

Logan University Employee Handbook



2020

ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with Logan University. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

This handbook does not constitute an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Logan University adheres to the policy of employment at will, which permits the University or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

This handbook states only general University guidelines. The University may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice. "Employment at will" with the University, may only be modified by an express written agreement signed by the employee and an authorized member of the Cabinet.

This handbook supersedes all prior handbooks.

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Section 1 - Governing Principles of Employment

1-1 Introduction - Welcome

For employees who are commencing employment with Logan University, let me extend a warm and sincere welcome. For employees who have been with us, thanks for your past and continued service.

We are thrilled you have made the choice to join one of the leading academic institutions in chiropractic and health sciences.

What makes Logan thrive is the dedication, passion and commitment of our faculty and staff. You not only have the opportunity to make a positive difference at our institution, but you play a vital role in each student's success - here at Logan and beyond.

I extend my personal best wishes for success and happiness here at Logan University. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

We thank you for your partnership and look forward to supporting you in your new role at Logan.

J. Clay McDonald, President

1-2 Mission Vision

Mission: Logan University is a diverse and engaging community committed to excellence in health sciences, education and service, guided by integrity, commitment and passion.

Vision: Logan University aspires to be a community to transformative student success in health and wellness.

Values

Logan is deeply committed to a number of principles and qualities that best represent our identity and culture. The following values not only serve as a boundary for our behavior, but also set expectations for ourselves and for those we serve.

DIVERSITY

EMPATHY

STUDENT FIRST

POSITIVE ATTITUDE

EVIDENCE-INFORMED

CHARACTER/INTEGRITY

TEAMWORK

Logan provides service to the University and to the local, state, national and international communities.

1-3 Notice of Nondiscrimination

It is the policy of Logan to provide an equal employment opportunity to all prospective and current employees. All employment practices – such as employment, promotion, demotion, transfer, compensation, assignment of work duties, recruiting, advertisement, layoff, termination, rate of pay, and selection for training – are based on each individual's qualifications and merit without regard to race, color, sex (and sexual orientation), national origin, religion, disability,

age or veteran status.” Any persons having inquiries concerning Logan's compliance with the regulations implementing Title IV, VI, IX and Section 504 are directed to contact either the Compliance Officer or Human Resources (for employment and patient treatment) or the Dean of Student Services (students), 1851 Schoettler Road, Chesterfield, Missouri 63017 or call at 800-782-3344. The Chief of Compliance and Engagement Office is designated as Logan's officer to comply with regulations implementing Title VI, IX and Section 504. Any person may also contact the Assistant Secretary for Civil Rights, U.S. Dept. of Education, regarding the institution's compliance with the regulations implementing Title IV, VI, IX or Section 504.

1-4 Equal Employment Opportunity

It is the policy of Logan to provide an equal employment opportunity to all prospective and current employees. All employment practices - such as employment, promotion, demotion, transfer, compensation, assignment of work duties, recruiting, advertisement, layoff, termination, rate of pay, and selection for training - are based on each individual's qualifications and merit or any other characteristic protected by applicable federal, state or local laws. The University is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

Accommodations for Individuals with Disabilities: The University will make reasonable accommodations, as required by law, for the known physical or mental disabilities of an otherwise qualified applicant or employee, unless doing so would impose an undue hardship upon the University's operations.

Any applicant or employee who believes they require an accommodation in order to perform the essential functions of the job should contact the Vice President of Human Resources to request such an accommodation. Employees should specify what accommodation they need to perform the job and, as necessary to establish the need for accommodation, explaining the underlying physical or mental disability and the basis for the requested accommodation. The University then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. The University will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The employee will be notified of the University's decision regarding the request within a reasonable period. The University treats all medical information submitted as part of the accommodation process in a confidential manner.

Religious Accommodations: The University will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the University's operations. If you wish to request such an accommodation, please speak to the Vice President of Human Resources.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Vice President of Human Resources. The University will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels he or she has been subjected to any such retaliation, he or she should bring it to the attention of the Vice President

of Human Resources. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations.

1-5 Non-Harassment

It is Logan University's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, sex (and sexual orientation), national origin, religion, disability, age or veteran status." The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number (636) 230-1720.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief of Compliance and Engagement immediately at the following address, 1851 Schoettler Rd, and phone number (636) 230-1932.

Every supervisor who learns of any employee's concern and conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to the Chief of Compliance and Engagement.

Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the University will not allow any form of retaliation against individuals who report unwelcome conduct to the University or who cooperate in the investigations of such reports in accordance with this policy. If an employee feels he or she has been subjected to any such retaliation, he or she should report it in the same manner in which the employee would report a claim of perceived harassment under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

1-6 Sexual Harassment

Logan University is committed to a workplace free of sexual harassment and retaliation. Logan University does not tolerate and prohibits sexual harassment of or against job applicants' contractors, interns', volunteers, or employees by another employee, supervisor, vendor, customer or any third party. Logan University also prohibits retaliation as defined below.

Sexual harassment and retaliation are unacceptable in the workplace and in any work-related settings such as business trips and University-sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor, or other third party. In addition to being a violation of this policy, sexual harassment and retaliation are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Definition of Sexual Harassment

Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or emails) or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful.

Because it is difficult to define unlawful sexual harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, comments, gestures, flirtations, leering, whistling, touching, kissing, pinching, assault, blocking normal movement;
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- sexual jokes or comments about a person's body, sexuality or sexual experience;
- propositions or suggestive or insulting comments of a sexual nature;

- derogatory, obscene or vulgar cartoons, posters, pictures, and drawings;
- sexually-explicit emails or voicemails;
- conversation about one's own or someone else's sex life;
- conduct, comments, or hostile actions consistently targeted at only one gender or because of the person's gender or gender identity or expression, even if the content is not sexual.

Definition of Retaliation

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- any action that would discourage an employee from reporting sexual harassment or retaliation;
- shunning and avoiding an individual who reports sexual harassment or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and
- denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process described below.

Reporting Procedures

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number (636) 230-1700.

Written complaints can be submitted internally using the form provided in this handbook.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief of Compliance and Engagement immediately at the following address 1851 Schoettler Rd. and phone number (636) 230-1932.

If the person against whom the complaint is directed is one of the individuals listed above, the employee should contact any higher-level supervisor in the reporting hierarchy of the individual against whom the complaint was made.

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to Chief of Compliance and Engagement.

Investigation Procedures

Upon receiving a complaint, the University will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy to ensure due process for all parties. To the extent possible, the University will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the University generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the University will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The University will inform the complainant and the accused of the results of the investigation.

The University will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the University determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination. Anyone, regardless of position or title, whom the University determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in sexual harassment or retaliation, as well as managers who fail to report violations of this policy, or knowingly allow prohibited conduct to continue.

1-7 Drug-Free and Alcohol-Free Workplace

The Logan University drug and alcohol policy includes all students, faculty, staff, fellows, residents, administration and volunteers. Logan University has a significant interest in ensuring that the work environment is free from the hazards to patients, students, employees, and visitors that are created due to the unauthorized use of alcohol, drugs, or controlled substances. The Drug Free Workplace Act of 1988 and Drug Free Schools and Community Act of 1989 requires Logan University, as a Federal grant recipient and contractor, to certify that it will provide a drug free workplace and learning environment. A drug free awareness program has been established to inform all employees and students about:

- The dangers of drug abuse in the workplace
- The University's policy of maintaining a drug-free workplace
- The availability of drug counseling, rehabilitation, student and employee assistance programs.

Potential penalties for drug abuse violations. This is accomplished by providing to each employee and student a copy of the University's Drug Free Workplace policy statement, and requiring that as a condition of employment under such a grant or contract the employee will abide by the terms of this statement; and notify the Vice President of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than

five (5) days after such conviction. Copies of this policy can be obtained from the Dean of Students and Vice President of Human Resources.

STANDARDS OF CONDUCT

The purpose of a drug and alcohol-free campus is to promote the safety, health and general well-being of students and employees and to facilitate the efficient operations of campus business toward accomplishing the college or institution mission. Accordingly, employees and students will not engage in the unlawful manufacture, distribution, possession, or use of controlled substances, illicit drugs, or alcohol while on University property or engaged in University-related activities. Controlled substances include, but are not limited to, narcotics, depressants, stimulants, hallucinogens, cannabis (marijuana), and prescription drugs, except when used in accordance with instructions from a proper medical authority. Logan also prohibits the sale, use and dispensing of alcoholic beverages on College premises with the exception of University sponsored events, where alcohol may be served. When alcohol is served at University sponsored events, employees and students are expected to comply with all University policies, including Logan's Code of Conduct.

1-8 Workplace Violence

Logan University is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to University and personal property. Logan strictly prohibits workplace violence, acts of violence and/or threats or violence (including domestic violence) whether expressed or implied toward any student, employee, or other individual on the University's campus or in the University's clinic or other facilities.

We do not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, we specifically discourage employees from engaging in any physical confrontation with a violent or potentially violent individual. However, we do expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in University policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or Manager; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any University employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto University premises.

Procedures for Reporting a Threat

All potentially dangerous situations, including threats and acts of violence must be reported immediately to Campus Security, Logan University's Chief of Compliance and Engagement and any member of the University with whom the employee feels comfortable, and to law enforcement, if the situation requires an immediate or emergency response. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the University determines, after an appropriate good faith investigation, that someone has violated this policy, the University will take swift and appropriate corrective action.

If an employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for us to be aware of any potential danger on our campus. Indeed, we want to take effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

WEAPONS ON CAMPUS POLICY

Logan strives to make the learning and work environment as safe as possible. To that end, Logan does not tolerate actual or threatened violence on its premises or when directed at a Logan staff member, faculty member, student, guest or visitor on or off premises.

Verbal or written threats of any kind, even in jest, will not be tolerated and may result in disciplinary action up to and including termination, expulsion or removal from the premises pending investigation. Fighting or verbal threats will be dealt with promptly. In a further effort to maintain a violence-free learning and work environment, Logan has adopted the following policy regarding firearms and concealed weapons:

(1) firearms, concealed weapons and explosives are not allowed at any time on property owned or leased by Logan (including Logan owned or leased parking lots) or in vehicles owned or leased by Logan, or on the person of any faculty or staff member, student, visitor or guest while that individual is on Logan property;

(2) firearms, concealed weapons and explosives are not allowed in the private vehicle of any faculty or staff member, student, visitor or guest of Logan while such vehicle is on Logan property; and

(3) Logan reserves the right to search and/or inspect faculty and staff members, students, guests and visitors, their personal belongings, and their vehicles located on Logan property if Logan believes it is necessary to enforce this policy.

Even though Missouri has passed a concealed weapons law, the law provides that one is not entitled to carry a concealed weapon into any higher education institution without the consent of the governing body of the higher education institution. Logan does not, under any circumstances, consent to carrying a concealed weapon on its property or to having a concealed weapon in a vehicle while parked on Logan property. Only law enforcement officers or authorized security personnel are allowed to carry weapons on Logan property.

Any violation of this policy or any refusal to allow Logan to search and/or inspect one's person, belongings or vehicle while on Logan property will result in discipline up to and including termination of employment, suspension, expulsion or removal from the premises.

Section 2 - Operational Policies

2-1 Employee Classifications

For purposes of this handbook, all employees fall within one of the classifications below.

Full-Time Employees - Employees who regularly work at least 30 hours per week who were not hired on a short-term basis.

Part-Time Employees - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis.

Short-Term Employees - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term Employees generally are not eligible for University benefits, but are eligible to receive statutory benefits.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

2-2 Your Employment Records

In order to obtain their position, employees provided us with personal information, such as address and telephone number. This information is contained in the employee's personnel file.

The employee should keep his or her personnel file up to date by informing Human Resource Office of any changes. The employee also should inform the Human Resource Office of any specialized training or skills he or she may acquire in the future, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach the employee in a crisis could cause a severe health or safety risk or other significant problem.

2-3 Working Hours and Schedule

Logan University normally is open from 7:00 am to 4:30, Monday through Friday. The employee will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the University, at some point we may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

2-4 Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by the University or the employee's supervisor.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a Manager, who will attempt to correct legitimate errors.

2-5 Overtime

At times, Logan University experiences periods of extremely high activity. During these busy periods, additional work may be required from some employees. Supervisors are responsible for monitoring the University activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) his/her normal hourly wage for all time worked in excess of forty (40) hours each week, unless otherwise required by law.

Employees may work overtime only with prior authorization from the employee's supervisor.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends 168 hours later at 12 a.m. on the following Sunday.

2-6 Travel Time for Non-Exempt Employees

Normal work hours, for the purposes of this policy, are defined as an employee's regularly scheduled work hours (e.g., 7:00 a.m. to 4:30 p.m.). This definition applies to normal workdays (Monday through Friday) and to weekends (Saturday and Sunday). Employees with variable work hours will have their normal work hours defined by human resources prior to travel, based on a review of time records over the previous month.

Overnight, Out-of-Town Trips

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited, absent the advance authorization from the employee's supervisor.

Out-of-Town Trips for One Day

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: (i) time spent traveling between the employee's home and the local railroad, bus or plane terminal; and (ii) meal periods.

Local Travel

Non-exempt employees will be compensated for time spent traveling from one location to another location during a workday if the travel is work-related. The trip home, however, is non-compensable when an employee goes directly home from his/her final worksite, unless it is much longer than his/her regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

Commuting Time

Travel time from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near his/her home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one-half times the regular rate.

To the extent that applicable state law provides greater benefits, states law applies.

2-7 Safe Harbor Policy for Exempt Employees

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Employees classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for Logan University. This salary will be

established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability;
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- family and Medical Leave absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 403(b).

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because the employer has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If the employee believes he or she has been subject to any improper deductions, the employee should immediately report the matter to a manager. If the manager is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), he or she should immediately contact Human Resource Office.

2-8 Your Paycheck

All employees are paid bi-weekly on Fridays. In the event, a payday falls on a bank holiday; the pay date will be day prior. Non-exempt employees are paid one week in arrears to allow time for timesheets to be entered by the employee and approved by the supervisor. Exempt employees paid current.

Payroll stubs itemize deductions made from gross earnings. By law, the University is required to make deductions for Social Security, federal income tax, and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay and overtime pay received.

If there is an error in an employee's pay, the employee should bring the matter to the attention of the Human Resource Office immediately so the University can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless he or she requests that they be mailed, or authorize in writing, another person to accept the check.

2-9 Direct Deposit

Logan University strongly encourages employees to use direct deposit. Direct deposit is the safest and most timely way to ensure paychecks are received immediately on each pay date. The University reserves the right to require direct deposit in situations where an employee is working remotely or repeatedly requiring stale or lost paychecks to be reissued. Employees who choose to receive a paper check, may pick up their paycheck from the Payroll Department each pay date. Paychecks will only be given to the employee, unless he or she requests that they be mailed, or authorize in writing for another person to accept the check.

2-10 Salary Advances

Logan University does not permit advances on paychecks or against accrued paid time off.

2-11 Performance Review

Depending on the employee's position and classification, Logan University endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of the University.

In addition to these formal performance evaluations, the University encourages employees and managers to discuss job performance on a frequent and ongoing basis.

2-12 Record Retention

The University acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the University and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the President to inform him or her of potential or actual litigation, external audit, investigation or similar proceeding involving the University that may have an impact on record retention protocols.

2-13 Job Postings

Logan University is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the on-line job posting program which is in place for all employees. To be eligible to apply for an open position, employees must meet several requirements:

- Should be a current, regular, full-time or part-time employee
- Been in your current position for at least six months
- Maintain a performance rating of satisfactory or above
- Should not be on an employee conduct/performance-related probation or warning
- Must meet the job qualifications listed on the job posting
- Required to provide the employee's supervisor with notice prior to applying for the position.

If the employee finds a position of interest on the job posting website and meets the eligibility requirements, an on-line job posting application must be completed in order to be considered for the position. Not all positions are guaranteed to be posted. The University reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

For more specific information about the program, please contact the Human Resources Department.

Section 3 - Benefits

3-1 Benefits Overview

In addition to good working conditions and competitive pay, it is Logan University's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs Logan University provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Human Resource Department. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, Logan University (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the University intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact the Human Resource Department.

3-2 Paid Holidays

Full-time, Part-time employees will be paid for the following holidays:

New Year's Day

Day after New Year's Day

Martin Luther King, Jr. Day

President's Day

Good Friday

Memorial Day

Independence Day

Labor Day

Wednesday before Thanksgiving

Thanksgiving Day

Day after Thanksgiving

Christmas Eve

Christmas Day

Day after Christmas

New Year's Eve

When holidays fall or are celebrated on a regular work day, eligible employees will receive one (1) day's pay at their regular straight-time rate. Eligible employees who are called in to work on a holiday will receive one (1) day's pay at their regular straight-time rate, and an additional payment of straight-time for the actual time they work that day.

If a holiday falls within an eligible employee's approved vacation period, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the vacation day, or the eligible employee will receive an additional vacation day at the option of the University.

If a holiday falls within a jury duty or bereavement leave, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the leave day, or the eligible employee will receive an additional day off at the option of the University.

3-3 Paid Vacations – Standing Faculty Employees (only)

We know how hard employees work and recognize the importance of providing time for rest and relaxation. We fully encourage employees to get this rest by taking your vacation time. Full-time Faculty employees receive vacation annually on September 1st as follows:

Vacation accrued on academic-year basis (Sept – Aug)	
Standing Faculty ¹ with academic year contracts	4 weeks (teaching faculty must take vacation during breaks; health center clinicians may take vacation at any time based on supervisor's approval)
Academic Provisional Faculty & Standing Faculty with less than an annual contract	None
Vacation accrued based on contract year	
Residents and Fellows	4 weeks (*effective at beginning of contract anniversary)

***Standing Faculty are employees with annual contracts such as teaching and health center faculty.

Vacations should be taken during the year accrued, unless otherwise required by law. Unused vacation time will be lost.

3-4 Paid Time Off – Staff Only

Paid time off (PTO) allows full and part-time employees to take control of their time away from work that can be used for vacation, personal time, personal illness or time off to care for their spouse, domestic partner or dependents. PTO should be scheduled in advance and have supervisory approval except in the case of illness or an emergency. Employees who are absent three consecutive days (unscheduled PTO), must provide doctor's note to return. The PTO policy takes the place of sick leave, birthday float and vacation, therefore, employees will maintain the same award amount annually.

All full and part time employees are eligible to earn PTO. Part-time employees earn PTO at a rate equal to 50 percent of full-time employee rates for months when they work at least 100 hours. Temporary or contract employees are not eligible for this benefit.

PTO is awarded on an annual basis and the annual award is credited to an employee's PTO bank on January 1 of each year. PTO, however, is earned on a monthly basis and, in the event an employee terminates from the University, an employee's final PTO payout will be calculated based on earned monthly accrual rates. An employee's final paycheck will be reduced by any unearned PTO that has already been used.

Hourly, non-exempt employees may take PTO in increments necessary to reach their regularly scheduled work day or 40 paid hours per week.

Salaried, exempt employees should use PTO in increments of 4 hours.

Job Type	Award Year	Years of Service	Annual Award	Earned Accrual Rate
<u>Non-Exempt</u> Hourly Employees	Calendar	1-4	18 days	1.5 days/per month
		5-9	23 days	1.9 days/per month
		10+	28 days	2.3 days/per month
<u>Exempt</u> Dean/Director & Exempt direct reports	Calendar	1-4	23 days	1.9 days/per month
		5-9	28 days	2.3 days/per month
		10+	33 days	2.7 days/per month
<u>Exempt</u> Cabinet Level	Calendar	1-4	28 days	2.3 days/per month
		5-9	33 days	2.7 days/per month
		10+	38 days	3.2 days/per month

3-5 Sick Days – Standing Faculty Employees (only)

Full-time Logan University faculty members are eligible to receive up to twelve (12) weeks of paid sick days each rolling back year for serious illnesses. If an employee will be out of work, he or she must call in and notify his or her manager as early as possible, but at least by the start of the workday. If the employee calls in sick for three (3) or more consecutive days, he or she may be required to provide their manager and the Human Resource Office with a doctor's note on the day he or she returns to work.

While sick days are intended to cover only an employee's own illnesses, **if required by applicable state or local law**, sick days may be used to care for a family member's (including civil union partners') illness or for any other reason required by applicable state or local law.

3-6 Lactation Breaks

The University will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, subject to applicable law.

The University will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall for the employee to express milk in private. This location may

be the employee's private office, if applicable. The University may not be able to provide additional break time if doing so would seriously disrupt the University's operations, subject to applicable law. Please consult the Human Resources Department if you have questions regarding this policy.

Employees should advise the University if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

3-7 Workers' Compensation/Job-Related Incidents

On-the-job injuries are covered by our Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their Supervisor, Human Resources and to Campus Security. Failure to follow University procedures may affect the ability of the employee to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

Employees of the University who suffer an injury or illness caused by an accident or occupational disease arising out of and in the course of their employment ("a work-related injury") will receive appropriate medical care and a managed return to work, in accordance with the Workers' Compensation Law of the State of Missouri or other applicable state law ("the Law").

Workers' Compensation Benefits Payable

Employees who suffer a work-related injury will receive benefits paid by the University according to the Law.

In Missouri, if an injury is deemed compensable, the employee will receive, subject to all provisions of the Law:

1. Medical treatment approved by the University
2. Temporary total disability ("TTD") benefits from the University's insurer, if the employee is absent from work for more than three working days. TTD benefits are equal to two-thirds of the employee's average of the employee's wages for the thirteen weeks preceding the work-related injury.
3. If an employee is absent from work due to work-related injury for only three working days or less, the employee will not receive TTD benefits; however, the employee may elect to use any accumulated sick/PTO leave days for any missed time from work.
4. If an employee is absent from work for more fourteen (14) working days, the employee may elect to apply any accumulated sick/PTO leave to make up the

difference between the employee's regular wage and the TTD benefits paid by the University insurer. The total received from both sources shall not exceed the employee's regular wage. "Regular wage" is the fixed salary, or the regular hourly wage, excluding any overtime, of the employee, computed on a daily or weekly basis. No employee may use vacation benefits to supplement wages while absent from work due to work-related injury.

5. An employee's available Family and Medical Leave Act (FMLA) absence allowance may drawn down concurrent with absences due to a work-related injury, if the absence qualifies as a serious health condition under FMLA.

Direction of Medical Care

In Missouri, the University is afforded the right to select the medical care provider(s) for employee work-related injuries. The Human Resources Department will direct the employee to an approved medical provider. The employee however maintains the right to use a provider of the employee's choice, but any expenses associated with that use will be borne solely by the employee.

Continuation of Employee Benefits While Off Work Due to Compensation Injury.

If an employee is not able to work due to compensable injury, and as long as the injured person remains an employee of the University, all regular employee benefits may continue. However, since the employee will receive wage benefit checks directly from the University's insurer and not through the University's regular payroll system, the employee's portion of the cost for those benefits cannot automatically be deducted from the employee's payroll check. Therefore, the employee is responsible for making separate payment arrangements with the University's Human Resources Department.

Compliance with Physician's Orders

An employee with a compensable injury must strictly follow any and all instructions of the treating physician. This compliance includes, but is not limited to: prescription use, therapy, rest, following activity restrictions, and returning for follow-up visits. Compliance with medical instructions is mandatory and odd the job. Failure to comply with the treating physicians' instructions may result in the denial of benefits under the Law.

Notice Requirements

A work-related injury or illness must be reported in writing by the injured employee to his or her supervisor immediately and to the Human Resources Office.

Drug and/or Alcohol Use

Under Missouri Law, workers' compensation benefits can be denied if an employee is found to be using alcohol and/or non-prescribed controlled drugs in the workplace and the use is the proximate cause of the injury. If the employee is found to be using alcohol/drugs and the use is not the proximate cause of the injury, a 15% penalty can be levied against otherwise payable benefits.

Rule Violation or Willful Failure to Use Safety Devices

If an employee violates a rule of the University or willfully fails to use a required safety device, that employee's workers' compensation benefits may be reduced by 15%.

Failure to Return to Work After Physician Release

An employee who fails to return to work after receiving a release from their treating physician to do so, will be considered absent from their job without authorization. The University considers three (3) consecutive work days of unauthorized absences without notice to be a voluntary resignation.

Penalties for Fraud

In accordance with Missouri Law, any employee who submits a fraudulent workers' compensation claim and/or misrepresents facts can be found guilty of a Class A misdemeanor and may be subject to substantial criminal fines.

Policy Compliance

Employees are expected to comply with these policies as a condition of their employment. This includes, but is not limited to, the expectation that employees shall:

1. Comply with physician's order, Workers' Compensation guidelines, and guidelines for modified duty.
2. Immediately notify supervisor, Campus Security, and the Human Resources Office of work-related injury or illness.
3. Refrain from the use of drugs and/or alcohol in violation of the University's policies.
4. Comply with safety standards
5. Return to work under release of physician
6. Be absolutely truthful and accurate in all claims and reports.

Failure to comply with this policy may result in University discipline up to and including discharge.

3-8 Jury Duty

Logan University realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep their supervisors informed of the expected length of length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for the University, employees may be asked to try postpone jury duty.

Employees on jury duty leave will be paid for their jury duty service in accordance with state law; however, exempt employees will be paid their full salary for any week in which time is missed due to jury duty if work is performed for the University during such week.

3-9 Bereavement Leave

We know the death of a family member is a time when employees wish to be with their families. If the employee is a full-time, part-time employee and loses a close relative, he or she will be allowed paid time off of up to 3 days to assist in attending to his or her obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic partner, child, parent, sibling or in-laws of same. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their Supervisors prior to commencing bereavement leave. In administering this policy, the University may require verification of death.

3-10 Voting Leave

In the event an employee does not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, your Managers should be notified at least two days prior to the voting day.

3-11 Insurance Programs

Full-time employees may participate in the University's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, you will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to speak to Human Resources if you have any further questions.

3-12 Long-Term Disability Benefits

Full-time employees are eligible to participate in the Long-Term Disability plan, subject to all terms and conditions of the agreement between the University and the insurance carrier.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

3-13 Salary Continuation

Logan University provides enhanced monetary short-term disability benefits at the employee's expense to full-time employees.

This is not a leave of absence provision. Employees who will be out of work must request a leave of absence. See the Leave of Absence sections of this handbook for more information. Employees will be required to submit medical certification as requested by Logan University. Required medical certification under this policy may differ from the medical certification required for any leave of absence requested.

3-14 Employee Assistance Program

Logan University provides an employee assistance program for employees. This program offers qualified counselors to help you cope with personal problems you may be facing. Further details can be obtained through Human Resources.

3-15 Retirement Plan

Logan's Retirement Contribution: After one-year of employment, all full-time Regular, Standing Faculty, Academic Administrative Faculty and some part-time Regular & Academic Provisional Faculty employees (scheduled to work 1000 hours per year or more) are eligible to receive 5% of their base salary into a Logan's 401(a) Retirement Plan. These contributions are 100% vested, meaning the funds are immediately yours. Plan documents control. Please contact Human Resources for a Summary Plan Description.

Employee's Supplemental Retirement Plan: Immediately upon employment, employees may enroll in a voluntary retirement plan with TIAA-CREF. Contribution amounts are dependent upon IRS and plan limitations.

Section 4 - Leaves of Absence

4-1 Personal Leave

If employees are ineligible for any other University leave of absence, Logan University, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to the University at least two (2) weeks before the anticipated start of the leave. This request should be submitted to Human Resources. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification may be requested. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to **six (6)** weeks. However a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to Human Resources and the request is granted. During the leave, employees will not earn vacation, personal days or sick days. We will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to the University in a timely manner, subject to the terms of the plan documents.

When the employee anticipates returning to work, he or she should notify Human Resources of the expected return date. This notification should be made at least one week before the end of the leave.

Upon completion of the personal leave of absence, the University will attempt to return employees to their original job or a similar position, subject to prevailing University considerations. Reinstatement, however, is not guaranteed.

Failure to advise Human Resources of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by the University will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any University-provided Short-Term Disability Leave of Absence.

4-2 Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide Human Resources with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask Human Resources for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give the University as much advance notice of their need for military leave as possible so that we can maintain proper coverage while employees are away.

4-3 Family and Medical Leave

The Leave Policy

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact the Human Resource Office.

I. Eligibility

FMLA leave is available to "eligible employees." To be an "eligible employee," an employee must: 1) have been employed by the University for at least 12 months (which need not be consecutive); 2) have been employed by the University for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

II. Entitlements

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 work weeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date an employee uses his/her FMLA leave. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that an employee's spouse, son, daughter or parent is a military member on covered active duty or

called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Service member Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered service member** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the service member with a serious injury or illness. Leave to care for a service member shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured service member.

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 on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered service members** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule

when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered service member. Qualifying exigency leave also may be taken on an intermittent basis.

D. No Work While on Leave

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

E. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the University substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The University will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the University telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) University's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The University may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the University's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the University and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify the University of their need for FMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform the Human Resource Office of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the University to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the University's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which the University has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the University notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with the University and make a reasonable effort to schedule treatment so as not to unduly disrupt the University's operations, subject to the approval of an employee's health care provider. Employees must consult with the University prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the University and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the

University may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, the University may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the University of the reason why such leave is medically necessary. In such instances, the University and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the University's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide the University with timely, complete and sufficient medical certifications. Whenever the University requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the University's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. The University will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The University will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the University (through individuals other than an employee's direct manager) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide the University with authorization allowing it to clarify or authenticate certifications with health care providers, the University may deny FMLA leave if certifications are unclear.

Whenever the University deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health

care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If the University has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at the University's expense. If the opinions of the initial and second health care providers differ, the University may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the University and the employee.

2. Medical Recertification

Depending on the circumstances and duration of FMLA leave, the University may require employees to provide recertification of medical conditions giving rise to the need for leave. The University will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide the University with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. The University may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, the University may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, the University may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, the University may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA Leave

Employees must use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with an employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless the University notifies employees of other arrangements, whenever employees are receiving pay from the University during FMLA leave, the University will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a "pay-as-you-go" method.

IV. Questions and/or Complaints about FMLA Leave

If you have questions regarding this FMLA policy, please contact the Human Resource Office. The University is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Human Resource Office immediately. The University will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

V. Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the University's other leave policies in this handbook or contact the Human Resource Office.

Section 5 - General Standards of Conduct

5-1 Workplace Conduct

Logan University endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the University's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing Logan University property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of Logan University's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening or disrupting the work of others or other violations of Logan University's Workplace Violence Policy.
7. Failure to follow lawful instructions of a manager.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
10. Gambling on University property.
11. Willful or careless destruction or damage to University assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of Logan University's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of University policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Logan University reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The University will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. However, Logan University will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate employment at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

5-2 Punctuality and Attendance

Employees are hired to perform important functions at Logan University. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on students, fellow employees and supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify their supervisor as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive work days generally will be considered a voluntary resignation of employment with the University.

5-3 Use of Communications and Computer Systems

Logan University's communication and computer systems are intended primarily for University purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other University policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the Logan University systems.

Logan University may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the University deems it appropriate to do so. The reasons for which the University may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that University operations continue appropriately during an employee's absence.

Further, Logan University may review Internet usage to ensure that such use with University property, or communications sent via the Internet with University property, are appropriate. The reasons for which the University may review employees' use of the Internet with University property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that University operations continue appropriately during an employee's absence.

The University may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The University's policies prohibiting harassment, in their entirety, apply to the use of University's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the University's communication and computer systems are intended for University use, all employees, upon request, must inform the University of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

5-4 Use of Social Media

Logan University respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter or similar site, including but not limited to Facebook and LinkedIn. However, to protect University interests and ensure employees focus on their job duties, employees must adhere to the following rules:

All rules regarding confidential and proprietary University information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether an employee is posting something on his or her own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions the University and also expresses either a political opinion or an opinion regarding the University's actions that could pose an actual or potential conflict of interest with the University, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not the University's position. This is necessary to preserve the University's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden. University policies apply equally to employee social media usage.

Logan University encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their supervisor. Failure to follow these guidelines may result in discipline, up to and including discharge.

5-5 ACCEPTABLE USE OF TECHNOLOGY RESOURCES

This Acceptable Use of Technology Resources Policy explains the acceptable and unacceptable uses of Logan's technology resources. It applies to all users of Logan's technology resources.

1. Technology Resources Are for Educational and University Business Use.

- A. Logan University purchases and provides access to technology resources (equipment, software and services) for use by the staff, faculty and students. The primary purpose of these technology resources is to support Logan's educational mission and enable day-to-day University operations.
- B. These technology resources include but are not limited to: computers, software, internet access, online services, databases, telecommunications equipment, networking equipment, and monitors/projectors.

2. Use Must Be Legal and Ethical.

- A. Technology resources must only be used for lawful purposes. Users of Logan's technology resources must follow all federal, Missouri, and other applicable laws. Examples of applicable laws include but are not limited to the laws of defamation, privacy, copyright, trademark, obscenity, and child pornography. Users must follow the University policies for student, faculty and staff conduct, and any contractual or license requirements.
- B. Technology resources may not be used for any purpose that is illegal, immoral, unethical, dishonest, damaging to the reputation of the University, inconsistent with the mission and values of the University, or likely to subject the University to harm. Users should avoid nuisance emails such as chain letters, and never use University technology resources to post, view, print, store, or send obscene, pornographic, sexually explicit, harassing or offensive material.

3. Use Must Be Authorized and Secure.

- A. All Logan University community members are responsible for their own use of the University's information technology resources, both on and off-campus. Users must maintain good habits of personal safety and privacy while accessing the Internet, and are responsible for ensuring that their activities do not endanger, impede access to, or threaten the privacy or security of others' information or systems.

4. Use Must Recognize That Resources Are Shared.

- A. Because Logan's technology resources have a limited capacity, and are shared by all users; staff, faculty and students must restrict their use of the resources to what is needed for authorized activities. Users must not consume such an unreasonable amount of technology resources that they degrade the resources for other users. If necessary, Logan may require users of technology resources to limit or refrain from specific uses.

5. Use Must Recognize That Resources Are Not Private.

- A. Logan's technology resources are not private. The University reserves the right to inspect the activities, communication and accounts of individual users of Logan's technology resources as needed and without notice, except as prohibited by law. In its discretion, the University may use or disclose the results of any inspection, including the contents and records of individual communications, to University personnel, third parties, or law enforcement agencies
- B. The University may inspect its technology resources when it determines it is necessary, including but not limited to the following:
 - To protect the integrity, security, or functionality of University or other technology resources, or to protect the University from harm.
 - If there is reasonable cause to believe that a user has violated, or is violating any Logan policy or applicable civil or criminal law.
 - If an information technology resource is experiencing unusually excessive activity.

6. Use Must Be Compatible with Logan's Mission.

- A. Logan's technology resources are not private. The University reserves the right to inspect the activities, communication and accounts of individual users of Logan's technology resources as needed and without notice, except as prohibited by law. In its discretion, the University may use or disclose the results of any inspection, including the contents and records of individual communications, to University personnel, third parties, or law enforcement agencies.
- B. The University permits occasional personal use of technology resources on a limited basis. Such use must not consume a significant amount of Logan's technology resources, interfere with job performance or with other University responsibilities, interfere with the efficient operation of the University or its technology resources, and must be otherwise in compliance with Logan policy.

7. Use Must Respect Copyright.

- A. Users of Logan's technology resources must honor the rights of copyright owners, and not participate in the unauthorized use, distribution, or reproduction of copyrighted materials, including but not limited to music or video files. The University investigates any claims of possible copyright infringement taking place through its computer networks. Users who violate copyright law, including the use of peer-to-peer networks, may be subject to civil or criminal liabilities

8. Logan Will Enforce This Policy.

- A. Access to Logan's technology resources is a privilege. Abuse of the privilege may result in disciplinary procedures and/or legal action as described in Logan's policies and handbooks. In some situations, Logan may be required to immediately disable technology resources and suspend access privileges where unacceptable use is severely impacting system performance or security.

5-6 Inspections

Logan University reserves the right to inspect an employee's work area and the University's property or equipment to protect the property and safety of student's employees, and other individuals on the University's campus and to prevent the use or possession of weapons on the University's campus. If the inspection reveals violations of University policy, the employee may be subject to corrective action up to and including termination of employment. Additionally, any illegal activity discovered during an inspection may be referred to law enforcement.

5-7 Smoking

Smoking, including the use of e-cigarettes, is prohibited on University premises and in all University vehicles.

5-8 Personal Visits and Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, we ask that personal telephone calls be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are required to get the approval of their supervisor when having personal guests visit or accompany them anywhere in our facilities other than the reception areas.

5-9 Solicitation and Distribution

To avoid distractions, solicitation by an employee of another employee is prohibited while either employee is on work time and in all immediate patient care areas. "Work time" is defined as the time an employee is engaged, or should be engaged, in performing his/her work tasks for Logan University. Solicitation of any kind by non-employees on University premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in immediate patient care areas and all other working areas of University is prohibited at all times. Distribution of literature by non-employees on University premises is prohibited at all times.

5-10 Bulletin Boards

Important notices and items of general interest are continually posted on our monitor's and HR bulletin board. Employees should make it a practice to review it frequently. This will assist employees in keeping up with what is current at Logan University. To avoid confusion, employees should not post or remove any material from the bulletin board.

5-11 Confidential University Information

During the course of work, an employee may become aware of confidential information about Logan University, including but not limited to information regarding University finances, pricing, products and new product development, software and computer programs, marketing strategies, suppliers and customers and potential customers. An employee also may become aware of similar confidential information belonging to the University's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to our competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of the University may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

5-12 Conflict of Interest and Business Ethics

It is Logan University's policy that all employees avoid any conflict between their personal interests and those of the University. The purpose of this policy is to ensure that the University's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of the University.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the University, by any employee who is in a position to directly or indirectly influence either the University's decision to do business, or the terms upon which business would be done with such organization;
2. holding any interest in an organization that competes with the University;
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the University or which competes with the University; and/or
4. profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with the University.

A conflict of interest would also exist when a member of an employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is your responsibility to report any actual or potential conflict that may exist between you (and your immediate family) and the University.

5-13 Use of Facilities, Equipment and Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of loss, damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the University's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, the University is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

5-14 Health and Safety

The health and safety of employees and others on University property are of critical concern to Logan University. The University intends to comply with all health and safety laws applicable to the University. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to the University immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the University's premises, or in a product, facility, piece of equipment, process or practice for which the University is responsible should be brought to the attention of the University immediately.

Periodically, the University may issue rules and guidelines governing workplace safety and health. The University may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor and security as soon as possible, regardless of the severity of the injury or accident. Employees should see the Workers' Compensation/Job Related Incidents policy for more information.

5-15 Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, Logan University may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no manager relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of the University. Accordingly, all parties to any type of intimate personal relationship must inform Human Resources.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. The University generally will attempt to identify other available positions, but if no alternate position is available, the University retains the right to decide which employee will remain with the University.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

5-16 Employee Dress and Personal Appearance

You are expected to report to work well groomed, clean, and dressed according to the requirements of your position. Some employees may be required to wear uniforms or safety equipment/clothing. Please contact your manager for specific information regarding acceptable attire for your position. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well-groomed and wearing the proper attire.

5-17 Publicity/Statements to the Media

All media inquiries regarding the position of the University as to any issues must be referred to the President and/or the Head of Communications. Only the President and/or the Head of Communications is authorized to make or approve public statements on behalf of the University. No employees, unless specifically designated by the President and/or the Head of Communications, are authorized to make those statements on behalf of University. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the University must first obtain approval from the President and/or the Head of Communications.

5-18 Operation of Vehicles

All employees authorized to drive University-owned or leased vehicles or personal vehicles in conducting University business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to Human Resources immediately.

An employee must have a valid driver's license in his or her possession while operating a vehicle off or on University property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

University-owned or leased vehicles may be used only as authorized by the University.

Portable Communication Device Use While Driving

Employees who drive on University business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill the University needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-19 University Expense Reimbursement

Employees will be reimbursed for reasonable approved expenses incurred in the course of University. These expenses must be approved by the employee's supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to the employee's supervisor along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their supervisor in advance if they have any questions about whether an expense will be reimbursed.

5-20 References

Logan University will respond to reference requests through the Human Resources Department. The University will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Human Resources Department.

Only the Human Resources Department may provide references.

5-21 If You Must Leave Us

Should an employee decide to leave the University, we ask that he or she provide a supervisor with at least 2 weeks advance notice of departure. Thoughtfulness will be appreciated. All University property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of the University's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the University, (through payroll deduction, if lawful) for any lost or damaged University property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

5-22 Exit Interviews

Employees who resign are requested to participate in an exit interview with Human Resources, if possible.

5-23 A Few Closing Words

This handbook is intended to give employees a broad summary of things they should know about Logan University. The information in this handbook is general in nature and, should questions arise, the Vice President of Human Resources should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook,

Logan University, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to the Human Resources Office if they have any questions about the University or its personnel policies and practices.

Section 6 - Massachusetts Addendum

6-1 Pregnancy Accommodations

Under the Massachusetts Pregnant Workers Fairness Act (effective April 1, 2018), employees have the right to be free from discrimination in relation to pregnancy or a condition related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child, including the right to reasonable accommodations for conditions related to pregnancy.

Reasonable Accommodations

The University will provide a reasonable accommodation for an employee's pregnancy or any condition related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child if the employee requests such an accommodation. However, the University may deny such an accommodation if the accommodation would impose an undue hardship on the University's program, enterprise or business.

Reasonable accommodations may include, but are not limited to:

1. more frequent or longer paid or unpaid breaks;
2. time off to attend to a pregnancy complication or recover from childbirth with or without pay;
3. acquisition or modification of equipment or seating;
4. temporary transfer to a less strenuous or less hazardous position;
5. job restructuring;
6. light duty;
7. private non-bathroom space for expressing breast milk;
8. assistance with manual labor; or
9. a modified work schedule; provided, however, that the University is not required to discharge or transfer an employee with more seniority or promote an employee who is not able to perform the essential functions of the job with or without a reasonable accommodation.

Notice and Documentation

Upon receiving a request for an accommodation from the employee or prospective employee capable of performing the essential functions of the position involved, the University will engage in a timely, good faith and interactive process with the employee or prospective employee to determine an effective, reasonable accommodation to enable the employee or prospective employee to perform the essential functions of the employee's job or the position to which the prospective employee has applied. The University may require the employee or prospective employee to provide documentation from an appropriate health care or rehabilitation professional about the need for a reasonable accommodation; however, the University will not require documentation for the following accommodations:

1. more frequent restroom, food or water breaks;
2. seating;
3. limits on lifting more than 20 pounds; and
4. private non-bathroom space for expressing breast milk.

The University also may require documentation for an extension of the accommodation beyond the originally agreed to accommodation.

An employee who notifies the University of a pregnancy or of a condition related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child will receive an additional copy of this notice not more than 10 days after the notification.

Enforcement and Retaliation

The University will not:

1. take adverse action against an employee who requests or uses a reasonable accommodation in terms, conditions or privileges of employment including, but not limited to, failing to reinstate the employee to the original employment status or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits and other applicable service credits when the need for a reasonable accommodation ceases;
2. deny an employment opportunity to an employee if the denial is based on the need to make a reasonable accommodation to the known conditions related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child;
3. require an employee affected by pregnancy or a condition related to the pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child, to accept an accommodation that the employee chooses not to accept, if that accommodation is unnecessary to enable the employee to perform the essential functions of the job;
4. require an employee to take a leave if another reasonable accommodation may be provided for the known conditions related to the employee's pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child, without undue hardship on the University's program, enterprise or business;
5. refuse to hire a person who is pregnant because of the pregnancy or because of a condition related to the person's pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child; provided, however, that the person is capable of performing the essential functions of the position with a reasonable accommodation and that reasonable accommodation would not impose an undue hardship, demonstrated by the University, on the University's program, enterprise or business.

If employees have any questions about or would like to request a reasonable accommodation pursuant to this policy, they should contact the Head of Human Resources.

6-2 Sexual Harassment

Logan University is committed to a workplace free of sexual harassment and retaliation. Logan University does not tolerate and prohibits sexual harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer or any third party. Logan University also prohibits retaliation as defined below.

Sexual harassment and retaliation are unacceptable in the workplace and in any work-related settings such as business trips and University-sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client customer, vendor or other third party. In addition to being violation of this policy, sexual harassment and because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Definition of Sexual Harassment

Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individuals' sex or gender expression (including transgender status) and/or sexual orientation when:

- submission to that conduct or those advances or request is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of the conduct or advances or request by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or request have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment is unlawful to the extent it fully meets the harassment definition above however, this policy prohibits conduct and authorizes discipline against offenders whose conduct is sex-based even if it does not meet such definition.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media post or emails). or physical conduct (including physically threatening

another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful.

Because it is difficult to define unlawful sexual harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, comments, gestures, flirtations, leering, whistling, touching, kissing, pinching, assault, blocking normal movement.
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment.
- sexual jokes or comments about a person's body sexuality or sexual experience;
- propositions or suggestive or insulting comments of sexual nature;
- derogatory, obscene or vulgar cartoons, posters, pictures and drawings;
- sexually-explicit emails or voicemails;
- conversations about one's own or someone else's sex life;
- conduct comments, or hostile actions consistently targeted at only one gender or because of the person's gender or gender identity or expression, even if the content of not sexual.

Definition of Retaliation:

Retaliations means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy or participated in

the reporting and investigation process described below. “Adverse conduct” includes but is not limited to:

- any action that would discourage an employee from reporting sexual harassment or retaliation
- shunning and avoiding an individual who reports sexual harassment or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and
- denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process described below.

Reporting Procedures

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number 636-230-1720.

Written complaints can be submitted internally using the form provided in this handbook.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief of Compliance & Engagement immediately at the following address 1851 Schoettler Rd. and phone number 636-230-1932.

If the person against whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level supervisor in the reporting hierarchy of the individual against whom the complaint is made.

Every supervisor who learns of any employee’s concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to the Chief of Compliance & Engagement.

Investigation Procedures

Upon receiving a complaint, the University will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy to ensure due process for all parties. To the extent possible, the University will endeavor to keep the reporting individual’s concerns confidential. However, complete confidentiality may not be

possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the University generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the University will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The University will inform the complainant and the accused of the results of the investigation.

The University will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the University determines such measures are necessary. These measures may include, but not limited to, counseling, suspension or immediate termination. Anyone, regardless of position or title, whom the University determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in sexual harassment or retaliation, as well as supervisors who fail to report violations of this policy, or knowingly allow prohibited conduct to continue.

While employees are encouraged to report claims internally, if an employee believes that he or she has been subjected to sexual harassment, he or she may file a formal complaint with the government agency or agencies set forth below. Using the University's complaint process does not prohibit an employee from filing a complaint with these agencies.

The United States Equal Employment Opportunity Commission ("EEOC") JFK Federal Building, Room 475 Boston, Massachusetts 02203 (617) 565-3200

The Massachusetts Commission Against Discrimination ("MCAD") Boston Office: One Ashburton Place, Room 601 Boston, Massachusetts 02108 (617) 727-3990

Springfield Office: 436 Dwight Street, Room 220 Springfield, Massachusetts 01103 (413) 739-2145

6-3 Overtime

At times, Logan University we experience periods of extremely high activity. During these busy periods, additional work may be required from some employees. Supervisors are responsible for monitoring University activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1½) his/her normal hourly wage for all time worked in excess of forty (40) hours each week, unless otherwise required by law.

Employees may work overtime only with prior authorization from the employee's supervisor.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends 168 hours later at 12 a.m. on the following Sunday.

6-4 Earned Sick Time

Eligibility

Logan University provides earned sick time to employees whose primary place of work is in Massachusetts. For employees whose primary place of work is in Massachusetts who are eligible for sick time under the general Paid Sick Time policy and/or any other applicable sick time/leave ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Paid Sick Time policy and/or any other applicable sick time/leave ordinance.

Accrual

Employees begin accruing earned sick time on July 1, 2015 or at the start of employment, whichever is later. Eligible employees will accrue one (1) hour of earned sick time for every 30 hours worked, up to a maximum accrual of 40 hours each calendar year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case sick time accrues based upon that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees who have been employed for at least 90 days as of July 1, 2015 may use earned sick time as it accrues. Employees who have been employed for less than 90 days as of July 1, 2015 and employees hired on or after July 1, 2015, may begin using accrued earned sick time on the 90th day of employment. The smallest amount of earned sick time an employee can use is one (1) hour. For uses beyond one (1) hour, employees may use earned sick time in hourly increments or in the smallest increment the payroll system uses to account for absences or use of other time. An employee may not use more than 40 hours of earned sick time in any calendar year.

Employees may use earned sick time for the following reasons:

1. to care for the employee's child (which includes a biological, adopted or foster child, stepchild, legal ward or child of a person standing in loco parentis), spouse (as defined by the marriage laws of the commonwealth, which includes a partner in a same-sex marriage), parent or parent of a spouse, who is suffering from a physical or mental illness, injury or medical condition that requires home care, professional medical diagnosis or care or preventative medical care;

2. to care for the employee's own physical or mental illness, injury or medical condition that requires home care, professional medical diagnosis or care or preventative medical care;
3. to attend the employee's routine medical appointment or a routine medical appointment for the employee's child, spouse, parent or parent of spouse;
4. for travel to and from an appointment, a pharmacy or other location related to the purpose for which earned sick time was taken; or
5. to address the psychological, physical or legal effects of domestic violence.

Earned sick time may not be used as an excuse to be late for work if the lateness is not related to one of the reasons described above. Additionally, employees may not accept a specific shift assignment with the intention of calling out sick for all or part of the shift.

Use of earned sick time will run concurrently with time off provided under Family and Medical Leave, Massachusetts Parental Leave, Massachusetts Domestic Violence Leave, Massachusetts Small Necessities Leave or time off pursuant to any other applicable law, if applicable and to the extent permitted by applicable law.

Notice and Documentation

Employees must comply with the attendance and call-in policy when providing notice. Employees must make a good faith effort to provide notice of this need to use earned sick time if the need is foreseeable. Specifically, if an employee's need for the use of earned sick time is due to a pre-scheduled or foreseeable absence, seven (7) days advance notice to Human Resource Department is required. If an employee anticipates a multi-day absence from work, employees must provide notification of the expected duration of the leave or, if unknown, must provide notification on a daily basis, unless the circumstances make such notice unreasonable. If an employee's need for the use of earned sick time is unforeseeable, notice must be provided as soon as practicable under the circumstances.

When providing notice or reporting an absence for a covered purpose, employees are not required to explicitly reference earned sick time, but Logan University may, in accordance with applicable laws regarding privacy and confidentiality of medical information, review with employees the covered purposes for which earned sick time may be used.

For any earned sick time used, employees must verify in writing that they have used the time for a covered reason, but will not be required to explain the nature of the illness or the details of the domestic violence.

Logan University will also require supporting documentation if an employee's use of earned sick time:

1. covers more than 24 consecutively scheduled work hours or three (3) consecutive scheduled work days;
2. occurs within two (2) weeks prior to an employee's final scheduled day of work before termination of employment, except in the case of temporary employees;

3. occurs after three (3) unforeseeable and undocumented absences within a three (3) month period *for employees aged 17 and under*; or
4. occurs after four (4) unforeseeable and undocumented absences within a three (3) month period *for all other employees*.

Documentation signed by a health care provider indicating the need for earned sick time taken constitutes acceptable certification for sick time taken for reasons 1 through 4 set forth in the Usage section above, except employees who do not have health care covered through a private insurer, the MA Healthcare Connector and related insurers may provide a signed written statement evidencing the need for use of earned sick time, without being required to explain the nature of the illness, in lieu of documentation by a health care provider.

Acceptable documentation for earned sick time taken for reason 4 can include:

- a restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- a police record documenting the abuse;
- documentation that the perpetrator of the abuse has been convicted of one or more offenses where the victim was a family or household member;
- medical documentation of the abuse;
- a statement provided by a counselor, social worker, health worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the individual in addressing the effects of the abuse on the individual or the individual's family; or
- a sworn statement from the individual attesting to the abuse.

The documentation does not need to explain the nature of the illness or the details of the domestic violence. Documentation can be submitted in person or by another reasonable method, including email.

Documentation must be provided within seven (7) days of an employee taking earned sick time, unless, for good cause shown or as otherwise permitted, an employee requires more time to provide such documentation. Failure to comply with the reasonable documentation requirements, without a reasonable justification, may result in Logan University recouping the amount paid for earned sick time from future pay, as an overpayment or otherwise taking appropriate action, to the extent permitted by applicable law.

Employees may be asked to provide a fitness-for-duty certification, a work release or other documentation from a medical provider before returning to work after an absence during which earned sick time was used.

Payment

Earned sick time will be paid at the same hourly rate as the employee earns from his or her employment at the time the employee uses such time. Use of sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Up to 40 hours of accrued, unused earned sick time under this policy can be carried over to the following calendar year, but employees are subject to an accrual cap of 40 hours. Once the accrual cap is reached, earned sick time will stop accruing until some earned sick time is used, at which point accrual will resume, subject to the maximum annual accrual of 40 hours and the accrual cap of 40 hours.

Accrued but unused earned sick time under this policy will not be paid at separation.

Enforcement and Retaliation

Employees may be subject to disciplinary action for misuse of earned sick time if they are engaging in fraud or abuse of benefits available under this policy.

Logan University will not tolerate retaliation against an employee who opposes practices that he or she believes to be in violation of earned sick time law or because the employee supports the exercise of rights of another employee under the earned sick time law. Employees may file an action in court to enforce their earned sick time rights.

Employees with questions regarding this policy should contact Human Resource Office.

6-5 Jury Duty Leave

Logan University realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of any request to perform jury duty and verification of their service, including fees received for jury duty service.

Employees also are expected to keep the University informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for the University, employees may be asked to try to postpone jury duty.

The University will pay regularly employed jurors their regular wages for the first three (3) days of jury service. Courts may excuse employers from the duty to compensate juror-employees in cases of extreme financial hardship. In such cases, the court will award the juror reasonable compensation in lieu of wages, up to \$50 a day, for the first three (3) days of juror service. Alternate jurors will receive the same payments and reimbursements from their employers and the commonwealth as jurors.

Exempt employees will be paid their full salary less jury duty fees for any week in which they performed work for the University and missed work solely due to jury service.

6-6 Small Necessities Leave

Logan University will grant employees who have worked for the University for at least 12 months and have provided at least 1,250 hours of service in the preceding 12-month period with up to 24 hours of unpaid leave during any 12-month period, in addition to any FMLA leave, to participate in various activities. These include: attending a parent-teacher conference, accompanying a son or daughter to routine medical appointments or accompanying an elderly relative, related by blood or marriage, to routine medical or dental appointments or appointments for other professional services related to the relative's care, such as interviewing at nursing homes. Employees must provide seven (7) days' advance notice of their need for leave. If the need was not foreseeable, the employee must provide the University with as much notice as possible. An eligible employee first must substitute any accrued paid time off for this leave.

6-7 Parental Leave

An employee who has completed three (3) consecutive months of full-time employment may be entitled to eight (8) weeks of parental leave for the purpose of giving birth or for the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled, for adoption with the employee who is adopting or intending to adopt the child or for the placement of a child with an employee pursuant to a court order. An employee who either has multiple births or adopts more than one (1) child at the same time is entitled to eight (8) weeks of leave for each child. If two (2) employees seek to take parental leave in connection with the same child, then they are entitled to a total of eight (8) weeks of parental leave in the aggregate for the birth or adoption of that child.

In order to be eligible for this leave, an employee must give notice of the anticipated date of departure and intention to return to work to the Vice President of Human Resources and/or their supervisor at least two (2) weeks in advance, or as soon as practicable if the delay is for reasons beyond the employee's control.

Parental leave will be without pay, except that if an employee has accrued unused paid time off, an employee may choose to use such time concurrently with all or part of the leave. Thus, if an employee is eligible for both FMLA leave and parental leave under this policy, the employee may (but is not required to) use accrued paid time off for the period of leave covered by this policy.

At the conclusion of a parental leave, the employee will be reinstated to his or her previous position or a similar position with the same rate of pay he or she received at the commencement of the leave. The University, however, may not reinstate an employee on parental leave to the previous position or a similar position if other employees of equal seniority or status in the same or similar position(s) have been laid off due to economic conditions or have been otherwise affected by changes in employment conditions during the period of leave. While parental leave may be extended, unless otherwise provided by applicable law, reinstatement may not be guaranteed at the conclusion of a parental leave that was more than eight (8) weeks in duration.

A parental leave will not affect an employee's ability to receive paid time off, bonuses, advancement, seniority or other benefits for which the employee was eligible on the date leave began, however, the leave period will not be included in the computation of such benefits. Parental leave runs concurrently with leave provided under any other applicable policy in the handbook including, without limitation, leave under the FMLA policy, if applicable. Parental leave also runs concurrently with any time period qualifying an employee for receipt of monetary benefits, including benefits received under any short-term disability policy. The receipt of such monetary benefits or use of paid time off during any period of parental leave does not extend the length of the leave.

Employees with questions or concerns regarding this policy can contact Human Resource Department.

6-8 Domestic Abuse Leave

Employees are entitled to up to 15 days of unpaid leave from work in any 12-month period if, as defined by applicable law: (i) the employee, or a family member of the employee, is a victim of abusive behavior; (ii) the employee is using the leave from work to: seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from a court; appear in court or before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and (iii) the employee is not the perpetrator of the abusive behavior against such employee's family member.

Except in cases of imminent danger to the health or safety, an employee seeking leave from work under this policy must provide to the University appropriate advance notice of the leave. If there is a threat of imminent danger to the health or safety of the employee or the employee's family member, the employee is not be required to provide advanced notice of leave; provided, however, that the employee must notify the University within three (3) workdays that the leave was taken or is being taken pursuant to this policy.

Such notification may be communicated by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior on the employee or the employee's family member.

If an unscheduled absence occurs, no negative action will be taken against the employee if the employee provides any of the documentation described in (1) to (7) below within 30 days from the unauthorized absence or within 30 days from the last unauthorized absence in the instance of consecutive days of unauthorized absences.

Employees must provide documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave taken is consistent with this policy. However, an employee will not be required to show evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. Employees must provide such documentation within a reasonable period after the University requests documentation relative

to the employee's absence. An employee may satisfy this documentation requirement by providing any of the following documents:

1. A protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member.
2. A document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior against the employee or the employee's family member.
3. A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior complained of by the employee or the employee's family member.
4. Documentation that the perpetrator of the abusive behavior against the employee or family member of the employee has: admitted to sufficient facts to support a finding of guilt of abusive behavior; or has been convicted of, or has been adjudicated a juvenile delinquent by reason of, any offense constituting abusive behavior and which is related to the abusive behavior that necessitated the leave under this section.
5. Medical documentation of treatment as a result of the abusive behavior complained of by the employee or employee's family member.
6. A sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee or the employee's family member in addressing the effects of the abusive behavior.
7. A sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been the victim of abusive behavior or is the family member of a victim of abusive behavior.

Information related to the employee's leave under this policy will be kept confidential and will not be disclosed, except to the extent that disclosure is: (i) requested or consented to, in writing, by the employee; (ii) ordered to be released by a court of competent jurisdiction; (iii) otherwise required by applicable federal or state law; (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the attorney general; or (v) necessary to protect the safety of the employee or others employed at the workplace.

An employee seeking leave under this policy must exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking leave under this policy, unless otherwise provided by the University.

The University will not coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided under this policy or to make leave requested or taken hereunder contingent upon whether or not the victim maintains contact with the alleged abuser. The University will not discharge or in any other manner discriminate against an employee for exercising the employee's rights under this policy. The taking of leave under this policy will not result in the loss of any employment benefit accrued prior to the date on which the leave taken under this policy commenced. Upon the employee's return from such leave,

to the extent required by applicable law, the employee will be entitled to restoration to the employee's original job or to an equivalent position.

6-9 Receipt of Sexual Harassment Policy

Logan University is committed to a workplace free of sexual harassment and retaliation. Logan University does not tolerate and prohibits sexual harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer or any third party. Logan University also prohibits retaliation as defined below.

Sexual harassment and retaliation are unacceptable in the workplace and in any work-related settings such as business trips and University-sponsored social functions, regardless of whether the conduct is engaged in by supervisor, co-worker, client, customer, vendor or other third party. In addition to being violation of this policy, sexual harassment and retaliation are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Definition of Sexual Harassment

Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment is unlawful to the extent it fully meets the harassment definition above; however, this policy prohibits conduct and authorizes discipline against offenders whose conduct is sex-based even if it does not meet such definition.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or emails) or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful.

Because it is difficult to define unlawful sexual harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, comments, gestures, flirtations, leering, whistling, touching, kissing, pinching, assault, blocking normal movement;
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- sexual jokes or comments about a person's body, sexuality or sexual experience;
- propositions or suggestive or insulting comments of a sexual nature;
- derogatory, obscene or vulgar cartoons, posters, pictures, and drawings;
- sexually-explicit emails or voicemails;
- conversation about one's own or someone else's sex life;
- conduct, comments, or hostile actions consistently targeted at only one gender or because of the person's gender or gender identity or expression, even if the content is not sexual.

Sexual harassment is unlawful to the extent it fully meets the harassment definition above; however, this policy prohibits conduct and authorizes discipline against offenders whose conduct is sex-based even if it does not meet such definition.

Definition of Retaliation

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- any action that would discourage an employee from reporting sexual harassment or retaliation;
- shunning and avoiding an individual who reports sexual harassment or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and
- denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process described below.

Reporting Procedures

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number 636-230-1720.

Written complaints can be submitted internally using the form provided in this handbook.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact Chief of Compliance and Engagement Office immediately at the following address 1851 Schoettler Rd. and phone number 636-230-1932.

If the person against whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level supervisor in the reporting hierarchy of the individual against whom the complaint is made.

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to the Chief of Compliance and Engagement Office.

Investigation Procedures

Upon receiving a complaint, the University will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy to ensure due process for all parties. To the extent possible, the University will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the University generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the University will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The University will inform the complainant and the accused of the results of the investigation.

The University will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the University determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination. Anyone, regardless of position or title, whom the University determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in sexual harassment or retaliation, as well as supervisors who fail to report violations of this policy, or knowingly allow prohibited conduct to continue.

While employees are encouraged to report claims internally, if an employee believes that he or she has been subjected to sexual harassment, he or she may file a formal complaint with the government agency or agencies set forth below. Using the University's complaint process does not prohibit an employee from filing a complaint with these agencies.

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The Massachusetts Commission Against Discrimination ("MCAD") Boston Office: One Ashburton Place, Room 601 Boston, Massachusetts 02108 (617) 727-3990

Springfield Office: 436 Dwight Street, Room 220 Springfield, Massachusetts 01103 (413) 739-2145

I have read and I understand Logan University's Sexual Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given the Human Resources Office - it will be filed in your personnel file.

Section 7 - New York Addendum

7-1 New York City Pregnancy Accommodations

Pursuant to the New York City Human Rights Law, the University prohibits unlawful discrimination on the basis of pregnancy or perceived pregnancy and will endeavor to reasonably accommodate the needs of an employee for her pregnancy, childbirth or related medical condition to allow her to perform the essential requisites of the job, provided that such employee's pregnancy, childbirth or related medical condition is known or should have been known by the University, and the proposed accommodation does not impose an undue hardship on the University.

Any employee who needs to request an accommodation due to pregnancy, childbirth or a related medical condition should contact the Vice President of Human Resources. If an employee requested an accommodation but has not received an initial response within five (5) business days, she should contact the President.

After receiving a request for an accommodation due to pregnancy, childbirth or a related medical condition, or learning indirectly that an employee requires such an accommodation, the University will engage in a cooperative dialogue with the employee. Even if an employee has not formally requested an accommodation, the University, in compliance with applicable law, may initiate a cooperative dialogue under certain circumstances, such as when the University has knowledge that an employee's performance at work has been negatively affected and also has a reasonable basis to believe that the issue is related to pregnancy, childbirth or related medical condition.

The cooperative dialogue may take place in person, by telephone or by electronic means. As part of the cooperative dialogue, the University will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how the University may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, the University will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. The University is not required to provide the specific accommodation sought by an employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitation.

As part of the cooperative dialogue, the University reserves the right to request medical documentation from an employee under the following circumstances:

- when an employee requests time away from work, including for medical appointments, other than time off requested during the six- (6) to eight- (8) week period following childbirth (for recovery from childbirth); or
- when an employee requests to work from home, either on an intermittent basis or a longer-term basis.

If the University believes that the provided documentation is insufficient, and before denying the request based on insufficient documentation, the University reserves the right to request

additional documentation from the employee or, upon the employee's consent, speak with the health care provider who provided the documentation. If applicable, an employee whose time off is covered by the Family Medical Leave Act (FMLA) may also be required to provide medical documentation, depending on the circumstances of the leave request, pursuant to federal law.

At the conclusion of the cooperative dialogue, the University will provide written notice to the employee in a timely manner indicating that the University:

- will be able to offer and provide a reasonable accommodation;
- will not be able to provide a reasonable accommodation to the employee because there is no accommodation available that will not cause an undue hardship on the University's operations; or
- will not be able to provide a reasonable accommodation to the employee because no accommodation exists that will allow the employee to perform the essential requisites of the job.

The University will endeavor to keep confidential communications regarding requests for reasonable accommodations and all circumstances surrounding an employee's pregnancy, childbirth or related medical condition.

Employees with questions regarding this policy should contact the Vice President of Human Resources.

7-2 New York City Supplemental Gender Discrimination

In accordance with New York City law, the University prohibits unlawful discrimination in employment on the basis of gender. For purposes of this policy, gender is an individual's actual or perceived sex, gender identity and gender expression, including a person's actual or perceived gender-related self-image, appearance, behavior, expression or other gender-related characteristic regardless of the sex assigned to that person at birth.

The University is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, accommodation requests, access to programs and facilities, employee activities and general treatment during employment.

In furtherance of this policy:

- The University gives employees the option of indicating their preferred gender pronoun. The University's systems allow employees to self-identify their names and genders and do not limit such identifications to male and female only.
- All employees and other individuals have access to single-sex facilities consistent with their gender identity or expression. To the extent possible, the University provides single-occupancy restrooms and provides multi-user facilities for

individuals with privacy concerns, but will not require use of a single-occupancy bathroom because an individual is transgender or gender non-conforming.

- The University's dress code and grooming standards are gender neutral, and therefore do not differentiate or impose restrictions or requirements based on gender or sex.
- The University evaluates all requests for accommodations (including requests for medical leaves) in a fair and non-discriminatory manner.
- Employees who engage with the public as part of their job duties are required to do so in a respectful, non-discriminatory manner by respecting gender diversity and ensuring that members of the public are not subject to discrimination (including discrimination with respect to single-sex programs and facilities).

Employees with issues or concerns regarding gender discrimination or who feel they have been subjected to such discrimination can contact the Vice President Human Resources. The University prohibits and does not tolerate retaliation against employees who report issues or concerns of gender discrimination pursuant to this policy in good faith.

7-3 Sexual Harassment

Logan University is committed to a workplace free of sexual harassment and retaliation. Logan University does not tolerate and prohibits sexual harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, manager, vendor, customer or any third party. Logan University also prohibits retaliation as defined below.

Sexual harassment and retaliation are unacceptable in the workplace and in any work-related settings such as business trips and University-sponsored social functions, regardless of whether the conduct is engaged in by a manager, co-worker, client, customer, vendor or other third party. In addition to being a violation of this policy, sexual harassment and retaliation are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Definition of Sexual Harassment

Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or

- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or emails) or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful.

Because it is difficult to define unlawful sexual harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, comments, gestures, flirtations, leering, whistling, touching, kissing, pinching, assault, blocking normal movement;
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- sexual jokes or comments about a person's body, sexuality or sexual experience;
- propositions or suggestive or insulting comments of a sexual nature;
- derogatory, obscene or vulgar cartoons, posters, pictures, and drawings;
- sexually-explicit emails or voicemails;
- conversation about one's own or someone else's sex life;
- conduct, comments, or hostile actions consistently targeted at only one gender or because of the person's gender or gender identity or expression, even if the content is not sexual.

Definition of Retaliation

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- any action that would discourage an employee from reporting sexual harassment or retaliation;
- shunning and avoiding an individual who reports sexual harassment or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and

- denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process described below.

Reporting Procedures

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number (636) 230-1720.

Written complaints can be submitted internally using the form provided in this handbook.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief of Compliance and Engagement Office immediately at the following address 1851 Schoettler Rd. and phone number 6362301932.

If the person against whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level supervisor in the reporting hierarchy of the individual against whom the complaint is made.

Every manager who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to the Chief of Compliance and Engagement Office.

Investigation Procedures

Upon receiving a complaint, the University will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy to ensure due process for all parties. To the extent possible, the University will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the University generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the University will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The University will inform the complainant and the accused of the results of the investigation.

The University will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the University determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination. Anyone, regardless of position or title, whom the University determines has engaged in conduct that violates this policy will be subject to discipline, up to and including

termination. This includes individuals engaging in sexual harassment or retaliation, as well as managers who fail to report violations of this policy, or knowingly allow prohibited conduct to continue. Individuals who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Legal Protections and External Remedies

Aside from the internal complaint process at the University, individuals may choose to pursue external legal remedies with the following governmental entities.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one (1) year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three (3) years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the University does not extend the time to file with DHR or in court. The one (1) year or three (3) years is counted from the date of the most recent incident of harassment.

An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate complaints and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458; (718) 741-8400; www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42

U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An individual alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, those who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Remember, Logan University cannot remedy claimed sexual harassment or retaliation unless individuals bring these claims to the attention of management. Please report any conduct which violates this policy.

7-4 Sexual Harassment Complaint Form

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Vice President of Human Resources or the Chief of Compliance and Engagement Office. If you are more comfortable reporting verbally or in another manner, you may do so and can follow the guidelines set forth in the Sexual Harassment policy. You will not be retaliated against for filing a complaint. Once a complaint is received, Logan University will follow the investigation process described in our policy.

General Information

Your Name / Job Title:

Your Department / Manager:

Preferred Communication Method (if via e-mail or phone, please provide contact info):

Complaint Information

1. Please tell us who you believe has violated our policy against sexual harassment. What is their relationship to you (e.g., manager, subordinate, co-worker, other):
2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.
3. Please provide specific date(s) the alleged sexual harassment occurred. Additionally, please advise if the alleged sexual harassment is continuing.
4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint.

This last question is optional, but may help the investigation

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Sign and date this form below

Signature: _____ Date: _____

7-5 New York City Temporary Schedule Change

Employees who work 80 or more hours in New York City in a calendar year and have been employed by Logan University for 120 or more days are eligible for two (2) temporary changes to their work schedules each calendar year for certain “personal events.”

Personal Events

A “personal event” includes the following:

- the need to care for a child under the age of 18 for whom the employee provides direct and ongoing care;
- the need to care for an individual (“care recipient”) with a disability who is a family member or who resides in the caregiver’s household for whom the employee provides direct and ongoing care to meet the needs of daily living;
- the need to attend a legal proceeding or hearing for public benefits to which the employee, a family member or the employee’s minor child or care recipient is a party; or
- any other reason for which the employee may use leave under New York City’s Paid Safe and Sick Leave law.

For purposes of this policy a “family member” includes: a child (biological, adopted, or foster child, legal ward, child of an employee standing in loco parentis); a grandchild; a spouse (current or former regardless of whether they reside together); a domestic partner (current or former regardless of whether they reside together); a parent; a grandparent; a child or parent of an employee’s spouse or domestic partner; a sibling (including a half-, adopted or step-sibling); any other individual related by blood to the employee; and any individual whose close association with the employee is the equivalent of family.

Temporary Schedule Change

A temporary schedule change may last up to one (1) business day on two (2) separate occasions or up to two (2) business days on one (1) occasion each calendar year. A business day is any 24-hour period during which an employee is required to work any amount of time.

A temporary change means an adjustment to an employee’s usual schedule including in the hours, times or locations an employee is expected to work. The change can include:

- using short-term unpaid leave;
- using paid time off;
- working remotely; or
- swapping or shifting working hours with a co-worker.

The University has the option of granting unpaid leave in lieu of the temporary change requested by the employee.

Request for Schedule Change

Request for a temporary schedule change must be made orally or in writing to the University or to the employee's direct manager as soon as practicable after the employee becomes aware of the need for the change. The request should include:

- the date of the temporary schedule change;
- that the change is due to a personal event; and
- proposed type of temporary schedule change (unless the employee would like to use leave without pay).

The University will respond immediately to such requests. Assuming the employee has not exceeded the number of allowable requests and the request is for a qualifying reason, the University will either approve the proposed type of temporary schedule change or provide leave without pay. The University also may offer employees the ability to use paid time off. Employees will not be required to use leave under New York City's Paid Safe and Sick Leave law for a temporary schedule change.

If the employee requested the schedule change in person or by phone, the employee must submit a written request no later than the second business day after the employee returns to work. The employee should include in the written request the date of the temporary schedule change and that the change was due to a personal event.

The University will provide a written response to any written request for temporary schedule change within 14 days. The response will include:

- if the request was granted or denied;
- how the request was accommodated (if granted) or the reason for denial (if denied);
- number of requests the employee has made for temporary schedule changes; and
- how many days the employee has left in the year for temporary schedule changes.

Employees have the right to temporary schedule changes and may file a complaint for alleged violations of this policy and applicable law with the New York City Department of Consumer Affairs. The University prohibits retaliation or the threat of retaliation against an employee for exercising or attempting to exercise any right provided in this policy and applicable law, or interference with any investigation, proceeding or hearing related to or arising out of employees' rights pursuant to this policy and applicable law.

Employees with questions concerning this policy should contact Human Resource Department.

7-6 Lactation Breaks

Employees who are nursing are provided with break time to express breast milk for up to three years after the birth of a child. Employees will not be discriminated against or retaliated against for exercising their rights under this policy and reasonable efforts will be made to provide a private room or location in close proximity to the work area for this purpose.

7-7 Jury Duty Leave

Logan University realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service, including fees received for jury duty service.

Employees also are expected to keep their supervisor informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for the University, employees may be asked to try to postpone jury duty.

The University will not compensate non-exempt employees for time off while on jury duty leave. Exempt employees will be paid their full salary less jury duty fees for any week in which they performed work for the University and missed work due to jury service.

7-8 Witness Leave

An employee called to serve as a witness in a judicial proceeding must notify his/her manager as soon as possible.

Employees will not be compensated for time away from work to participate in a court case, but may use available vacation and personal time to cover the period of absence.

Employees that appear in court to testify as a witness or victim, or to consult with a district attorney or obtain an order of protection, will not be disciplined or discharged for their absence.

7-9 Bereavement Leave

We know the death of a family member is a time when employees wish to be with their families. If the employee is a full-time, part-time employee and loses a close relative, he or she will be allowed paid time off of up to 3 days to assist in attending to his or her obligations and commitments. For the purposes of this policy, a close relative includes a spouse, civil union partner, child, parent, sibling or any other relation required by applicable law. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. An employee must inform his or her manager prior to commencing bereavement leave. In administering this policy, the University may require verification of death.

7-10 Voting Leave

Employees who are eligible to vote in an election may request up to two hours with pay to vote, unless "sufficient time" exists outside of working hours, i.e. four consecutive nonworking hours while polls are open.

Employees must notify the University of their intention to vote at least 2 but not more than 10 working days prior to Election Day.

7-11 Statutory Short-Term Disability Benefits

Logan University also provides statutory short-term disability insurance.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

7-12 Family Military Leave

Employees who work an average of at least 20 hours per week and are spouses of military members generally are entitled to up to 10 days of unpaid leave during any period when the spouse in the military is on leave from active duty. Prior notice is requested for staffing reasons. Employees will not be retaliated against for exercising their rights under this policy.

Leave runs concurrently with FMLA Qualifying Exigency leave to the extent both are applicable.

7-13 State Paid Family Leave

(California, Connecticut, D.C., Massachusetts, New Jersey, New York, Oregon, Rhode Island, and Washington)

Eligibility Requirements

Employees who have a regular work schedule of 20 or more hours per week and have been employed at least 26 consecutive weeks prior to the date Paid Family Leave (PFL) begins (or who have a regular work schedule of less than 20 hours per week and have worked at least 175 days to the date PFL begins) are eligible for PFL. Paid time off can be counted toward an employee's eligibility determination. Employees are eligible for PFL regardless of citizenship and/or immigration status. Employees have the option to file a waiver of PFL and therefore not be subject to deductions when their regular employment schedule is:

- 20 or more hours per week but the employee will not work 26 consecutive weeks;
or

- fewer than 20 hours per week and the employee will not work 175 days in a 52-consecutive-week period

Entitlement

PFL is available to eligible employees for up to eight (8) weeks (***increases to 10 weeks on or after January 1, 2019 and up to 12 weeks on or after January 1, 2021***) within any 52-consecutive-week period. PFL is available for any of the following reasons:

- to participate in providing care, including physical or psychological care, for the employee's family member (child, spouse, domestic partner, parent, parent-in-law, grandchild or grandparent) with a serious health condition; or
- to bond with the employee's child during the first 12 months after the child's birth, adoption or foster care placement; or
- for qualifying exigencies, as interpreted by the Family and Medical Leave Act (FMLA), arising out of the fact that the employee's spouse, domestic partner, child or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.

The 52-consecutive-week period is determined retroactively with respect to each day for which PFL benefits are currently being claimed.

PFL benefits are financed solely through employee contributions via payroll deductions.

The weekly monetary benefit will be 50 percent of the employee's average weekly wage or 50 percent of the state average weekly wage, whichever is less (*increases to 55 percent on or after January 1, 2019, 60 percent on or after January 1, 2020 and 67 percent on or after January 1, 2021*).

The University and an employee may agree to allow the employee to supplement PFL benefits up to their full salary with paid time off, to the maximum extent permitted by applicable law.

An employee who is eligible for both statutory short-term disability benefits and PFL during the same period of 52-consecutive-calendar weeks may not receive more than 26 total weeks of disability and PFL benefits during that period of time. Statutory short-term disability benefits and PFL benefits may not be used concurrently. If an employee is unable to work and qualifies for workers' compensation benefits, the employee may not use PFL benefits at the same time the employee is receiving workers' compensation benefits. An employee receiving reduced earnings may be eligible for PFL.

Leave may not be taken for any one of, or for a combination of, the following reasons:

- for a birth mother's pregnancy or prenatal conditions;
- for an employee's own health condition; and/or

- for an employee's own qualifying military event.

Definition of 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.

Use of Leave

An employee does not need to use this leave entitlement in one (1) block. Leave can be taken intermittently in daily increments. Leave taken on an intermittent basis will not result in a reduction of the total amount of leave to which an employee is entitled beyond the amount of leave actually taken.

Employee Responsibilities

An employee must provide 30 days' advance notice before the date leave is to begin if the qualifying event is foreseeable. When 30 days' notice is not practicable for reasons such as lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, the employee must provide notice as soon as practicable and generally must comply with the University's normal call-in procedures. Failure by the employee to give 30 days' advance notice of a foreseeable event may result in partial denial of the employee's benefits for a period of up to 30 days from the date notice is provided.

Employees must provide sufficient information to make the University aware of the qualifying event and the anticipated timing and duration of the leave. Employees must specifically identify the type of family leave requested. Employees also must provide medical certifications and periodic recertification or other supporting documentation or certifications supporting the need for leave. An employee requesting PFL must submit a completed Request for Paid Family Leave or PFL-1 form and additional certification form(s) as follows to the University's insurance carrier: 1) Bonding Certification: PFL-2 Form plus documentation; 2) Health Care Provider Certification: PFL-4 Form plus Personal Health Information (PHI) Release (PFL-3 Form); or 3) Military Qualifying Event: PFL-5 Form plus documentation. These documents are available from Human Resource Department.

To submit a request for PFL, employees must complete the employee's portion of the insurance carrier's PFL-1 Form, and submit it to Human Resources. The University will complete its section of the form and will return it to the employee within three (3) business days. If the University fails to respond, employees may submit all materials directly to the insurance carrier. Depending on the type of PFL leave employees are seeking, employees will be required to complete additional PFL forms as described in the communication that employees will receive from the insurance carrier. Employees must submit the completed PFL forms before or within 30 days after the start of their leave. The insurance carrier must pay or deny leave requests within 18 calendar days of receiving an employee's completed forms.

Job Benefits and Protection

During any PFL taken pursuant to this policy, the University will maintain coverage under any existing group health insurance benefits plan as if the employee had continued to work. The employee must make arrangements with Human Resources prior to taking leave to pay their portion of any applicable health insurance premiums each month.

The University's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, the University will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

Employees who exercise their right to PFL will, upon the expiration of that leave, be entitled to be restored to the position they held when the leave commenced, or to a comparable position with comparable benefits, pay and other terms and conditions of employment. The taking of leave covered by PFL will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. While on PFL, employees will not continue to accrue sick or vacation time.

Leave Concurrent with FMLA

The University will require an employee, who is entitled to leave under both the Family & Medical Leave Act (FMLA) and PFL, to take PFL concurrently with any leave taken pursuant to the FMLA. When the total hours taken for FMLA in less than full-day increments reaches the number of hours in an employee's usual workday, the University may deduct one (1) day of PFL from an employee's annual available PFL.

Questions and/or Complaints about PFL

If employees have any questions regarding this policy, they should contact Human Resource Department. For additional information concerning leave entitlements and obligations that might arise when PFL is either not available or exhausted, employees should consult the University's other leave policies or contact Human Resources. The University is committed to complying with the PFL and will interpret and apply this policy in a manner consistent with the PFL. Employees who disagree with a denial of their claim for PFL may submit their dispute to arbitration. Employees will be provided with information about how to request arbitration.

Employees are protected from discrimination and retaliation for requesting or taking PFL. If employees believe their rights have been violated and/or they have been denied job restoration as a result of requesting and/or taking PFL, they must send the Vice President of Human Resources a formal request for job reinstatement using the Formal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-119), which can be found in the forms section of <https://www.ny.gov/PaidFamilyLeave>. Employees must file the completed form with the University and send a copy to: Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030.

If the University does not comply with an employee's request for reinstatement within 30 days, the employee may file a PFL discrimination complaint with the Workers' Compensation Board using the Paid Family Leave Discrimination Complaint (Form PFL-DC-120), which is also

available on the New York Paid Family Leave website. Once an employee's complaint is received, the Board will assemble the employee's case and schedule a preliminary hearing in front of a Workers' Compensation Law Judge.

7-14 Receipt of Sexual Harassment Policy

Logan University is committed to a workplace free of sexual harassment and retaliation. Logan University does not tolerate and prohibits sexual harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, manager, vendor, customer or any third party. Logan University also prohibits retaliation as defined below.

Sexual harassment and retaliation are unacceptable in the workplace and in any work-related settings such as business trips and University-sponsored social functions, regardless of whether the conduct is engaged in by a manager, co-worker, client, customer, vendor or other third party. In addition to being a violation of this policy, sexual harassment and retaliation are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Definition of Sexual Harassment

Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or emails) or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful.

Because it is difficult to define unlawful sexual harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, comments, gestures, flirtations, leering, whistling, touching, kissing, pinching, assault, blocking normal movement;
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- sexual jokes or comments about a person's body, sexuality or sexual experience;
- propositions or suggestive or insulting comments of a sexual nature;
- derogatory, obscene or vulgar cartoons, posters, pictures, and drawings;
- sexually-explicit emails or voicemails;
- conversation about one's own or someone else's sex life;
- conduct, comments, or hostile actions consistently targeted at only one gender or because of the person's gender or gender identity or expression, even if the content is not sexual.

Definition of Retaliation

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- any action that would discourage an employee from reporting sexual harassment or retaliation;
- shunning and avoiding an individual who reports sexual harassment or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and
- denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process described below.

Reporting Procedures

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number 636-230-1720.

Written complaints can be submitted internally using the form provided in this handbook.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief of Compliance and Engagement Office immediately at the following address 1851 Schoettler Rd. and phone number 636-230-1932.

If the person against whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level supervisor in the reporting hierarchy of the individual against whom the complaint is made.

Every manager who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct the Chief of Compliance and Engagement Office.

Investigation Procedures

Upon receiving a complaint, the University will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy to ensure due process for all parties. To the extent possible, the University will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the University generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the University will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The University will inform the complainant and the accused of the results of the investigation.

The University will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the University determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination. Anyone, regardless of position or title, whom the University determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in sexual harassment or retaliation, as well as managers who fail to report violations of this policy, or knowingly allow prohibited conduct to continue. Individuals who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Legal Protections and External Remedies

Aside from the internal complaint process at the University, individuals may choose to pursue external legal remedies with the following governmental entities.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one (1) year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three (3) years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the University does not extend the time to file with DHR or in court. The one (1) year or three (3) years is counted from the date of the most recent incident of harassment.

An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate complaints and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458; (718) 741-8400; www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An individual alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, those who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Remember, Logan University cannot remedy claimed sexual harassment or retaliation unless individuals bring these claims to the attention of the University. Please report any conduct which violates this policy.

I have read and I understand Logan University's Sexual Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to the Human Resources Office - it will be filed in your personnel file.

Section 8 - Texas Addendum

8-1 Earned Paid Sick Leave

As required by applicable city Ordinance (to include San Antonio and Dallas), the University will provide paid sick leave to employees who work in a municipality with such a requirement.

The City of Dallas implemented an Ordinance that requires employers to provide paid sick time to employees who work in Dallas. The amount of paid sick time employees are eligible for depends on the size of the employer's workforce, as follows:

Employers with 16 or more employees at any time in the preceding 12 months must provide these employees with up to 64 hours or eight (8) days of earned paid sick time per year

Employers with 15 or fewer employees at any time in the preceding 12 months must provide these employees with up to 48 hours or six (6) days of earned paid sick time per year.

The Ordinance is effective August 1, 2019 for employers with six (6) or more employees. As of August 1, 2021, the Ordinance will be required for all employers.

General Handbook Acknowledgment

This Employee handbook is an important document intended to help you become acquainted with Logan University. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the University's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of the University.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee handbook.

I have received and read a copy of Logan University's Employee handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the University at any time.

I further understand that my employment is terminable at will, either by myself or the University, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of Logan University other than Cabinet may alter "at will" status and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the University's Employee handbook.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to the Human Resources - it will be filed in your personnel file.

Receipt of Sexual Harassment Policy

Logan University is committed to a workplace free of sexual harassment and retaliation. Logan University does not tolerate and prohibits sexual harassment of or against job applicants' contractors, interns', volunteers, or employees by another employee, supervisor, vendor, customer or any third party. Logan University also prohibits retaliation as defined below.

Sexual harassment and retaliation are unacceptable in the workplace and in any work-related settings such as business trips and University-sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor, or other third party. In addition to being a violation of this policy, sexual harassment and retaliation are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Definition of Sexual Harassment

Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individuals' sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation when:

- submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or emails) or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status) and/or sexual orientation. Such conduct violates this policy, even if it is not unlawful.

Because it is difficult to define unlawful sexual harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, comments, gestures, flirtations, leering, whistling, touching, kissing, pinching, assault, blocking normal movement;
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- sexual jokes or comments about a person's body, sexuality or sexual experience;
- propositions or suggestive or insulting comments of a sexual nature;
- derogatory, obscene or vulgar cartoons, posters, pictures, and drawings;
- sexually-explicit emails or voicemails;
- conversation about one's own or someone else's sex life;
- conduct, comments, or hostile actions consistently targeted at only one gender or because of the person's gender or gender identity or expression, even if the content is not sexual.

Definition of Retaliation

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- any action that would discourage an employee from reporting sexual harassment or retaliation;
- shunning and avoiding an individual who reports sexual harassment or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and
- denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process described below.

Reporting Procedures

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number (636) 230-1700 or to the manager at the following address 1851 Schoettler Rd. and phone number (636) 230-1720.

Written complaints can be submitted internally using the form provided in this handbook.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact any member of management immediately at the following address 1851 Schoettler Rd. and phone number (636) 230-1932.

Investigation Procedures

Upon receiving a complaint, the University will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of violation of this policy to ensure due process for all parties. To the extent possible, the University will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the University generally will interview the complainant and the accused, conduct further interviews as necessary and review and relevant documents or other information. Upon completion of the investigation, the University will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The University will inform the complainant and the accused of the results of the investigation.

The University will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the University determines such measure are necessary. These measures may include, but are not limited to counseling, suspension or immediate termination. Anyone, regardless of position or title, whom the University determines has engaged in conduct that violates this policy in sexual harassment or retaliation, as well as supervisors who fail to report violations of this policy, or knowingly allow prohibited conduct to continue.

I have read and I understand Logan University's Sexual Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

Sexual Harassment Complaint Form

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Vice President of Human Resources or the Chief of Compliance and Engagement Office. If you are more comfortable reporting verbally or in another manner, you may do so and follow the guidelines set forth in the Sexual Harassment policy. You will not be retaliated against for filing a complaint. Once a complaint is received, Logan University will follow the investigation process described in our policy.

General Information

Your Name/Job Title:

Your Department/Supervisor:

Preferred Communication Method (if via e-mail or phone, please provide contact info):

Complaint Information

1. Please tell us who you believe has violated our policy against sexual harassment.
What is their relationship to you (e.g., supervisor, subordinate, co-worker, other)
2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.
3. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint.

This last question is optional, but may help the investigation.

4. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information.

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Sign and date this form below

Signature: _____ Date: _____

Receipt of Non-Harassment Policy

It is Logan University's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, veteran status, sexual orientation or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Vice President of Human Resources at the following address 1851 Schoettler Rd. and phone number 636-230-1720.

If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief of Compliance and Engagement Office immediately at the following address 1851 Schoettler Rd. and phone number 636-230-1932.

If the person against whom the complaint is directed is one of the individuals indicated above the employee should contact any higher-level supervisor in the reporting hierarchy of the individual against whom the complaint is made.

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware or conduct in violation of this policy, must immediately report the issues raised or conduct to the Chief of Compliance and Engagement Office.

Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the University will not allow any form of retaliation against individuals who report unwelcome conduct to the University or who cooperate in the investigations of such reports in accordance with this policy. If an employee feels he or she has been subjected to any such retaliation, he or she should report it in the same manner in which the employee would report a claim of perceived harassment under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

I have read and I understand Logan University's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to the Human Resources Office - it will be filed in your personnel file.