treated as a newly hired employee. However, after the fifth year of re-employment, the previous service will be added to current continuous service for determination of future benefits.

For purposes of determining years of service, 2 years of part-time service is the equivalent of 1 year of full-time service. Excluded from this calculation is an employee's eligibility to join certain benefit plans. Different rules may apply, according to an employee's date of hire. For more information, please contact Human Resources.

## **CLASSIFICATION AND COMPENSATION**

Pace University is committed to having compensation programs that will attract, reward, and retain the qualified staff it needs to be a premier educational institution. Furthermore, it is important to administer such programs in a fair and equitable manner for all employees. Pace reviews its compensation practices and ranges regularly to ensure that these goals are being met.

Your salary, as an employee at Pace, is determined by several factors, including salaries for similar positions in the educational field and local marketplace. At Pace, jobs with similar responsibilities,

duties, or characteristics are grouped together and assigned a salary range that is externally competitive and that will allow the employee potential salary and career growth. As with other aspects of University salary programs, Human Resources reviews these ranges on an ongoing basis to determine that they remain externally competitive and internally equitable.

### SALARY RANGES (Salary Structure)

Salary ranges are used by many organizations to help distinguish among groups of jobs that share comparable criteria, duties and responsibilities, and that are weighed relatively the same within a specific industry (such as higher education). Ranges help to cluster similar jobs within the same classification internally and within similar competitive salary structures externally so that comparable positions fall within equivalent salary ranges, from the minimum that can be offered to the maximum salary a position should be compensated.

The minimum of the salary range normally represents the salary that a person with required training, skills and experience would command in filling a designated position. The midpoint has a salary level that is generally considered the market average of the competitive survey group to which an institution compares itself. Finally, the maximum of a range represents the top salary that a particular function should be paid and is reserved for the most experienced and/or top performing individuals within a function.

Administering salaries equitably is a shared responsibility between supervisors and the Human Resources department.

Just as importantly, managers and supervisors have the responsibility to communicate to their employees' decisions concerning their pay, performance, job responsibilities and career progression. This process begins when the staff member is hired, progresses through the training and orientation process, and continues throughout the employee's service with the University.

### EMPLOYMENT CLASSIFICATIONS

Pace University complies with all federal, state, and local laws governing the classification and payment of employees, including minimum wage, overtime, breaks and working conditions. The Fair Labor Standards Act (FLSA), sometimes referred to as the Wage and Hour Law, is the primary federal statute covering employee pay issues, and there are also statutes at the state and local level as well.

As part of the Wage and Hour Law, certain categories of jobs are covered by the regulations (those considered non-exempt from its provisions) while others are exempt from the overtime and other requirements of the Act.

It is important to note that, at Pace, positions are evaluated individually based on job duties and responsibilities to determine whether they are exempt or non-exempt from the requirements of the FLSA, regardless of the grade level assigned.

The FLSA mandates that non-exempt employees receive time and one-half their regular rate for all hours worked in excess of 40 hours per week.

At Pace, full-time employees who are in non-exempt positions, and who are authorized to work overtime, will receive 1½ their regular rate for all hours worked in excess of **35 hours** per week. However, the employee's supervisor should approve all such overtime, generally in advance. Part-time employees who are non-exempt will receive 1½ their regular rate for all hours worked in excess of 40 hours in a particular workweek.

Additional information on pay and hours worked can be obtained in the Time Reporting section of the Employee Handbook.

## SALARY REVIEWS AND INCREASES

Each year, a merit budget is considered for salary increases at the University. The total budget is based on the financial resources projected to be available and also what the University, based on information provided by Human Resources through market surveys, feels is necessary to keep employee salaries and the institution's salary ranges competitive.

If a merit budget is approved, the Human Resources Department issues guidelines for such increases. Department managers may then proceed to make recommendations, based on performance reviews under the Performance Management Development Process (PMDP), on individual merit increases for their full and part-time employees. These distribution guidelines help ensure comparability of merit increase amounts across the University for employees receiving similar performance ratings. All increases must be approved by the respective executive officer of the area.

***Performance Reviews*** – As the University is on a performance-based merit system, the importance of accurate and objective performance appraisals cannot be overstated. Not only do such reviews determine the individual employee merit increases each academic year, but they also serve as an opportunity for an honest dialogue between supervisors and employees on their careers, overall performance and future development.

A formal performance appraisal is required for all full and part-time employees eligible for merit increase consideration annually. The Organization Learning and Development section of Human Resources provides training each year on how to conduct and participate in the performance review process (PMDP). While one formal appraisal is required each year, managers are encouraged to hold frequent performance discussions with their employees throughout the year. In this way, not only will the employee receive useful and immediate performance feedback, but the manager will be able to summarize the staff member's overall performance more completely when the formal performance review is done.

## PAYROLL PROCEDURES

Pace University employees are compensated on a semi-monthly basis on the last working day closest to the 15 and end of the month. Scheduled payroll dates are announced at the beginning of the calendar year.

Employees who elect direct deposit will receive their funds on the scheduled pay date. In the event that the option of direct deposit is not elected, employee's paychecks will be mailed to their PR

(Home Address) on file, via the US Postal Service.

Paychecks are mailed at least 3 days prior to the actual pay date, to allow the paycheck to arrive on the designated pay date.

All required federal, state, and local taxes and authorized voluntary deductions will be withheld from the employee's paycheck. Employees should review their paycheck to ensure its accuracy. In the event of an error, please notify your supervisor.

## **BENEFITS AND SERVICES**

### **LEAVES**

#### **Family and Medical Leave**

Please see the "Family and Medical Leave Act Policy" under the EMPLOYMENT POLICIES AND STATEMENTS section of this handbook.

#### **Personal Leave of Absence**

Employees who have at least one year of service may request a personal leave without pay for a maximum of 6 months. Personal leave may be granted for reasons such as:

- Parental obligations
- Family matters
- Community service
- Education or training

For leaves due to serious health conditions or the birth or adoption of a child, or for other reasons that are covered by the Family Medical Leave Act and/or New York Paid Family Leave, employees are required to exhaust their leave time under the Family and Medical Leave Act and/or New York Paid Family Leave before requesting a personal leave of absence.

Requests for a personal leave must be made in writing to the supervisor at least 30 days in advance of the proposed leave date and should include the reasons for the request. When reviewing the request, supervisors will consider the department's operating needs as well as the employee's job performance and length of service.

For leaves of less than one calendar month, the University normally guarantees the individual a return to the same position. For leaves that extend beyond one calendar month, the University cannot guarantee that the employee will return to the same position. If it is necessary to fill the position permanently while the employee is on personal leave, the University will make a reasonable effort to assist the employee in locating another position at the University.

#### **Military Reserve Leave**

Pace University supports the rights and obligations of its employees to serve in the Armed Forces

of the United States. The Uniform Services Employment and Reemployment Rights Act (USERRA) of 1994, provides for job and benefits protection for an individual who has left his or her job to enter service in the uniformed services of the United States. It also prohibits discrimination in the hiring, promotion, reemployment, termination and benefits of an individual on the basis of their membership in the uniformed services.

#### Eligibility

Full time and part time faculty and staff are eligible for military leave up to a maximum of 5 years.

#### Notice

To qualify for the benefits and rights governed under USERRA, employees should notify their supervisors and the University Benefits department, in writing, at least 4 weeks in advance of the leave, unless notice is precluded by military necessity or it is impossible or unreasonable to give such notice. Notice should be accompanied by the employee's military orders for such leave.

#### Compensation

A full-time staff employee may use vacation days accrued and unused prior to the commencement of military service. Effective January 1, 2003, for any leave taken for military service, an employee with more than one year of continued service at the University will be compensated for the difference between his or her regular University base pay and military pay while on military leave according to the following schedule:

1 to 2 years of continued University service	2 weeks' pay differential
2 to 4 years of continued University service	Up to 4 weeks of pay differential
4 to 7 years of continued University service	Up to 6 weeks of pay differential
7 to 10 years of continued University service	Up to 9 weeks of pay differential
10 or more years of continued University service	Up to 12 weeks of pay differential

In order to receive a pay differential, the employee must present a certified government accounting of compensation to their campus Human Resources Services department within 14 days of returning to work.

#### Benefits

Health and Dental (applicable to full time faculty and staff)

Full employee benefits will continue for a military leave that does not exceed thirty days. Employees are not required to pay more than the employee share, if any, for such coverage.

If the military leave time exceeds 30 days, your health and dental benefits will continue one month for every two years of continuous University service. The employee is not required to pay more than the employee share, if any, for such coverage.

Employees may then elect to continue coverage under Pace's group medical and dental plan, at their own expense, for up to 24 months during a military leave. Employees on leave for more than 30 days will not pay more than 102% of the full premium under the plan if they wish to continue coverage under the group medical and dental plan.

### Retirement

Pace University will not make any contributions to your retirement plan while you are on military leave. However, once your return from military duty and are re-employed, your period of military duty will be counted as covered service for eligibility, vesting and benefit accrual purposes. If employee contributions are required, the employee has a period equal to three times the period of military duty or 5 years, whichever ends first, to make up the contributions. Pace University will then make contributions that would have been made if you had been employed during the period of military duty.

### On-Campus Tuition

Eligibility for on-campus tuition remission benefits for a spouse/domestic partner and dependent children will continue based upon the following schedule:

Less than 2 years of continued University service	End of the current semester
2 to 5 years of continued University service	One additional academic year
5 to 10 years of continued University service	Two additional academic years
10 or more years of continued University service	Three additional academic years

### Reinstatement

An employee is responsible for seeking reemployment upon returning from military leave by contacting the Office of Human Resources and the employee's immediate supervisor.

If military leave is less than 31 days, reemployment must be sought within the "first scheduled workday" following the completion of service.

Pace University reserves the right to request that an employee who is absent for a period of military service in excess of 30 days provide documentation showing:

- Employee's application for re-employment is timely as governed by USERRA;
- Employee's cumulative period of absence from the University for military leave has not exceeded the five-year service limitation; and
- Employee's discharge from service was "honorable" as defined by USERRA.

Upon satisfactory completion of the above conditions, Pace University will reinstate eligible employees according to the reemployment requirements governed by USERRA.

There are certain exceptions to the requirement to re-employ a returning service member which include:

- The University's circumstances have so changed as to make such reemployment impossible or unreasonable.
- The individual has incurred a disability or aggravated a disability during such service, and after reasonable effort to accommodate the disability, is no longer qualified due to such disability and cannot be re-qualified and rehired without imposing an undue hardship upon the University; or
- The original employment was short term with no reasonable expectation of continued employment.



For further information, contact the University Benefits department at (914) 923-2828.

For additional information about the Uniform Services Employment and Reemployment Rights Act (USERRA) of 1994, please visit [The U.S. Department of Labor website](https://www.dol.gov/eis/volume102/USERRA.html).

## **Short Term Disability**

### *Full-Time Staff Employees*

The University provides a Short-Term Disability (STD) benefit, which offers salary and benefits continuation,\* in the event that an eligible employee is unable to perform the duties of his/her job due to illness, injury or pregnancy, to a maximum of 26 weeks\*\* within a 52-week period. Short-Term Disability leave begins on the eighth consecutive calendar day of absence, including weekends and holidays. The employee's physician must provide medical documentation to the plan administrator (currently Cigna Leave Solutions) in a timely manner in order to prevent discontinuation of the employee's salary and benefits.

If a Short-Term Disability claim is medically certified, it will also count as time taken under the Family and Medical Leave Act (if the employee is eligible).

\*The University provides salary and benefits continuation to full time employees as indicated:

- If length of full-time service on date of disability is less than 3 months: No salary or benefits continuation. Eligible for the NYS Disability benefit only.
- If length of full-time service on date of disability is 3-12 months: Eligible to a maximum of two (2) months at full base salary and up to four (4) additional months at one-half salary. This is the maximum benefit within a 52-week period.
- If length of full-time service on date of disability is 12 months or longer: Eligible to a maximum of 26 weeks at full base salary\*\*. This is the maximum benefit within a 52-week period.

*\*\*26 weeks within a 52-week period is the combined maximum duration of the following leaves: Short-Term Disability, New York Paid Family Leave, Workers' Compensation disability leave.*

### *Part-Time Staff Employees (Not Covered by a Collective Bargaining Agreement)*

Pace University offers part-time staff employees Short-Term Disability (STD) benefits through a New York State Mandated DBL plan that is currently administered by Cigna Leave Solutions. Employees are eligible for benefits after working for at least four (4) consecutive weeks. Benefits are payable for any non-work related injury or illness (including disability due to pregnancy) beginning on the 8th consecutive calendar day of absence (including weekends and holidays). Provided that the claim continues to be medically certified by Cigna Leave Solutions, benefits are payable for up to 26 weeks within a 52-week period\*\*. Benefit payments (issued by Cigna Leave Solutions) are equal to 50% of the employee's average weekly wage, not to exceed the current maximum payment of \$170 per week.

*\*\*26 weeks within a 52-week period is the combined maximum duration of the following leaves: Short-Term Disability, New York Paid Family Leave, Workers' Compensation disability leave.*

## **Long Term Disability**

The University also provides an insurance benefit to assist full-time employees who are disabled more than 26 weeks. Cigna Leave Solutions also administers our [Long-Term Disability benefit](#). As a result of a combined managed disability program with one carrier, the transition from short-term disability to long-term disability will be seamless to the employee.

If approved for long-term disability, employees are entitled to the following benefits covered by this insurance:

- Income of up to 60% of your current base salary, not to exceed \$7,500.00 per month. This replacement income will be offset by income provided by Social Security Disability, Worker's Compensation and/or any other income source available to you.
- Continued "employer" retirement contributions on your behalf, for the duration of your Long-Term Disability.
- Continued life insurance coverage if approved by the life insurance carrier.

Pace University provides the following additional benefits to supplement this insurance:

- Continued medical coverage. (The individual premium remains the same as when you first became disabled. There is an additional premium to continue +1 or family coverage).
- On-campus tuition remission for you, your spouse and dependent children up to age 30, if you have been employed full time for at least 5 years as of your date of disability.
- Ability to participate in the group dental plan for 24 months.

**Eligibility:** All active full-time faculty and staff, who have completed one year of continuous full-time service, are eligible for this benefit. You will be automatically enrolled after completing 1 year of full-time continuous service. The University pays the premium for Long-Term Disability insurance.

## **Maternity Leave**

Maternity Disability shall be considered as falling within the category of leave for short-term disability and is deducted from the total maximum allowance of 26 weeks of salary and benefits continuation. A woman shall receive paid leave subject to verification by a physician for a period distributed in accordance with need before and/or after childbirth or miscarriage. This period is usually six weeks for a normal delivery and eight weeks for a cesarean section.

## **Bereavement**

If someone dies in your family or in your spouse's/domestic partner's family, you may be paid for up to four days' absence. Relationships that are included are parents, grandparents, siblings, children, and spouse/domestic partner.

## **Jury Duty**

If you receive a jury notice, you should advise your supervisor immediately. If the scheduled date falls within a peak time in your department, then you and your supervisor may decide that it is necessary to postpone the jury service. Because this is an important civic obligation, all full-time

employees will be paid full wages for each day of jury service. Upon completion of your service, a jury receipt should be obtained and submitted to your supervisor. You should maintain daily contact with your supervisor while you are serving and if you are excused before noon, then you will be expected to come to work.

## TIME OFF

### Policy Statement

It is the policy of Pace University to provide a vacation allowance to regular full-time staff employees based on the employee's FLSA exempt/nonexempt status, and length of continuous years of University service since the most recent date of regular employment. Part-time and temporary employees are not eligible to earn vacation benefits.

### Reason for Policy

Pace University is committed to providing all full-time staff employees with vacation time each academic year. Vacation is intended to encourage and allow employees to engage in restful and recreational activities to renew physical and mental capabilities. It is desirable that employees make use of all available vacation time.

### Vacation Time

Pace's vacation accrual year is July 1 – June 30.

Vacation accrual for all staff employees will begin as of July 1 each year and employees will be fully accrued in their vacation allowance as of the following June 30.

Newly hired full-time employees will receive pro-rated vacation days based upon their initial full-time date of employment, as indicated in their offer letter. (NOTE: New employees must wait 3 months from their full-time date of hire to be paid for any absence (i.e. Vacation, Sick, Flexible Summer Days), as per the Attendance and Punctuality policy. Changes in employment, including any reduced work schedule may affect vacation entitlement. Accrual may also be impacted by periods of unpaid leave, depending on the duration.

**Effective January 1, 2021, vacation days will be earned according to the following schedule:**

# Full Years of Service as of June 30 <sup>th</sup>	Non-Exempt	Exempt I <sup>1</sup>	Exempt II <sup>2</sup>
0	13	18	25
1	14	19	25
2	15	20	25
3	16	21	25
4	17	22	25
5	18	23	25
6	19	24	25
7	20	25	25

<b>8</b>	21	25	25
<b>9</b>	22	25	25
<b>10</b>	25	25	25

<sup>1</sup> Exempt I – All exempt, full-time staff positions except those defined in Exempt II below.

<sup>2</sup> Exempt II – Full-time staff positions with the following position titles: Dean, Associate/Assistant Dean, Department Director, Librarian, Chief Engineer, Psychologist, Counselor (Academic, Admissions, Placement)

## Accrual Schedule

### Vacation accrued by date:

<b>July 15<sup>th</sup></b>	1/12
<b>August 15<sup>th</sup></b>	2/12
<b>September 15<sup>th</sup></b>	3/12
<b>October 15<sup>th</sup></b>	4/12
<b>November 15<sup>th</sup></b>	5/12
<b>December 15<sup>th</sup></b>	6/12
<b>January 15<sup>th</sup></b>	7/12
<b>February 15<sup>th</sup></b>	8/12
<b>March 15<sup>th</sup></b>	9/12
<b>April 15<sup>th</sup></b>	10/12
<b>May 15<sup>th</sup></b>	11/12
<b>June 15<sup>th</sup></b>	12/12 (Fully Accrued)

## Scheduling of Vacation Days

Supervisors have the responsibility of coordinating and approving vacation schedules of their employees. The amount and timing of vacation to be taken in any one period of time should be discussed well in advance with your supervisor in order to allow maximum opportunity to accommodate your request and to adequately staff the workplace. Vacation time requests may be made for ½ day (3 ½ hours) or full day increments only. Your request must be in writing and approved by your supervisor prior to making definitive plans.

***While vacation days may be taken in advance of when they are actually accrued, employees should plan their vacation days carefully throughout the year, and particularly at the start of the accrual cycle. In the event of termination of employment, the employee is expected to reimburse the University for any vacation time taken that has not been accrued.***

If a recognized Pace University holiday falls on a regular workday during an employee's vacation, the day is paid as a holiday and not counted as a vacation day. Other Pace University closings deemed necessary (i.e. - emergency and snow closings) that fall on a regular work day during an employee's vacation will be considered vacation days.

Illness during vacation is not typically counted as sick leave. However, if a serious accident or extensive illness occurs that would place the employee on short-term disability leave, the supervisor should discuss the matter with a Human Resources Benefits Representative to consider whether all or part of the vacation could be rescheduled.

Vacation days must be used in the year accrued, on a July 1 through June 30th schedule. Vacation carryovers are not permitted beyond this date. Vacation not used as of June 30th each year is forfeited (use it or lose it).

### **Vacation Pay for Separating Employees**

A separating employee will be paid in full for accrued and unused vacation days. Vacation pay is based upon an employee's straight time earnings. Those separating from the University within three months of their initial employment date will not be paid for vacation days taken during that time period.

**Employees:** It is the employee's responsibility to make vacation requests in writing in advance of finalizing plans.

**Departments:** Every supervisor is responsible for scheduling and documenting vacation time used by exempt and non-exempt employees in the KRONOS Time and Attendance System.

For questions regarding this policy, please contact the Compensation & Benefits Department.

### **Vacation Policy – Coronavirus Amendment** (*revised March 31, 2022*)

**Purpose:** Due to continued work disruptions caused by the coronavirus pandemic, the University has temporarily amended the vacation accrual policy for fiscal years 2020, 2021, and 2022. This will allow staff the ability to maintain access to earned vacation time so that it is available when they are able to use it.

#### **FY2020 Vacation Carryover**

- Full-time employees who have accrued, unused vacation days as of June 30, 2020 may carry over up to five unused, accrued vacation days into the next vacation calendar cycle beginning July 1, 2020 and ending June 30, 2021.
  - If an individual terminates employment with the University during fiscal year 2021, unused carryover days from fiscal year 2020 will not be paid out.

#### **FY2021 Vacation Carryover**

- Full-time employees who have accrued, unused vacation days as of June 30, 2021 may carry over up to five unused, accrued vacation days into the next vacation calendar cycle beginning July 1, 2021 and ending June 30, 2022.
  - If an individual terminates employment with the University during fiscal year 2022, unused carryover days from fiscal year 2021 will not be paid out.

#### **FY2022 Vacation Carryover**

- Full-time employees who have accrued, unused vacation days as of June 30, 2022, may carry over up to **three unused, accrued vacation days** into the next vacation calendar cycle beginning July 1, 2022, and ending June 30, 2023.
  - If an individual terminates employment with the University during fiscal year 2023, unused carryover days from fiscal year 2022 will not be paid out.

## PERSONAL DAYS

Effective January 1, 2021, personal days will no longer be accounted for and accrued as a separate paid leave category. Instead, the vacation allotments associated with all full-time staff employee classes will be adjusted to reflect that the 3 days previously classified as personal days will now be part of the vacation allotment. For the period January 1, 2021 through June 30, 2021, eligible full-time staff employees will receive an additional 1.5 vacation days. As of July 1, 2021, eligible full-time staff will start the vacation year with an additional 3 vacation days on top of what they normally would have been allotted for the 2021-2022 vacation year.

## HOLIDAYS

Up to 16 paid holidays, including the break from Christmas Eve through New Year's Day, per calendar year. Visit the Human Resources website to view the University Holiday Calendar for the current year.

## OTHER EMPLOYMENT PRACTICES

### EMPLOYEE RECOGNITION PROGRAMS

[Special awards](#) present an opportunity to link outstanding performance of faculty and staff to the achievement of the University's Vision, Mission and Strategic Goals; the [service awards](#) are recognizing employees for their length of service to Pace. Full-time faculty and staff are recognized for their 5-year milestone anniversaries with a choice of gifts available through Tiffany & Co., for all honorees at each service level. Service milestone certificates and special awards are awarded at the Employee Recognition Ceremony campus events held each year.

### **YES I Make It Happen Recognition**

The goal of the YES I Make It Happen Recognition is to provide special recognition to Pace staff employees for simple achievements in their everyday roles. This is intended to be a customer generated recognition which will improve both internal and external customer service. A random drawing will take place each month for four free movie tickets, both on the Westchester and New York City campuses. In addition, the nomination committee will select annual grand prize winners which will be awarded at the annual employee recognition ceremonies.

### CAREER DEVELOPMENT

Pace University supports your continued education and growth through our tuition remission program and a broad range of in-house training and development opportunities.

### **Talent Development**

Talent Development promotes and support employee development and organizational effectiveness by providing high-quality training, career advice and leadership development programs. They

provide staff opportunities to gain the knowledge, skills and experiences to enable their contribution to the Strategic Plan. They support staff in understanding and demonstrating Pace values and behaviors. They also support the Leadership Team in developing a culture of innovation and engagement, one that furthers Pace's reputation as a great place to work and study. The Talent Development department is committed to supporting the continued growth and development of Pace's most valuable resource, its people. The training calendar and registration can be accessed through the Human Resources web site.

### **Job Posting Procedure**

In the spirit of continuing to provide *Opportunitas*, the university is committed to providing support for continuing education, training, and career advancement. Our Internal job posting program provides information about available positions throughout the University that offer opportunities for career development or career change.

Available Staff positions with brief descriptions of the basic function and minimum qualifications for each job are posted online on the Human Resources web page. All internal Pace employees can view new postings on the *MyPace* Portal for 5 days before the position is posted to the external community. After one year in your current position, you may be eligible to apply for a new position listed on the internal job posting if you meet the minimum qualifications. An updated Application for Employment and resume should be submitted to the posting via the university's online job posting system.

In the commitment to encourage open dialogue any employee that applies for an available position should discuss this with his or her supervisor. If the employee decides not to notify the supervisor and wishes to keep the application confidential, then Human Resources will honor this request *until the point at which the employee becomes a final candidate*. When an employee is notified that they are a final candidate, the employee is expected to inform their supervisor and member of the Talent Acquisition department will contact the supervisor to obtain a reference. The feedback obtained from this reference is shared with the hiring manager in order to make a fully informed decision about the internal candidate. If an offer of employment is extended the employee is expected to give a minimum of two weeks' notice to their current supervisor. Requests for exceptions should be discussed with the Talent Acquisition department.