



**Washington and Lee University
Employee Handbook for Staff and Administration**

Office of Human Resources
Revised December 5, 2006

AT-WILL EMPLOYMENT DISCLAIMER

(Do not remove from Employee Handbook)

THE EMPLOYEE HANDBOOK (HANDBOOK) PROVIDES EMPLOYEES WITH EASY TO UNDERSTAND AND ACCESSIBLE INFORMATION PERTINENT TO WASHINGTON AND LEE'S VISION, STRATEGIC INITIATIVES, POLICIES, AND TO SOME EXTENT, ITS PROCEDURES. THE HANDBOOK IS INTENDED TO PROVIDE GUIDANCE AND INSIGHT DESIGNED TO FACILITATE DECISIONS AND ACTIONS MADE BY ITS EMPLOYEES. THE HANDBOOK IS NOT AN EMPLOYMENT CONTRACT, AND DOES NOT CREATE ANY TYPE OF BINDING OBLIGATION.

WASHINGTON AND LEE UNIVERSITY IS AN AT-WILL EMPLOYER. THEREFORE, THIS HANDBOOK IN NO WAY PRECLUDES, LIMITS, ALTERS OR OTHERWISE RESTRICTS THE UNIVERSITY'S AT-WILL EMPLOYER STATUS. THAT IS, UNLESS OTHERWISE STATED IN A SIGNED EMPLOYMENT AGREEMENT, YOUR EMPLOYMENT MAY BE TERMINATED WITH OR WITHOUT CAUSE, WITH OR WITHOUT NOTICE, AT ANY TIME, AT THE OPTION OF WASHINGTON AND LEE UNIVERSITY OR YOURSELF.

WASHINGTON AND LEE UNIVERSITY MAY, AT ITS DISCRETION DEVIATE FROM ANY ORDER OF PROGRESSIVE DISCIPLINARY ACTION AND UTILIZE WHATEVER ACTIONS DEEMED APPROPRIATE UNDER THE CIRCUMSTANCES, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

WASHINGTON AND LEE UNIVERSITY RESERVES THE RIGHT TO CHANGE, REVISE AND ELIMINATE THE POLICIES DETAILED IN THIS HANDBOOK. NEW POLICIES CAN ALSO BE ADDED.

TABLE OF CONTENTS

INTRODUCTION

Washington and Lee: A History.....	6
The Honor System at Washington and Lee University	6
Applicability of Handbook	6

EMPLOYEE RELATIONS AND COMMUNICATIONS

Statement on Diversity.....	8
Non-Discrimination/Equal Employment Opportunity Statement.....	8
Employee Committees.....	8
Employee Advisory Committees.....	8
Faculty and Staff Fringe Benefits Committee.....	9
University Safety Committee.....	9
Job Postings.....	9
Introductory Period.....	9
Performance Planning and Review Program.....	9
Professional Development.....	10
Grievance Procedure.....	11
Resignation Procedure.....	12
Personnel and Insurance Records.....	12
Campus Communications, Facilities and Programs.....	13

COMPENSATION AND EMPLOYEE BENEFITS

Compensation Philosophy and Principles.....	14
Employment Categories.....	14
Benefit Categories.....	14
Health Benefits	
Health Insurance.....	15
Dental Insurance.....	15
COBRA.....	16
Taxation of Insurance Premiums.....	16

Flexible Spending Accounts16

Payroll

Pay Periods 16

Direct Deposit of Paychecks 16

Payment When Working a Holiday 16

Payment When Working Overtime 17

Exempt Status Deductions 17

Optional Payroll Deductions 17

Retirement Planning

Social Security17

TIAA/CREF Retirement Annuity Program.17

TIAA/CREF Supplemental Retirement Annuity Program18

Health Insurance at Retirement 18

Educational Grants at Retirement 18

Survivor Benefits

Life Insurance. 19

Retirement Annuity. 19

Health Insurance Continuation.19

Educational Grants.19

Other Benefits

Domestic Partner Benefits Policy 20

Tuition Remission at Washington and Lee 20

Educational Grants 20

Home Loans.20

Benefits for Part-Time Benefit Eligible Personnel. 21

TIME OFF AND LEAVES OF ABSENCE

Sick Leave 22

Short-Term Disability. 22

Return-to-Work Program. 22

Long Term Disability 23

Workers' Compensation 24

Bereavement Leave 24

Family and Medical Leave 24

Holidays 25

Jury Duty 25

Military Leave. 26

Other Unpaid Leaves of Absence	26
Parental Leave	26
Vacation	26

ADMINISTRATIVE POLICIES OF THE UNIVERSITY

Accommodation Policies and Procedures for Employees with Disabilities	28
Background Checks	28
Compliance with the Drug-Free Workplace and Schools Act	28
Computing and Network Use	29
Confidentiality of Information and Privacy Protection	29
Conflicts of Interest	30
Copyright Policy	30
Emergency Closing or Delay of the University	31
Essential Employees	32
Employment of Relatives (Nepotism)	32
Outside Employment	32
Smoking Policy	32
Termination of Employment	32
University Policy of Prohibited Discrimination and Harassment	33
Weapons Policy	38
Whistleblower Policy; Fraudulent or Dishonest Conduct; Violations of Law or University Policy.	38
Work Hours and Meals	40

INDEX	42
------------------------	-----------

INTRODUCTION

Washington and Lee: A History

Washington and Lee is a small, private, liberal arts university nestled between the Blue Ridge and Allegheny Mountains in Lexington, Va. It is the ninth oldest institution of higher learning in the nation.

In 1749, Scotch-Irish pioneers who had migrated deep into the Valley of Virginia founded a small classical school called Augusta Academy, some 20 miles north of what is now Lexington. In 1776, the trustees, fired by patriotism, changed the name of the school to Liberty Hall. Four years later the school was moved to the vicinity of Lexington, where in 1782 it was chartered as Liberty Hall Academy by the Virginia legislature and empowered to grant degrees. A limestone building, erected in 1793 on the crest of a ridge overlooking Lexington, burned in 1803, though its ruins are preserved today as a symbol of the institution's honored past.

In 1796, George Washington saved the struggling Liberty Hall Academy when he gave the school its first major endowment--\$20,000 worth of James River Canal stock. The trustees promptly changed the name of the school to Washington Academy as an expression of their gratitude. In a letter to the trustees, Washington responded, "To promote the Literature in this rising Empire, and to encourage the Arts, have ever been amongst the warmest wishes of my heart." The donation--one of the largest to any educational institution at that time--continues to contribute to the University's operating budget today.

General Robert E. Lee reluctantly accepted the position of president of the College in 1865. Because of his leadership of the Confederate army, Lee worried he "might draw upon the College a feeling of hostility," but also added that "I think it the duty of every citizen in the present condition of the Country, to do all in his power to aid in the restoration of peace and harmony." During his brief presidency, Lee invited Judge John White Brockenbrough to bring to the College his Lexington Law School, which he had established in 1849, encouraged development of the sciences and instituted programs in business instruction that led to the founding of the School of Commerce in 1906. He also inaugurated courses in journalism, which developed by 1925 into The School of Journalism--now the Department of Journalism and Mass Communications. These courses in business and journalism were the first offered in colleges in the United States. After Lee's death in 1870, the trustees voted to change the name from Washington College to Washington and Lee University.

Once an all-male institution, Washington and Lee first admitted women to its law school in 1972. The first undergraduate women matriculated in 1985. Since then, Washington and Lee has flourished. The University now boasts a new science building, a performing arts center and an indoor tennis facility, and it continues to climb the ranking charts of U.S. News and World Report and other rating agencies.

Washington and Lee University observed its 250th Anniversary with a year-long, national celebration during the 1998-99 academic year.

The Honor System at Washington and Lee University

Honor is the moral cornerstone of Washington and Lee University. Since Robert E. Lee's presidency, the concept of honor has been the guiding principle of life at Washington and Lee. The commitment to honor is recognized by every student, faculty member, administrator, and staff member of the University. Providing the common thread woven through the many aspects of this institution, honor creates a community of trust and respect affecting fundamentally the relationships of all its members.

Applicability of Handbook

This handbook applies to Administrative and Staff positions unless otherwise exempted. It does not apply to Faculty who are covered under a separate Faculty Handbook.

This Employee Handbook supersedes any prior handbook, the terms of which may be amended from time to time as necessary.

Neither this handbook, nor any of the policies and procedures contained or referenced herein creates a contract between the University and its employees. Unless a University employee has entered into an agreement expressly creating a contract of employment with the University, the employment is at-will, meaning that either the employee or the University can terminate the employment relationship at any time and for any reason. The provisions of this handbook are subject to change at any time.

EMPLOYEE RELATIONS AND COMMUNICATIONS

Statement on Diversity

(As adopted by the Board of Trustees, May 18, 2002)

With a rich heritage from the past and a history spanning more than two centuries, Washington and Lee University has a profound sense of tradition, but it likewise has a firm commitment to the ideal embodied in its motto, *non incautus futuri*, (not unmindful of the future) and therefore remains responsive to changes and innovations that contribute to the realizations of its aim. As we enter the 21st century, the members of our community need to live with and understand different cultural backgrounds in preparation for a changing world. To that end, Washington and Lee University commits itself to the recruitment and retention of a broad, inclusive student body, faculty and administration who represent a wide range of interests, abilities and cultures - a diverse array of talent. The University will strengthen a curriculum that increases knowledge, awareness and understanding of diversity and inclusiveness, and will create a climate that builds on our core values to welcome and nurture all members of the Washington and Lee community. Just as a vibrant liberal arts education in the classroom challenges attitudes, beliefs and accepted ways of thinking, the interaction outside the classroom of individuals with different perspectives strengthens our educational enterprise.

Non-Discrimination/Equal Employment Opportunity Statement

Washington and Lee University does not discriminate on the basis of race, color, religion, national or ethnic origin, sex, sexual orientation, age, disability, or veteran's status in its educational programs and activities or with regard to employment. Undergraduate student inquiries should be directed to the Dean of Students, University Commons, (540)458-8751, law student inquiries should be directed to the Associate Dean for Student Services at the School of Law, (540) 458-8503, and employment inquiries to the Director of Human Resources, Early-Fielding Building, (540) 458-8922, Washington and Lee University, Lexington, Virginia 24450-2116.

Employee Committees - <http://humanresources.wlu.edu/Committees/>

The Administration has created a number of committees to advise and assist it in discharging certain of its responsibilities.

Employee Advisory Committees - <http://humanresources.wlu.edu/Committees/advisory.htm>

Three Employee Advisory Committees have been formed to enhance communications between employees and the administration and to provide advice and meaningful input on a variety of human resource issues. The committees helped to monitor the initial round of performance reviews and will work to improve the system. A second objective is to advise on various human resource policy issues, specifically proposed changes to the Employee Handbook. A third task will be to advise on training needs and how best to deliver the training.

People are selected for these committees based on experience, functional representation, and organizational representation, as well as to afford others the opportunity to get involved in this process. Employees will be selected to serve two year terms with the intent of rotating membership to ensure broad participation. The three committees are as follows:

-**Office Staff committee** comprised of hourly, non-exempt employees; and

-**Operations Staff committee** comprised of hourly, non-exempt employees from Athletics, Dining Services, Facilities Management, and Public Safety; and

-Professional Staff exempt employee committee, including professionals, managers, and University Computing personnel.

Faculty and Staff Employee Benefits Committee - <http://humanresources.wlu.edu/Committees/benefits.htm>

The Committee periodically reviews programs relating to faculty and staff benefits and acts as an advisory committee to the President. The committee composition is as follows:

Four Faculty members, including one from the Law School and one from the Williams School, one retiree faculty member, and three Staff members all appointed by the President for four year terms. Four Ex Officio members; Provost, Vice President of Finance/Treasurer, Vice President for Administration and Director of Human Resources.

University Safety Committee - <http://humanresources.wlu.edu/Committees/safety.htm>

The mission of the committee is to provide a safe and secure living and working environment for the students, faculty, staff and visitors of the University. The Committee provides oversight, coordination of an implementation review plan designed by the Safety Officer, and on-going evaluation of the University's safety plan. The committee composition is as follows:

Director of Human Resources (Chair), University Safety Officer, Dean of Students, Director of Public Safety, Director of Facilities Management, and representatives from the undergraduate and law faculty, athletic department, office staff and student body.

Job Postings

To fulfill its academic mission, Washington and Lee University must have a staff of the highest caliber; one that strives for excellence and is committed to the ideals and goals of the University. The University is committed to a vigorous program of faculty, staff, and student recruitment that will create a diverse community of serious and competent people devoted to furthering the educational aims of the institution. Announcements of vacant positions are placed on the University's Human Resource Office web site and are also distributed to departments which do not have web access. Internal transfers and promotions allow employees to broaden their skills and to gain greater experience. Such promotions and transfers also aid in the retention of employees. This helps you think through your career objectives and the various avenues for career growth at the University. It also encourages you to evaluate your current qualifications and, if necessary, build on them to enhance your career potential.

Introductory Period

Full time Staff will work on a provisional basis for the first six months of employment. This introductory period is an extension of the selection process and provides time for the effective adjustment of the new employee and provides an opportunity for the University to determine if s/he will be able to meet the expectations of the position. Employment may be terminated by the employee or the University for any reason, at any time during this period. With the approval of the Director of Human Resources, a supervisor may extend an employee's evaluation period to allow for additional training, review and observation for up to six additional months.

An employee's provisional status does not affect enrollment in benefit plans. Successful completion of the introductory period does not negate the at-will nature of the continuing employment relationship.

Performance Planning and Review Program

There are three components to the Performance Planning and Review Program: (1) Personal Development; (2) Performance Planning and Review; and (3) Supervisory Review. The Personal Development and Supervisory Review components of the program utilize standardized documents that may be completed by

all Exempt and Non-Exempt personnel. The Performance Planning and Review document varies somewhat by employment group to permit a review that is most relevant to that group.

The primary objectives of the performance review process are as follows:

Provide clear performance standards for all employees to follow. The intent is to enhance performance and provide employees and supervisors with constructive, objective, and respectful feedback. The University also needs to have a performance review process so that when employees are terminated or disciplined, the performance is documented.

Align employee goals with work unit and University goals. This will become more important as the University establishes its strategic plan.

Identify training needs. We will also use the personal development form to identify training needs and to identify those employees who want or are ready for promotions or new assignments.

A complete description of the program, training materials and forms are available from the Human Resources Office and on the University web site at <http://humanresources.wlu.edu/performance>

Professional Development

It is important for both you and the University that you continue to enhance existing skills, as well as develop new competencies. Toward that end, an important component of the annual performance planning and review process is the identification of training objectives required to: keep current with any anticipated changes in job responsibility or focus; to enhance performance; or to prepare for future responsibilities. In allocating both external and internal training resources, priority will be given to objectives identified through the review process that meet these criteria.

The University supports your professional development through the following programs:

On Campus Technology Education

Element K, a web based tool licensed by the University, provides interactive, self paced tutorials on nearly all the software packages supported by the University, plus dozens of additional topics.

A technology liaison program provides training to departmental representatives who provide informal support for computing applications within their departments.

In addition, face- to- face training and consultation is available through the Technology Education program of University Computing. For more information about technology education see details published at <http://computing.wlu.edu>

On Campus Training

The University will provide periodic training in areas such as supervisory skills, performance planning, and prohibited discrimination, harassment and sexual misconduct.

Educational Assistance Outside the University

The University supports job related coursework as recommended by Vice Presidents and Deans by tuition reimbursement for successfully completed authorized courses at other colleges and universities. Recommendations are reviewed by the Director of Human Resources and prioritized University wide within the parameters of the University's professional development budget.

Educational Assistance at Washington and Lee

With the approval of the faculty member and your supervisor, you may audit courses at the University. There is no charge for this privilege, but you are expected to make-up lost work time.

Full time staff who are enrolled as students at the University and are taking courses for credit pay only 25% of the cost.

Grievance Procedure

The Office of Human Resources is a resource for both the employee and the supervisor on all matters arising in the workplace. Human Resources staff are available for private and confidential consultations at any time. People often have questions such as “Do I have a valid issue or complaint?” “How do I go about resolving the matter myself?” “What should I say and how should I say it?” “What do I do if my initial attempt fails?” Don’t be reluctant to contact the Office of Human Resources with your questions and concerns. Issues rarely resolve themselves and your early attempts at resolution are often rewarded. Your conversations with the Office of Human Resources in no way limit your access to the formal grievance procedure outlined below.

The University wishes to provide individual employees with a confidential avenue by which they can express their concern, dissatisfaction or disagreement with a work-related problem or condition that a staff member believes to be unfair, inequitable, or a hindrance to his or her effective performance. Issues or disciplinary actions regarding job performance, disciplinary warnings, suspensions, and terminations of employment for unsatisfactory performance or misconduct, are subject to review through this procedure. Also, concerns about specific work assignments or other working conditions, changes in positions or reporting relationships, performance evaluations, work unit or interpersonal conflicts among individuals may be raised through this procedure. **Complaints of discrimination or sexual harassment are covered under separate procedures as outlined in the University’s Nondiscrimination and Sexual Harassment policy.**

Employees may use the procedures described below without fear of retaliation from supervisors or others against whom a complaint may be lodged. This entire four step process can generally be completed within four weeks.

Step 1 – Discussion with Immediate Supervisor or Department Chair

If problems arise in a work situation, the people closest to the situation should have the first opportunity to try to work through issues or disagreements. Therefore, as a first step with any grievance, the employee should seek resolution of the problem through discussions with his or her immediate supervisor. The issue should be raised within thirty calendar days of the action or event which is the basis of the grievance. Supervisors have a responsibility to try to resolve differences between their employees and to listen and respond in a positive manner to any grievance(s) employees may have with regard to working conditions and decisions over which the supervisor has control. The supervisor’s response should be made within five working days.

Step 2 – Discussion with Department Head or Dean

If the employee is not satisfied with the resolution received from the immediate supervisor, the grievance may be appealed in writing within five working days of receipt of the Step 1 response to the department head or second level supervisor in charge of the area. The appeal should set forth in detail all of the facts in the case, including the efforts at informal resolution of the problem, the formal complaint, the supervisor’s response and the objection to that response. The Department Head or Dean’s response should be made within five working days.

Step 3 – Formal Written Grievance, Director of Human Resources

If these discussions do not lead to a satisfactory resolution, the employee should submit a formal written statement of grievance within five working days of receipt of the Step 2 response, with all supporting documentation and a written statement of objections to the Step 2 decision, to the Director of Human Resources. Only matters contained in the original grievance may be appealed and no new complaints may be added. The Director will review the grievance in an objective, confidential manner and attempt to

resolve the situation in light of all the relevant facts and their relation to University policy. The Director's written decision shall be communicated to all involved parties normally within five working days.

Step 4 – Final Appeal, Vice President for Administration

An employee may appeal the Step 3 decision by filing a written request within five working days of receipt of the Step 3 answer with the Vice President of Administration. The decision of the Vice President which will normally be made within five working days is final and shall not be subject to further review. In the case where an employee works within the Administration Division, another VP or the Provost will be asked to resolve the appeal.

Resignation Procedures

When an employee resigns from the University, he or she must notify the Office of Human Resources and his or her immediate supervisor of their departure in writing. Employees must also return property belonging to the University, and complete benefits processing. It is expected that non-exempt employees who leave the University will provide the University with at least two weeks notice of their departure. Exempt employees are expected to provide the University with four weeks or more notice when possible. An employee's actual termination day must be the last day worked, and cannot be extended by the use of vacation, sick, or personal leave, or a holiday. You will be paid for your unused accrued vacation time. Vacation accrual will be prorated based on months worked in the current calendar year and final pay will be adjusted to reflect time taken.

Employees are responsible for returning items in their possession or control that are the property of the University, such as the following:

- | | |
|-----------------------------|---------------------------------------|
| *credit cards | *protective equipment |
| *equipment | *computers and audio-visual equipment |
| *W&L identification card | *tools |
| *keys | *uniforms |
| *manuals | *vehicles |
| *cellular phones and pagers | *written materials |
| *parking hang tags | |

All University property must be returned by employees on or before their last day of work. With the employee's signed authorization consistent with Virginia law, the University may withhold from the employee's final paycheck the cost of any items that are not returned when required and the balance of outstanding University charge accounts. The University may also take all action deemed appropriate to recover or protect its property. Employees holding a University home loan should contact the Treasurer's Office. University Computing disables network accounts on an employee's last day of work, and e-mail accounts on or before one month after the last day of work. Any extensions to accounts must be approved by the appropriate Dean or Vice President.

Personnel and Insurance Records

With the exception of faculty and students, all official employee personnel files are maintained in the Office of Human Resources. Personnel files contain, but are not limited to, the following types of information:

- Employment Letters or Contracts
- Payroll Data
- Employment Application or Resume
- Performance Planning and Review documents
- Letters of Commendation or Discipline

Employee medical records are maintained separately from personnel files in accordance with applicable laws.

Each employee may review the contents of his or her personnel file in the Office of Human Resources by appointment during normal working hours.

There are a number of records that you should remember to keep current. Please notify the Office of Human Resources whenever you:

- Change your address or telephone number.
- Legally change your name.
- Change your marital status.
- Change your tax exemptions.
- Change your insurance beneficiary.
- Have a change in dependents on your health insurance coverage (including additions and deletions because of age, graduation from college, marital status or employment).

Campus, Communications, Facilities and Programs

Click here for a Campus Map - <http://newsoffice.wlu.edu/Printmap.pdf>

As a member of the University community, you and your family have the opportunity to participate in a wide range of academic, athletic, cultural and social activities.

A number of University calendars are located on the main website under the “Calendar of Events” section. In addition to academic calendars there are listing of schedules, major university events, sports schedules, concerts, exhibits, etc.

You are encouraged to use the athletic facilities and to avail yourself of the collections and services of the Undergraduate and Law libraries.

We also have a campus bookstore and dining facilities located in the John W. Elrod University Commons. Both the Bookstore and Dining Services offer employee discounts.

COMPENSATION AND EMPLOYEE BENEFITS

Compensation Philosophy and Principles

The University's compensation program is comprised of direct pay, benefits, and working environment. The goals of the compensation program are to be:

- Supportive of the overall University effort to recruit and retain a faculty and staff of the highest caliber;
- Competitive in the appropriate local, regional, and national market;
- Fair, equitable, and fiscally responsible;
- Comprehensive and responsive to the financial needs of the individual and his/her family;
- Indicative of the university's culture and concern for the University community.

The benefit programs and personnel policies and procedures described in this Handbook support the University's ability to be flexible and responsive as needs and conditions change, and provide clarity and consistency without an over-regulation that diminishes the University's ability to treat people as individuals.

The Office of Human Resources administers the University's Human Resource and employee benefits programs. It is important for you to understand fully the benefits available to you, so please do not hesitate to contact the office with any questions you might have.

As with all employee benefit matters, the University reserves the right to change and alter the cost and scope of employee benefits at any time.

Employment Categories

The Fair Labor Standards Act is a federal regulation that determines whether you are eligible for overtime pay for hours worked in excess of forty per week. Additionally, the University uses this Act as a guideline to determine your eligibility for certain fringe benefits. The Director of Human Resources reviews the responsibilities of each position and places it in the appropriate category.

- *Exempt Salaried* - You are not eligible for overtime pay.
- *Non-exempt Salaried and Hourly* - You are eligible for overtime pay.

Benefit Categories

Benefit eligibility is based upon the authorized appointment hours for your position.

- *Full-Time* - An appointment of thirty-five or more hours per week carries full benefit eligibility.
- *Part-Time Benefit Eligible* - An appointment of twenty but less than thirty-five or more hours per week during at least the academic year carries partial benefit eligibility.
- *Part-Time* - An appointment of less than twenty hours per week does not carry benefit eligibility.
- *Temporary* - Temporary personnel (such as seasonal employees), regardless of hours worked, are not eligible for benefits.

HEALTH BENEFITS

Protecting yourself and your family against financially burdensome health care expenses is a major priority. To assist you in this effort, the University offers a comprehensive health insurance program.

Health Insurance - <http://www.southernhealth.com>

A. Eligibility

- Benefit eligible persons regularly scheduled to work at least 35 hours per week
- Spouses and/or unmarried dependent children under age 19 (up to 25 if full-time student).

B. Membership Options

You have a choice of two plans and you may select either an Individual membership, a membership for yourself and one legal dependent, or a Family membership.

C. Cost

The University will pay 62.5% of the cost of the HMO plan and the same dollar amount of the cost of the POS plan.

D. When Coverage Begins

Should you so choose, coverage may begin on your first day of employment.

E. Timely Enrollment is Necessary

Health care coverage is not automatic if you do not enroll yourself, and/or dependents within 31 days of your eligibility for insurance. Thereafter, coverage may be added only during open enrollment periods (typically in January), or if there is a change in your status (marriage, divorce, death of a spouse or child, birth or adoption of a child and changes in the employment status or benefits eligibility of a spouse).

Dental Insurance - <http://www.guardianlife.com>.

A. Eligibility

- Benefit eligible persons regularly scheduled to work at least 35 hours per week
- Spouses and/or unmarried dependent children under age 19 (up to 25 if full-time student)

B. Membership Options

You have a choice of two plans, basic or expanded, and may select either an Individual membership, a membership for yourself and one legal dependent, or a Family membership.

C. Cost

The University makes a contribution equivalent to the cost of an Individual basic plan membership.

D. When Coverage Begins

You are eligible after one year of qualifying employment.

E. Timely Enrollment is Necessary

Dental coverage is not automatic if you do not enroll yourself, and/or dependents within 31 days of your eligibility for insurance. Thereafter, coverage may be added only during open enrollment periods (typically in January), or if there is a change in your status (marriage, divorce, death of a spouse or child, birth or adoption of a child and changes in the employment status or benefits eligibility of a spouse).

COBRA

The Federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) provides eligible employees and their qualified dependents the opportunity to continue coverage under the University's health and dental insurance plans when a "qualifying event" would normally result in loss of benefit. Enrollment may be continued up to 18, 29 or 36 months depending on the qualifying event under federal law. You would pay 100% of the group premium rate plus a 2% administration charge.

It is the employee's responsibility to notify the Office of Human Resources of a divorce, legal separation or a child reaching the age limit for the Plan within 60 days of the later of the date of the event or the date on which coverage would be lost because of the event.

Taxation of Insurance Premiums

Your portion of the premium cost for health, dental and life insurance is paid with pre-tax dollars. This means that you will not pay federal or state income taxes or Social Security (FICA) taxes on these premiums, thereby reducing the taxes you pay.

Flexible Spending Accounts - <http://humanresources.wlu.edu/other/FlexibleSpendingAccount/>

Benefit eligible persons regularly scheduled to work at least twenty hours per week during the academic year are eligible to participate in Health Care and Dependent Care Flexible Spending Accounts that enable you to pay for certain health care and dependent care expenses with pre-tax dollars, thus eliminating federal and state income taxes and Social Security (FICA) taxes on these expenses. The amounts in each account must be decided at the beginning of each calendar year and cannot be changed during the year except in certain circumstances prescribed by law.

Each year you determine whether, and how much, to contribute to one or both of these accounts for the following calendar year. More details on the programs are available on the Office of Human Resources web site.

PAYROLL

Pay Periods

Exempt salaried personnel are paid monthly on the last banking day of the month. Non-exempt salaried and hourly personnel are paid biweekly on alternate Fridays.

Direct Deposit of Paychecks

You are strongly encouraged to have your paycheck deposited directly to a bank of your choosing.

Payment When Working a Holiday

Full-time benefit eligible persons in non-exempt positions who work a holiday have a choice, in addition to regular holiday pay, of time-and-one-half pay or time off at a time-and-one-half rate for hours worked. Based on staffing needs, a department may require pay rather than time off.

Holidays that qualify for this additional pay are Independence Day, Thanksgiving Day, and the day after Thanksgiving, Christmas Day, and New Year's Day.

Payment When Working Overtime

When working over 40 hours in a week, you will have a choice of time-and-one-half pay or time off at a time-and-one-half rate for the hours worked over 40. Employees will not be paid overtime unless the total hours worked in a week exceed 40 hours. (Government regulations require that the time off be taken in the same pay period.) Based on staffing needs, a department may require pay rather than time off. Employees will not work additional hours and/or overtime unless approved in advance by supervisors.

Exempt Status Deductions

The University is committed to complying with the Fair Labor Standards Act, which limits deductions that can be made from the salary of exempt employees other than authorized deductions and mandatory federal and state payroll deductions. Information on the types of deductions that can be made from the salary of exempt employees is available from the Director of Human Resources.

Optional Payroll Deductions

- *United States Savings Bonds* - U. S. Savings Bonds may be purchased through payroll deduction.
- *United Way* - To assist you in contributing to worthwhile endeavors in the community, the University will, if you so choose, process your United Way contributions through payroll deduction.
- *Voluntary Life Insurance* - Part time benefit eligible and full time benefit eligible personnel may purchase additional life insurance coverage through payroll deduction.

RETIREMENT PLANNING

Financial resources are required for a secure and rewarding retirement and accumulating these resources requires a long-term financial commitment. Washington and Lee University assists you in preparing for retirement by paying Social Security taxes and by contributing to the TIAA/CREF Retirement Annuity Program.

Social Security - <http://www.ssa.gov>

Social Security pays benefits when you retire. Other members of your family may also be eligible for benefits as the result of your retirement. Monthly payments are normally adjusted each January to reflect changes in the cost of living.

The Social Security tax (FICA) deducted from your paycheck is matched by the University.

TIAA/CREF Retirement Annuity Program - <http://www.tiaa-cref.org>

Social Security benefits are not substantial enough to be your sole or primary source of retirement income; therefore, the University strongly encourages your participation in the TIAA/CREF retirement annuity program.

A. Eligibility

Benefit eligible persons regularly scheduled to work twenty hours or more per week during the academic year.

B. When Participation Begins

Your participation in the plan begins after two years of employment. Prior consecutive employment at another academic institution immediately preceding your employment at Washington and Lee will be counted toward fulfillment of the waiting period.

C. Contributions to the Program

The University involvement takes two forms. First, the University makes an unmatched contribution on your behalf to the program. Secondly, the University also matches your own voluntary contribution, dollar for dollar, up to a certain amount.

The University contributes an unmatched 5% to the plan and will also match your contribution up to 5%. A person taking full advantage of the program, therefore, will contribute 5% and the University 10% (an unmatched 5% and a matching 5%), for a total of 15% of salary.

You may elect to tax defer your contributions up to permissible federal and state limits.

TIAA/CREF Supplemental Retirement Annuity Program

The University offers a Supplemental Retirement Annuity Plan (SRA) which complements the basic TIAA/CREF retirement plan. The SRA plan has a number of attractive options such as: tax deferral for federal and state income tax purposes; and an opportunity to receive cash in lieu of a monthly annuity income at retirement (and before retirement if certain federal regulations are met).

There is no waiting period for participation.

The University does not contribute to this program.

Health Insurance at Retirement

Social Security recipients and their spouses are eligible at age 65 for Medicare health insurance.

For employees hired before April 1, 2003, The University also offers you participation at age sixty-five in a contributory retiree health benefit plan, assuming you have been enrolled in the University's health insurance plan for ten or more years immediately preceding your retirement. The University requires a cost sharing that will eventually increase to 40% of the cost of the insurance program. The University currently provides up to \$35,000 in life-time co-insurance payments for eligible retirees and up to \$35,000 for an eligible spouse.

Your spouse also is eligible for the contributory retiree health benefit plan at age sixty-five assuming s/he was enrolled as a dependent in the University's health insurance plan for ten or more years immediately preceding your retirement. Spousal eligibility ends at his/her remarriage.

If you have ten or more years of service, you may retire as early as age 62 and continue participation in the group health insurance plan until age 65, at which time Medicare coverage begins. Assuming you meet the qualifications, the University's Retiree Health Benefit plan will then be available at age 65.

Educational Grants at Retirement

If you worked full-time for six or more consecutive years immediately preceding your retirement, your children will remain eligible for the educational grant benefit.

Individuals receiving long term disability payments from the University's disability insurer and/or social security are not considered to be retirees and are not eligible for this benefit.

SURVIVOR BENEFITS

Your earning power is the cornerstone of your family's financial security and independence. It is the basis on which you'll provide for such needs as your children's education, family emergencies, care of elderly parents and retirement savings.

To help protect your family from the sudden loss of your earnings, the University provides a comprehensive program of survivor benefits.

Life Insurance

The University offers a life insurance program with coverage that is directly related to your salary. This helps to protect the value of your insurance from erosion due to inflation.

A. Eligibility

- Benefit eligible persons regularly scheduled to work at least thirty-five hours per week.
- Should you elect to participate in the University's health insurance program, you must also participate in the life insurance program. You do have the option to elect life insurance only.

B. When Coverage Begins

Should you so choose, coverage may begin on your first day of employment.

C. Cost

The University pays 50% of the premium.

D. Amount of Insurance

Insurance coverage is one-and-one-half times salary rounded down to the nearest \$1,000. However, no one will receive less than \$20,000 of insurance or more than \$100,000 of insurance.

The amount of insurance decreases to 65% of the above formula at age 65 and to 50% at age 70. Your insurance coverage is adjusted, as appropriate, each January.

A person with a terminal illness may be eligible to receive an advance of up to 50% of their life insurance benefit.

E. Timely Enrollment is Necessary

Life insurance coverage is not automatic if you do not enroll within thirty-one days of your eligibility for insurance. After this thirty-one day period, the insurance company has the option of denying coverage based upon their review of your health history.

Retirement Annuity

The full value of your retirement annuity accumulation is paid to your named beneficiary.

Health Insurance Continuation

Your spouse and children may remain in the University health insurance plan through COBRA continuation for up to three years. The University continues to pay its portion of the premium for the first year.

Educational Grants

If you worked full-time for six or more consecutive years immediately preceding your death, your children will remain eligible for the educational grant benefit.

OTHER BENEFITS

Domestic Partner Benefits Policy

The University offers a number of benefits to domestic partners of full-time employees. Such potential benefits extend only domestic partners who meet enrollment qualifications. A complete description of the policy, procedures, informational documents and forms are available from the Office of Human Resources and on the Office of Human sources web site at <http://humanresources.wlu.edu/other/>.

Tuition Remission at Washington and Lee

With the approval of the faculty member and your supervisor, you may audit courses at the University. There is no charge for this privilege, but you are expected to make-up lost work time.

Full-time employees, and their spouses or domestic partners, who are enrolled in a course or courses that do not lead to a degree nor lead to their status as a full-time student are eligible to enroll in such courses for credit with the instructor's permission at the rate of 25% of the per credit hour cost as established by the University. Employees should note that some portion of this tuition remission for their own courses may be taxable, and the entire amount of this remission for spouses/domestic partners is taxable.

Educational Grants - http://treasurer.wlu.edu/Educational_grant.htm

After you have completed five consecutive years of full time employment, your dependent children are eligible for an educational grant from the University. The educational grant is awarded for up to four years of post-secondary undergraduate education. Grant requests should be directed to the Treasurer's Office.

For employees of record as of June 30, 2006, the University will pay the lesser of 90% of the tuition of the institution that the dependent child is attending or 90% of Washington and Lee University's undergraduate tuition. The benefit may be reduced by scholarship and grant assistance that the child receives outside of Washington and Lee University. There are instances where an outside scholarship would fund room, board, and fees where the University would not reduce its tuition grant benefit. In no case will the other assistance and Washington and Lee University's grant exceed the value of tuition, room and board of the dependent's institution. The recipient is eligible for up to 4 years, or the equivalent, of undergraduate study at an accredited institution of higher education. The recipient must be under the age of 25 in order to receive this grant. In order for a dependent to be eligible for this grant, the employee must have at least five consecutive years of full-time employment at the time the benefit is to be received.

For employees of record beginning July 1, 2006, or later, the University will pay the lesser of 50% of the tuition of the institution that the dependent child is attending or 50% of Washington and Lee University's undergraduate tuition. All other terms and conditions, as described above, continue to apply.

Tuition Remission for Undergraduate Study at Washington and Lee University for dependents whose parent(s) meet the eligibility guidelines outlined above will be equal to 90% of Washington and Lee's undergraduate tuition.

Home Loans - <http://humanresources.wlu.edu/other/HomeLoan.htm>

Upon the recommendation of the appropriate Dean or Senior Administrator, the Treasurer, and the President, full time faculty members and administrative, professional and supervisory personnel who are defined as exempt personnel under the terms of the Fair Labor Standards Act of 1938, as amended, are eligible for University housing loans. These housing loans may be used to purchase, build, or improve a

principal residence in the Lexington-Rockbridge County area immediately upon entering the employ of the University. (The President may, upon receiving an appeal through the Treasurer, approve as an exception a loan for a residence outside the Lexington-Rockbridge County area when, in his opinion, there are compelling personal circumstances.)

Benefits for Part-Time Benefit Eligible Personnel

- *Life Insurance* - You are eligible for \$10,000 of life insurance coverage at the time you begin qualifying employment. The University pays 50% of the premium.
- *Long-Term Disability Insurance* - You are enrolled in the University's Long Term Disability insurance plan after one year of qualifying employment. The University pays the entire premium for this coverage.
- *Retirement* - You are eligible for the TIAA/CREF Retirement Annuity Program after two years of qualifying employment. The contribution structure is described in the "Retirement Planning" section of this handbook. You are eligible for immediate participation in the TIAA/CREF Supplemental Retirement Annuity Program. The University does not contribute to the SRA program.
- *Time Off* - You receive a five-day time off bank annually to be used as paid vacation, holiday or sick time as you see fit.
- *Flexible Spending Accounts* - You are eligible for participation in the Health Care and Dependent Care Flexible Spending Accounts.
- *Health Insurance* - **Effective January 1, 2006**, you are eligible for enrollment in the health insurance plan under the following two conditions: Following three consecutive calendar years of 900 or more hours of work (consecutive calendar years of service of 900 or more hours prior to January 1, 2006 will count toward fulfillment of the waiting period); and your spouse or domestic partner does not have access to an employer group plan that offers dependent coverage to you. You are eligible for an Individual plan membership only and you will pay 50% of the premium for the plan of your choice.

TIME OFF AND LEAVES OF ABSENCE

During times of illness the University wants you to be able to concentrate your energy and efforts on regaining your health. Therefore, the University has designed a sick leave program that minimizes the financial pressure on you. Combined sick leave and short-term disability may not exceed 6 months or 180 days.

Sick Leave

Instead of a traditional sick leave formula where you earn a certain amount per year and once that time is exhausted your pay ends, the University has the flexibility to take a more individualized approach. Based upon such circumstances as your seniority, your prior attendance record, and the severity of a current illness, the University may continue your pay for up to six calendar months.

Employees are in the sick leave category when they are absent from work for up to ten working days, due to illness or injury. Employees must promptly notify their supervisor whenever they are sick or injured, and, if the sickness or injury extends beyond three days, the employee must provide a written Doctor's notice to his or her supervisor, verifying that the absence was due to illness or injury.

Short-term Disability Program

If the employee is out sick for more than two weeks, or ten working days, the employee will be placed on short-term disability. The short-term disability program will be administered by a third party provider who will be responsible for case management and recommending a return-to-work program. Once an employee is out sick for more than ten working days, the University will notify the third party administrator.

To request short-term disability, the employee should submit a written request to the Director of Human Resources, accompanied by a doctor's statement which: 1) fully outlines the functional limitations due to the medical condition; 2) clearly specifies that the employee is unable to work due to the condition; 3) includes an estimated return to work date. The combination of sick pay and short-term disability pay cannot exceed six calendar months. Short-term disability pay is not applicable for absences due to a work-related injury for which workers compensation payments are provided.

Note: The term "disability" under the terms of the University's short term disability program does not necessarily indicate a corresponding "disability" for purposes of the Americans With Disabilities Act (ADA). Whether a person is a qualified employee with a disability for purposes of ADA will be assessed on a case-by-case basis.

In cases where sick leave and short-term disability status has been abused by an employee, the University may reduce or eliminate an employee's remaining vacation time in the current year or reduce or eliminate it in the succeeding year.

Return-to-Work Program

It is the intent of the University to provide employees who have sustained injury or illness, whether or not in the course of employment, with the best available recovery program that allows a return to work as quickly as possible.

The University will make an effort to create opportunity for all injured or ill employees to return to work to full or partial employment, within the limits of her/his medical condition, at the earliest point in time. This will be accomplished through assignment of modified work, referred to as light duty or restricted work, and the continuous monitoring of injured or ill employees.

The University will attempt to modify work for employees recovering from injury or illness to perform duties that medical providers have deemed safe during a recovery process. Alternative or modified job assignments will be structured to meet the physical capabilities and therapy needs of the employee.

Modified work or modified job assignment is defined as temporary assignments within an employee's physical abilities, knowledge, and skills. It may include responsibilities and tasks taken from the employee's regular job, when the employee cannot perform full duties or work a full day. Assignments may include other appropriate tasks within the employee's home department or assignments within the University if suitable employment is not otherwise available in the employee's home department. In all cases, the assignment must be consistent with the employee's medical restrictions. Work restrictions, as defined by the treating physician, will be strictly adhered to. An offer of temporary modified work does not obligate the University to continue such modified work on a long-term basis.

Employees who do not participate in the Return-to-Work Program lose their eligibility for sick pay and/or short term disability pay.

Long Term Disability

Should a lasting disability occur, the University's Long Term Disability plan provides income for as long as the disability continues or until you are eligible for retirement benefits. The University's long-term disability insurer has the right to review medical records and to assess whether the disability designation should continue.

A. Eligibility

Benefit eligible persons regularly scheduled to work twenty hours or more per week during the academic year.

B. When Participation Begins

You are enrolled in this plan after one year of qualifying employment.

C. Cost

The University pays the entire cost of your participation in this plan.

D. When Payments Begin

Payments begin after 180 days of disability as that term is defined in the University's Long Term Disability Plan; however, the University's long-term disability insurance carrier must approve any request for long-term disability.

E. Amount of Benefit Payments

The plan assures a monthly income benefit equal to sixty percent of your pre-disability pay by supplementing disability income, if any, from social security or workers' compensation up to this sixty percent combined total.

This income payment continues to age 65 or somewhat later if disabled after age 60.

If you were a member of the TIAA/CREF Retirement Annuity program before the onset of your disability, the plan will, from the date disability benefits begin, contribute 15% of your former salary to the retirement annuity plan until your income payments end.

Thus, through the combination of income payments and annuity contributions, the plan provides an income for life.

F. Cost of Living Increases

The monthly income benefit payable under this plan is automatically increased by 3% annually

Social security has traditionally increased its disability payments annually and future increases in your social security payments do not reduce the benefits payable under this plan.

G. Other Benefits While Receiving Disability Payments

Medical Insurance - You may continue on the group COBRA plan for up to twenty-nine months from the date disability benefits begin. The University will continue to pay its portion of the premium.

Life Insurance - If you become disabled before age 60, you may apply for a disability waiver of premium which, if approved by the insurance company, continues your life insurance coverage at no cost to you.

Note: The term "disability" under the University's Long Term Disability Plan does not necessarily indicate a corresponding "disability" for purposes of the Americans With Disabilities Act (ADA). Whether an employee is a qualified employee with a disability for purposes of ADA will be assessed on a case-by-case basis.

Workers' Compensation

The University pays the entire cost of workers' compensation insurance covering all employees who sustain work-related accidents or illnesses. If you are injured on the job, or if you believe you have a work-related illness, regardless of how minor the injury or illness, you must report this immediately to your supervisor. An employee's supervisor must report any work-related injuries to the University Safety Officer (extension 8175) within 24 hours of the occurrence of the injury. If a supervisor fails to report the injury to the Safety Officer, the employee should report the injury directly to the Safety Officer. Subsequently, if you are placed on restricted or limited duty by a doctor, you must inform your supervisor.

Workers' Compensation insurance pays for authorized medical bills and a portion of your salary (up to 66% up to a maximum salary cap) when you are absent due to a work-related injury or illness. The remainder of your salary may be paid under the University's sick-leave policy subject to the conditions explained below.

As an incentive to return to work and to take part in the University's return to work program, the University will reduce the University's share of the Worker's Compensation salary supplement so that the employee does not earn a greater salary while he or she is on workers compensation leave due to the fact that Worker's Compensation benefits are not subject to income tax. In no way will an employee's pay under a Worker's Compensation leave program exceed 100% of his or her regular, full-time salary.

Bereavement Leave

Paid leave at the time of a death of a member of the immediate family is arranged with the supervisor. Requests for paid leave at the time of a death of a person outside the immediate family are considered on an individual basis.

Family and Medical Leave

The University offers family and medical leave in accordance with the Family and Medical Leave Act of 1993 (FMLA), representing the minimum leave to which each qualifying employee is entitled. Consistent with federal law, this handbook summarizes the basic provisions of the University FMLA leave policy.

Eligible employees are allowed up to twelve weeks of unpaid leave in a twelve-month "leave year" period for the qualifying circumstances outlined below. Please note that FMLA leave will be designated and run concurrently with paid short-term-disability leave, parental leave, and absences for work-related injuries or occupational disease (workers' compensation absences), when the circumstances of those absences constitute qualifying FMLA absences. Although not required, employees may apply available paid vacation to any remaining period of unpaid FMLA leave.

Qualifying Leave Circumstances:

1. The birth and care of an employee's child (entitlement expires twelve months after birth);
2. The placement of a child for adoption or foster care with an employee (entitlement expires twelve months after placement);
3. When an employee is needed to care for a child, spouse or parent who has a serious health condition; or
4. When an employee is unable to perform the essential functions of his or her position because of the employee's own serious health condition.

To be eligible for leave under this policy, an employee must have been employed by the University for at least twelve months and must have worked at least 1250 hours during the twelve-month period preceding the beginning of the leave. In calculating the date that a "leave year" begins, the University uses a rolling twelve-month period measured back from the date a requested/designated leave is to begin.

When both parents of a newborn, adopted, or foster child are employed by the university, FMLA entitles the two employees to a total of twelve (12) weeks of FMLA leave for circumstances related to the birth, care, or placement of the child.

When the need for leave is foreseeable, employees are to provide thirty days prior notice and make an effort to schedule the leave so that it does not unduly disrupt University operations. When the need for leave is not foreseeable, employees are to notify their supervisors as soon as practicable. Leave may be taken on an intermittent or reduced-leave schedule if medically necessary or, where leave is for the birth, care or placement of a child for foster care or adoption, with the permission of the University.

Medical certification may be required for leaves of absence due to serious health conditions. Failure to provide satisfactory medical certification may result in denial or delay of leave until appropriate medical certification is provided. Also, if an employee is returning from a medical leave for his or her own serious health condition, the employee may be required to provide satisfactory certification from his or her health care provider that the employee is capable of returning to work.

During an approved family/medical leave, the University will maintain an employee's health and other insurance benefits as if the employee continued to be actively employed. If one has substituted available paid leave for unpaid family and medical leave, the employee's share of health insurance premiums will be handled by payroll deduction. If an employee is taking unpaid leave, the Office of Human Resources will notify the employee of the amount and date that the employee's portion of premium payments are due while on leave. Continuation of other benefits during leave and payment of premiums for other benefits will be treated as with other unpaid leaves.

Upon return from FMLA leave, an employee will be reinstated to the same or an equivalent position as before the leave. However, employees have no greater right to reinstatement or to other benefits of continued employment than if they had been continuously employed during FMLA leave.

Further information regarding the University's FMLA policy, and procedures to be followed when requesting family and medical leave, is available from the Office of Human Resources.

Holidays

The University observes the following scheduled holidays: Independence Day, a half day before Thanksgiving, Thanksgiving Day and the day after Thanksgiving; and also closes for three days during the Christmas/New Year's holiday season.

You also have four floating holidays. If you leave employment with the University, there is no payment for unused floating holidays.

Jury Duty

The University recognizes your civic responsibility to serve on juries and continues your compensation while you are performing this civic duty. There is no deduction for compensation received from the State. Time off to testify in court, if voluntary, is personal leave to be charged to vacation time. Time off to testify in court, if pursuant to summons or subpoena, will not be charged to vacation unless the employee requests it. Otherwise, it will be unpaid leave.

Military Leave

The University is committed to supporting its employees fulfilling their annual several week military training/reserve obligation as well as those called to active military duty service.

Salary is continued for employees fulfilling a military/training obligation, with no deduction for stipends received from the military.

If an employee is called to active duty military service, the University will afford all reemployment rights, compensation, and benefits provided for by The Uniformed Services Employment and Rights Act of 1994 <http://www.dol.gov/vets/programs/userra/poster.pdf> , and other applicable federal or state law. For specific information, contact the Director of Human Resources.

Other Unpaid Leaves of Absence

Requests for other unpaid personal leave should be directed to your supervisor. The Director of Human Resources must approve any unpaid or paid leaves of absences beyond the paid and unpaid time described in this Handbook. In reviewing your request, criteria such as departmental need and workload, seniority, overall work record, and the specific nature of the request are among the factors considered.

Parental Leave - <http://humanresources.wlu.edu/other/ParentalLeave.htm>

The University is committed to supporting its full time personnel by providing parental leave for eligible employees who temporarily relinquish their duties following childbirth or adoption. This policy is designed to provide a reasonable and fair period of paid leave to such employees. The University will provide eight (8) consecutive weeks of paid parental leave to each birth mother or new adoptive mother who is a full-time member of its staff and who must temporarily relinquish the duties of her position following childbirth or adoption. This parental leave will be provided immediately following the birth of a child or adoption of a pre-school age child, beginning at the time of arrival of the child and running consecutively, except in extraordinary circumstances where other leave time is approved by the Director of Human Resources. *Note: This policy presumes that the mother of a child will be the primary caregiver; however, if an employee is not the mother but is the primary caregiver for a child, that employee may use this parental leave.*

Eligible staff not assuming primary caregiver responsibilities for their newborn and newly adopted pre-school age children are eligible for two weeks of paid leave to be taken within the first three months following the birth of a child or the adoption of a pre-school age child. This policy is equally applicable to members of the eligible staff who are in a domestic partner relationship. In such cases, there must be a legally recognized and enforceable joint adoption relationship between the eligible staff member, the domestic partner, and the child, in order to take parental leave under this policy.

A complete description of the policy is available on the Office of Human Resources website at <http://humanresources.wlu.edu/other/ParentalLeave.htm> .

Vacation

Vacation time for all but new employees is credited in a lump sum at the beginning of the calendar year. New personnel receive a pro rata sum for their first year based upon their starting date.

Non-exempt employees accrue time according to the following schedule:

If on January 1, you have been at W&L:

5 years or less

More than 5 years

Longer than 15 years

You have this much vacation :

10 working days

15 working days

20 working days

Exempt personnel receive 20 vacation days per year.

If you leave employment with the University, you will be paid for your unused accrued vacation time. Vacation accrual will be prorated based on months worked, and final pay will be adjusted to reflect time taken.

Vacations are scheduled in consultation with your supervisor. Several departments such as Food Service, whose workload is directly dependent on students being on campus, take their time off when students are not in residence. Other departments schedule time off by mutual arrangement based upon the person's need and the department's workload.

You may be able to carryover up to five days into the next calendar year with the permission of your supervisor.

Vacation time does not accrue during unpaid leaves.

ADMINISTRATIVE POLICIES OF THE UNIVERSITY

Accommodation Policies and Procedures for Employees with Disabilities

Washington and Lee University is committed to providing reasonable accommodations to qualified employees with physical or mental disabilities, in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Employees requesting accommodation must provide appropriate documentation of: (1) a disability, which is a physical or mental impairment that substantially limits one or more major life activities; and (2) a need for accommodation, by virtue of the specific functional limitations of the disability, to perform the essential functions of their position. The University intends that these procedures will facilitate an interactive process of dialogue and timely exchange of information between the employee and the Director of Human Resources (or designee).

It is the responsibility of an employee with a physical or mental disability who may require any type of accommodation to make the accommodation request. The employee should contact the Director of Human Resources, Howard House, Lexington, Virginia 24450, (540) 458-8920. The employee will need to complete a "Request for Accommodation of Disability" form and an interview with the Director of Human Resources (or designee), after which the Director will inform the employee about any further specific documentation required for the particular disability and accommodation requested. Accommodation policies, procedures, and informational documents and forms are available on the University website at <http://humanresources.wlu.edu/ADA/index.html>.

Background Checks

Washington and Lee University seeks to provide a safe and productive environment for faculty, staff, students and visitors. To accomplish this goal, the University reserves the right to perform background checks for all positions. The background checks could include, but not be limited to, such reviews as criminal history, credit checks in conformance with the Fair Credit Reporting Act, degree and employment verification, and motor vehicle license checks, etc. All background checks performed by outside agencies will conform to the Fair Credit Reporting Act. The University will conduct and utilize these background checks as they relate to the fitness for duty for a particular position, in accordance with law. A relevant job related conviction is grounds for termination of employment or non-selection of an applicant. Falsification of application materials, including failure to disclose misdemeanor or felony convictions, is grounds for termination of employment or non-selection of a candidate. Background checks must be authorized by the Director of Human Resources and administered by the Office of Human Resources.

Compliance with the Drug-Free Workplace and Schools Act

As a recipient of federal aid and federal grants, the University must certify under the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 that it will take certain steps to provide a drug-free workplace. Unlawfully possessing, being under the influence of, using, distributing, dispensing, or manufacturing alcohol or illegal or controlled substances is prohibited on University property, in University vehicles, while conducting University business, or as a part of University activities. Any employee who is convicted for a drug statute violation occurring in the workplace must notify his or her supervisor within five days of the conviction. The University will take appropriate action against an employee who violates any part of this workplace rule, up to and including termination and referral for prosecution, in the best interest of the University, and in accordance with the Drug-Free Workplace Act. Employees not terminated may be required to satisfactorily participate in an approved drug abuse assistance or rehabilitation program.

In accordance with the Drug-Free Schools and Communities Act of 1989, the University will distribute to employees annually, information on applicable legal sanctions and health risks associated with the unlawful

possession or distribution of alcohol or illegal drugs, and a description of drug and alcohol treatment programs available to members of the University community.

Separate from the legal requirements, the University is concerned with the health and well being of members of the University community. Employees may contact the Director of Human Resources, in confidence, for referrals or information regarding available and appropriate substance counseling, treatment or rehabilitation programs. The University group health plan offers comprehensive coverage for substance abuse treatment and patients may make direct contact with the insurer with no physician or employer referral required.

In furtherance of its commitment to a safe workplace and safe learning environment, with a workforce free of alcohol or drugs that may impair judgment and job performance and result in injury to self or others, the University reserves the right to require testing of employees for alcohol (including medications containing alcohol) or illegal or controlled substances, on the basis of reasonable suspicion.

Computing and Network Use

Washington and Lee University provides a number of computing and network resources to its staff primarily for work purposes.

1. The University enforces necessary restrictions to protect its computing and network resources, including the revocation of use privileges for unauthorized or inappropriate use. The Director of University Computing is authorized to suspend use privileges in any case he or she deems appropriate until final resolution of the matter.
2. The campus network, including its servers and associated software, is the property of Washington and Lee University. Neither the network pathways nor W&L-owned computer systems are to be used
 - a. For purposes incompatible with established University codes and regulations or applicable laws,
 - b. For unauthorized commercial enterprise, or
 - c. For harassing, fraudulent, or threatening purposes.

The following activities are nonexclusive examples of those that are not permitted and that may lead to suspension or revocation of use privileges and other severe penalties:

- a. unauthorized access or attempts to gain unauthorized access to confidential information;
- b. misrepresenting or attempting to misrepresent one's identity;
- c. altering or tampering with the configuration of computers in common areas, or installing unauthorized games or other programs on their hard disks or on the shared-files area of the file servers;
- d. any network activity that impedes the flow of network traffic or diminishes the availability of resources to other users.
- e. viewing pornography

Confidentiality of Information and Privacy Protection

Washington and Lee University treats information regarding employees, students, work processes and organizational decisions as confidential. Particular care must be taken by employees with personally identifiable information such as a student's financial aid, grade and academic evaluations, a staff member's salary, social security number, performance evaluations, family data and medical records and corresponding information regarding alumni/ae. Such information must be given the strictest safeguards so that access is given only to those whose duties require it. Disclosure of information pertaining to students is subject to the requirements of the Family Educational Rights and Privacy Act. For additional information, reference the following websites: <http://registar.wlu.edu/policies/ferpa.htm> and <http://counsel.wlu.edu/whatsnew/glbfinalforweb112003.htm> .

Conflicts of Interest

All employees should attempt to avoid personal transactions or situations in which their personal interests will, or appear to, conflict with those of the University.

Simply stated, a conflict of interest occurs where the prospect of direct or indirect personal gain for an employee or a member of his/her family could influence the employee's judgment or action in the conduct of university business. You must inform your supervisor and the relevant Dean or Vice President of any potential conflict of interest. In certain cases as noted below, an employee must receive written approval from the Vice President of Administration to enter into certain contracts or business arrangements which could present a conflict of interest. The types of conflicts of interests that should be reported or disclosed include, but are not limited to, the following:

- Use of university personnel, facilities, equipment or services for personal gain or profit without full disclosure, reimbursement of cost, payment of a rental fee, etc;
- Acceptance of consulting fees, honoraria or part-time employment in conflict with professional responsibilities to the University, particularly where proprietary practices or information may be involved;
- The University discourages contracting with its employees to perform work for the University that is the same or similar work, to that performed by the employee during normal working hours. Work should be completed within normal working hours or on an overtime basis. In cases where workload, staffing levels, or available expertise requires hiring a W&L employee, then the hiring department should develop a standard wage for this work, ensure the assignments are equally available to those interested and capable of performing the work, and develop a simple letter agreement with the employee. These arrangements will be reviewed by the Director of Human Resources.
- The University cannot contract or do business with an employee or his/her spouse or close relative without prior written approval from the VP of Administration. If such a contractual or business relationship is necessary, the contracting department must explain the need to contract for these services and should submit at least two additional written bids for similar work. Any business relationships with a close relative that pre-dated this revised Employee Handbook must be disclosed and submitted for review and approval; Employees are prohibited from using privileged information, revealing confidential data, or divulging proprietary information to outsiders for purposes of personal gain or for other than University purposes;
- Acceptance, directly or indirectly, of payments, loans, services, entertainment and travel, or gifts of any more than a nominal value from any individual or from any business concern doing or seeking to do business with the University is prohibited.
- Use of the name of the University for monetary profit or acting as a private person in a way that could create the impression that you are speaking for the University is prohibited unless your position requires you to speak for the University;
- Use of the name, seal and logo of the University and its various departments and programs for other than approved purposes is prohibited. If an employee would like to use the seal, logo or trademark of the University for any business purposes the employee must receive approval from the Business Manager who oversees the University's licensing program.

Copyright Policy

A copyright grants to its owner the right to control an intellectual or artistic creation, to prohibit others from using the work in specific ways without permission, and to profit from the sale and performance of the

work. Copyright protection extends to not only copies of the written word and recordings of sound, but visual images such as photographs, motion pictures, or videotapes. It also extends to live performances that are taped as they are broadcast.

Federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes, including instruction, research, and criticism; and performance/display by educational, charitable, religious or government groups.. Severe penalties may be imposed for unauthorized copying or using of audio visual or printed materials and computer software. It is the responsibility of W&L employees to abide by the University's copyright policy and obey the requirements of the law. Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the University's procedures or is permissible under the law should contact his/her supervisor or the University Librarian. Additional details of the University's policy, and guidelines for the use of copyrighted material, are available at: <http://www.wlu.edu/library/copyrightpolicy.html#id>

Emergency Closing or Delay of the University

Even in cases of extreme adverse weather, there is a need to continue essential services and to provide for the University's residential students. Therefore, every effort will be made to maintain the University's normal operations throughout the year. Making decisions to close the University or to delay opening is difficult since road conditions are usually much better within the City of Lexington than in most of Rockbridge County.

In some cases, employees will need to make individual decisions, using personal vacation time or making up the lost time so that they may come to work later or leave early in the event weather conditions make driving difficult. Supervisors and employees should act in a reasonable and responsible manner with respect to their own safety as well as to the operational needs of the University.

Delayed openings, early release from work, or closings due to extreme adverse weather will be based on the State Police and Virginia Department of Transportation weather information and road conditions and after appropriate consultation. The Provost and Vice President for Administration, in consultation with the Director of Facilities Management and the Director of Public Safety, are responsible for making the decision to close the University. Supervisors should not send employees home until an official announcement is made through official communication channels (e.g. broadcast e-mail, broadcast voice mail, or TV and radio stations).

If employees, in their best judgment, believe travel to work or to their home would be dangerous, they can leave early or come into work late by charging their time to accrued vacation or by making up lost time. Full compensation will be paid for hours not worked only if the University officially closes, but no compensation will be provided to employees who choose to leave early, before an official announcement is made. Essential hourly employees who are required to work their regular shift when the University has closed will be entitled to an equivalent amount of compensatory time off, at straight time, during the pay period in which they had to work when the University was closed. Compensatory time will be tracked by individual departments, and it will be each department's responsibility to see that comp time gets used within the appropriate pay period.

Communication of Closings or Delays:

Decisions to close the University will be made by the Provost and the Vice President of Administration. When there is a closing, the following local radio and television stations will be notified as early as possible (before 7:00 am).

List of Radio and TV Stations:

- o Radio: WLUR, WREL, WVTF (Roanoke NPR), WMRA (Harrisonburg NPR)
- o Television: WDBJ (TV7), WSLS (TV10), WSET (TV 13 Lynchburg)

- o Rockbridge Weekly Online: www.rockbridgeweekly.com/schoolinfo.shtml)
- o Emergency Hot-Line: 462-5277 or x5277 (on-campus)
- o Broadcast e-mail
- o University Web Site message

Essential Employees

Because of the essential nature of their work, Public Safety, Dining, Student Health, and Facilities Management personnel are expected to report to work as close to schedule as possible or to continue to work their regular schedule, even when the University is closed, unless they are specifically instructed otherwise. Compensation for those hours worked will be at straight time. Overtime or other premium pay will only be paid when due as a result of normal overtime guidelines. Individuals, who have any questions regarding their need to report to work as scheduled when the University is closed, should contact their Supervisor.

Employment of Relatives (Nepotism)

The University seeks to employ and promote the most highly qualified and competent candidates. The University will not prohibit employment of spouses, close relatives or domestic partners in the same department or unit, provided that neither employee participates in making recommendations or decisions specifically affecting the appointment, retention, promotion, demotion, salary or work assignments of the other; and that one family member does not directly supervise another.

Outside Employment

The University does not prohibit outside employment. However, assuming you are employed full time, your job at the University is expected to be the primary one. You are subject to the University's scheduling requirements and should be aware of the additional demands and stress which may make you more susceptible to absences, and/or deficiencies in meeting the University's legitimate attendance and performance expectations.

Smoking Policy

Smoking is not permitted inside classroom and administrative buildings, residence halls, dining areas, the bookstore, and indoor athletic facilities. Smokers are asked to refrain from smoking in entranceways to buildings, or adjacent to open windows or air intakes, or in other outdoor areas where environmental smoke is not rapidly dispersed.

Termination of Employment

The University may terminate the employment of an individual employee at any time in accordance with this Handbook.

The University believes in due process, fair warning and progressive discipline. A supervisor is responsible for providing on a regular basis accurate and objective evaluations of an employee's performance. If a serious concern arises, the supervisor should discuss the performance deficiency with the employee and agree on a remedy. If this performance review session does not result in improved performance, the supervisor should use the written performance evaluation tool and follow the steps noted in the performance planning section. Although the University tries to exercise progressive discipline, there are occasions and circumstances where immediate termination, with no prior warning, is taken. Before any employee is terminated, the supervisor must notify and consult with the Director of Human Resources. The Director will consult with the VP of Administration who will endeavor to notify the President or Provost of the impending termination. Nothing in this Handbook, however, creates any contract of employment. Employment with the University remains at-will, subject to termination by either the employee or the University, at any time, and for any reason.

University Policy on Prohibited Discrimination, Harassment, and Retaliation *(Complaints Against Faculty, Staff, or Third Parties)*

Washington and Lee University is a community based on trust and on respect for others. The quality of its life, academic and social, is shaped by the guiding principle of civility, and every member of the community is entitled to expect civil behavior from all other members. Students, faculty and staff have the right to be free from prohibited discrimination, harassment, and retaliation within the University community. Specifically, the University prohibits discrimination, including harassment, on the basis of race, color, religion, national or ethnic origin, sex, sexual orientation, age, disability, or veteran's status in its educational programs and activities and with regard to employment. The University also prohibits retaliation against any individual who files a good faith complaint or is involved in a complaint process under this policy. Such conduct violates not only University policy, but may also violate state and federal law.

Unwelcome verbal or physical conduct toward a member of the University community on the basis of any of the listed categories may constitute prohibited harassment, depending on the circumstances of each case. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature or on the basis of gender may constitute prohibited sexual harassment, depending on the circumstances of each case. Whether sexual or non-sexual, such conduct constitutes prohibited harassment: (1) if the conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile or offensive work or academic environment; (2) if submission to such conduct is an implicit or explicit condition of employment or academic success; or (3) if submission to or rejection of such conduct is used as the basis for an employment or academic decision.

Any person who believes herself or himself to be the object of prohibited discrimination, harassment, or retaliation by a member of the student body should refer to the University Policy on Prohibited Student Discrimination, Harassment, Retaliation and Sexual Misconduct (2006-2007 Student Handbook at p. 18).

Any person who believes herself or himself to be the object of prohibited discrimination, harassment, or retaliation by a member of the faculty, staff, or other non-student member of the community, should consult with one of the designated officers responsible for enforcement of the University's policy, as listed below. The designated officer will provide that person with information concerning Washington and Lee's policy and procedures for dealing with formal complaints of prohibited discrimination and harassment. Depending on the circumstances of the case and the wishes of the person who believes herself or himself to be the object of prohibited discrimination or harassment, the designated officer will also explore with that person other alternatives for resolving the matter and will then take appropriate action. If individuals seeking information about the policy prefer to meet with or file a complaint with a Confidential and Impartial Resolution Resource ("CAIR", see p. 19 of 2006-2007 Student Handbook), they may do so. The CAIR will then communicate with the appropriate designated officer.

The University will treat inquiries and complaints about prohibited discrimination, harassment and retaliation confidentially to the extent possible. In some circumstances, the University may be required to act on information it has received even if the person providing the information chooses not to file a complaint. The University will make every effort to protect from retaliation individuals who believe themselves to be the object of discrimination or harassment.

Retaliation by a student or student organization against anyone who makes an inquiry about discrimination or harassment or who is involved in a complaint process is illegal and constitutes a violation of University policy, as is the malicious reporting of a false complaint of discrimination and harassment. Retaliatory action or malicious reporting will be regarded as a basis for a separate complaint under these procedures.

The procedures outlined in the remainder of this document pertain to the filing of a complaint with the University. They are not intended in any way to preclude any remedies that may be available to a victim of unlawful discrimination, harassment or retaliation under state or federal law.

Complaint Procedures

The Complaint

Any individuals (hereafter "complainant") who believe themselves to be the object of prohibited discrimination, harassment, or retaliation by a member of the faculty, staff, or other non-student member of the community (hereafter "respondent") may choose to bring a complaint through these procedures. Any designated officer may also file a complaint.

1. **When to File a Complaint** - Since it is often difficult to determine the facts of an incident long after it has occurred, complaints should be filed as soon as possible.
2. **Where to File a Complaint** - The following officers are designated by the University to receive complaints:
 - a. For any person with a complaint against a member of the undergraduate faculty, the designated officer is the Dean or Associate Deans of the College or the Dean or Associate Dean of the Williams School.
 - b. For any person with a complaint against a member of the law faculty or professional staff, the designated officer is the Associate Dean for Academic Affairs or the Associate Dean for Student Services of the Law School.
 - c. For any person with a complaint against a member of the staff (and any other member of the community not covered above), the designated officer is the Director of Human Resources.
 - d. If the complainant, for any reason, prefers to meet with a different designated officer or a Confidential and Impartial Resolution ("CAIR") Resource (See p. 19 of 2006-2007 Student Handbook), she or he may do so.
3. **How to File a Complaint** - A complaint is filed by submitting a signed written statement with the designated officer or providing a designated officer enough detailed information to warrant an investigation of the complaint. The designated officer will undertake an investigation of the complaint, or will appoint another investigator to do so. The complaint will be resolved as soon as possible.
4. **The Process of Investigation** - The designated officer or appointed investigator will consult with the complainant and with the respondent, and others if appropriate, in order to explain the procedures and to ascertain the facts. After reviewing the case, the designated officer or appointed investigator will prepare a report summarizing the case. This report will be sent to the designated officer who first received the complaint (if not the investigator), the Dean of the College or School where the respondent is on faculty, or the Director of Human Resources for complaints against staff and other non-students. The report also will be shown to the complainant and the respondent. Either party may have another member of the University community present during meetings with the designated officer or the appointed investigator.

The complainant and the respondent may each submit a statement concerning the report to the designated officer or appointed investigator and either to the Dean of the College or School where the respondent is on faculty, or the Director of Human Resources for complaints against staff and other non-students, if that individual is not the designated officer.

Resolution of Complaint

After consideration of the investigative report and any statements submitted by the complainant or the respondent, the Dean of the College or School where the respondent is on the faculty, or the Director of Human Resources for complaints against staff and other non-student members of the community, after consultation with the designated officer and other persons whom the Dean/Director of Human Resources deems necessary, will decide to:

1. Dismiss the complaint if it is found to be without merit; or

2. Take whatever disciplinary action the Dean/Director of Human Resources believes is warranted by the findings of the investigation and all relevant factors.

Sanctions

The penalties for prohibited discrimination, harassment, and retaliation will depend on the nature and severity of the offense or offenses. In the case of faculty members or other employees of the University, any individual found to have violated the University's policy will be subject to appropriate disciplinary action. If the individual found to have violated the policy is a faculty member and the dean's recommendation is termination, the case will proceed in accordance with the "for cause" dismissal proceedings set forth in the Faculty Handbook.

Appeals

Either the complainant or the respondent may file a written appeal of the Dean's/Director of Personnel's decision with the President within 10 days of the decision. The appeal must state in detail the reasons for the appeal. The decision of the President is final.

Interim Resolutions

If, at any point in the complaint process, the designated officer or appointed investigator believes that the respondent represents a danger to individuals or to University operations, the respondent may be placed on leave with pay or reassigned by the appropriate university official pending the outcome of the complaint or of the appeals process.

Confidentiality

The facts about individual cases and their dispositions are to remain confidential to the extent possible. In order to protect privacy and the effectiveness of the process, no one involved in a complaint process should discuss any information regarding the case except with those with a need to know, with the accused, with their families, or with those to whom they need to disclose information necessary to obtain support until resolution. The designated officer or Dean/Director of Personnel will inform the complainant, respondent, and others with a need to know, of the determination in a case.

The University will retain a written record of the complaint process and its outcome. If the complaint does not result in any disciplinary action, the President will determine whether and when removal of the record is appropriate.

Informal Resolution

Any individuals who believe themselves to be the object of prohibited discrimination, harassment or retaliation by a member of the University community may choose to resolve their complaint through informal resolution by bringing their complaint to the attention of a designated officer or CAIR, who may attempt to resolve the matter consistent with the options set forth in the 2006-2007 Student Handbook at p. 19 .

Washington and Lee University's policy against prohibited discrimination and harassment is consistent with Title IX of the Education Amendments of 1972, Titles VI and VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Age Discrimination in Employment Act of 1967. In addition to contacting the designated officers specified in these procedures, any person with concerns regarding the University's response to his/her complaint may contact the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, District of Columbia Office, 1100 Pennsylvania Ave., NW, Room 316, P.O. Box 14620, Washington, DC 20044-4620, (202) 208-2545 [students]; or the Washington Field Office of the U.S. Equal Employment Opportunity Commission, 1400 L. Street, NW, Suite 200, Washington, D.C. 20005, (202) 275-7377 [employees].

University Officials to Contact Concerning Prohibited Discrimination, Harassment, and Retaliation

For information concerning general procedures and for complaints against faculty or administrative staff:

H. Thomas Williams 458-8418
Designated Officer
Provost
Washington Hall W24

For information concerning general procedures and for complaints against undergraduate faculty:

Hank Dobin 458-8746
HEAD DESIGNATED OFFICER
Dean of the College
Washington Hall W23
hdobin@wlu.edu

Janet Ikeda 458-8748
Designated Officer
Associate Dean of the College
Washington Hall W29
ikedaj@wlu.edu

Elizabeth Knapp 458-8747
Designated Officer
Associate Dean of the College
Washington Hall W23
knappe@wlu.eduknappe@wlu.edu

Larry C. Peppers 458-8602
Designated Officer
Dean of the Williams School
Huntley Hall 203
peppersl@wlu.edupeppersl@wlu.edu

Robert D. Straughan 458-8609
Designated Officer
Associate Dean of the Williams School
Huntley Hall 213
straughanr@wlu.edustraughanr@wlu.edu

For information concerning general procedures and for complaints against law faculty:

Blake Morant 458-8114
Designated Officer
Associate Dean for Academic Affairs
Sydney Lewis Hall 495

Sidney Evans 458-8533
Designated Officer
Associate Dean for Student Services
Sydney Lewis Hall 528

For information concerning procedures and for complaints against staff and other non-students:

Steve McClure 458-8920
Designated Officer
Director of Human Resources
Early-Fielding 126

For information concerning general procedures and for information on pursuing complaints against students:

Dawn Watkins 458-8751
Designated Officer
Dean of Students
Elrod University Commons 242
dwatkins@wlu.edu

University Mediator:

C. Elizabeth Belmont 458-8561
Sydney Lewis Hall 253

Additional Resources: Confidential and Impartial Resolution ("CAIR") Resources for 2006-2007 (appointed annually by the Provost). Roles described on page 19 of Student Handbook.

Tammy Futrell 458-8766
Assoc. Dean of Students
Elrod Commons 243
tfutrell@wlu.edu
HEAD CAIR RESOURCE

Melina Bell 458-8899
Asst. Professor of Philosophy
Newcomb Hall N26
bellm@wlu.edu

Theo. "Ted" DeLaney 458-8963
Assoc. Professor of History
Newcomb Hall 5A
delaneyt@wlu.edu

Jan Hathorn 458-8668
Asst. Director of Athletics & PE/Coach
Doremus Gymnasium 531
hathornj@wlu.edu

Andrea Hilton Howe 458-8022
Director of Law School Admissions
Sydney Lewis Hall 524
hiltonhowea@wlu.edu

Nancy Margand 458-8835
Professor of Psychology
Parmly Hall P240
margandn@wlu.edu

David R. Novack 458-8792
Professor of Sociology
Newcomb Hall 2

novackd@wlu.edu

Amy Richwine 458-8144
Intl. Student and Scholar Adv.
Center for International Education
arichwine@wlu.edu

Jason Rodocker 458-4111
Director, Student Activities & Greek Life
Elrod Commons 250
jrodocker@wlu.edu

Ann Tomlinson 458-8405
Administrative Assistant, Student Affairs
Elrod Commons 247-B
atomlins@wlu.edu

Adopted 2002
Revised August 2003, August 2005
Revised August 2006 (to update CAIRs, DOs)

Weapons Policy

Washington and Lee University is committed to providing a safe and secure learning and working environment for students, faculty, staff and visitors on all campus properties. The use, possession and storage of all firearms, dangerous weapons, explosives, or other dangerous articles are prohibited on all properties owned, leased, or otherwise controlled by Washington and Lee University. Law enforcement officers duly authorized to carry such instruments are excepted.

Any person violating this policy will be subject to disciplinary action. Student violations will be dealt with through the Office of the Dean of Students. Staff and faculty violations should be reported to the Director of University Security.

Whistleblower Policy; Fraudulent or Dishonest Conduct; Violations of Law or University Policy -
<http://counsel.wlu.edu/policy/whistleblower.htm>

I. General Policy

Washington and Lee University (“the University”) has a responsibility for the stewardship of its resources and the private support that enables it to pursue its mission. The Board and administration are committed to compliance with the laws and regulations to which the University is subject and to promulgating University policies and procedures to interpret and apply these laws and regulations in the University setting.

The University’s internal controls and operating procedures are intended to detect and to prevent or deter fraudulent or dishonest conduct, and other violations of laws, regulations and University policies (referred to hereinafter as “improper activities”). However, even the best systems of control cannot provide absolute safeguards against improper activities. Intentional and unintentional improper activities may occur. The University has a responsibility to investigate and report to appropriate parties allegations of suspected improper activities and to report the actions taken by the University.

The University will investigate any alleged improper activities and may discipline any individual found to have engaged in such conduct, up to and including dismissal from the University. W&L reserves the right to refer such conduct for civil and criminal prosecution.

All members of the W&L community are encouraged to report possible improper activities. Employees (including student employees) should report concerns to their supervisor/department head. Students not working for the University should report their concerns to the supervisor/department head of the University employee whom they believe to be engaging in such improper activity. W&L supervisors and department heads are required to report any concerns brought to them, and any situations in which they suspect improper activities, to the Vice-President for Administration or the relevant Dean for investigation. If, for any reason, an individual finds it difficult to report his/her concerns to the relevant supervisor/department head, he/she may report the matter to the relevant Dean or the Vice-President for Administration, or directly to the Chair of the Audit Subcommittee of the Committee on Finance (“the Audit Subcommittee”), in the manner set forth in the procedures below.

II. Definitions, Procedures, Rights & Responsibilities

A. Definitions

Whistleblower: An individual who informs a supervisor/department head, Vice-President for Administration, Dean, or the Chair of the Audit Subcommittee of the Board Committee on Finance, about any potential improper activities.

Fraudulent or Dishonest Conduct: A deliberate act or failure to act with the intention of obtaining an unauthorized benefit from the University. Examples of such conduct include, without limitation:

- Forgery or alteration of any documents
- Unauthorized alteration or manipulation of computer files
- Fraudulent financial reporting
- Pursuit of a benefit or advantage in violation of the University’s Conflict of Interest Policy
- Misappropriation or misuse of University resources, including funds, supplies, or other assets
- Authorization or receipt of compensation for services not received or not performed, or hours not worked

Baseless Allegations: Allegations made with knowledge or reckless disregard for their truth or falsity. Individuals making such allegations may be subject to disciplinary actions.

B. Procedures

Supervisors/Department Heads are required to notify the Vice-President for Administration (VPA) or the relevant Dean of reports/concerns of suspected improper activities.

Supervisors/Department Heads should take reasonable care in dealing with allegations of improper activities to avoid:

- Baseless allegations
- Premature notice to persons suspected of improper activities and/or disclosure of such suspected conduct to others not involved in the investigation
- Violations of whistleblower protections

Accordingly, a supervisor/department head who is informed of suspected improper activities should NOT contact the person suspected and should NOT discuss the matter with anyone other than the VPA/Dean or the Office of General Counsel.

Once the VPA/Dean is aware of any suspected improper activities, he/she will assess the allegations to see that they are not baseless and will then conduct an investigation (or direct that an investigation be conducted), reach a conclusion on whether the improper activity occurred, and proceed to take whatever action, including disciplinary measures, he/she deems appropriate. In handling reports, the VPA/Dean may consult with appropriate persons, but should not disclose such suspected conduct to those not involved in the investigation or who do not have a need to know.

The Office of General Counsel will serve as a resource to the VPA/Dean throughout the investigation and handling of the matter. The VPA/Dean will prepare a report summarizing the suspected improper activity, the investigation, the conclusion, and the actions taken, and the Office of General Counsel will retain such record for the purpose of documenting resolution of reported alleged improper activity. If the General Counsel, upon review of the summary report, believes that the matter has not been sufficiently addressed, the General Counsel may forward the matter to the Chair of the Audit Subcommittee of the Board of Trustees Finance Committee for review. The General Counsel will provide a status report of all complaints and their disposition under this policy to the Audit Subcommittee at its regular meetings.

If the VPA/Dean, upon receipt of a report of improper activity, for any reason feels uncomfortable handling the matter, he/she may forward the report to the Chair of the Audit Subcommittee and request that the Audit Subcommittee review, investigate (as appropriate) and resolve the matter.

If, for any reason, an individual feels uncomfortable using the reporting mechanisms set forth above and wishes to make a report of improper activity directly to the Audit Subcommittee, he/she may do so in writing in a sealed envelope addressed to the Chair of the Audit Subcommittee, W&L Board of Trustees, c/o General Counsel's Office, Washington Hall (W-32), Lexington, Virginia 24450 (sealed envelopes sent to General Counsel's Office will be delivered intact to the Chair of the Audit Subcommittee for evaluation).

The Office of General Counsel will serve as a resource to the Audit Subcommittee in its review, investigation (as appropriate), and resolution of any reported misconduct under this policy. A record of all complaints/reports made under this policy will be maintained by the Office of General Counsel for the purpose of documenting resolution.

C. Rights & Responsibilities

The University and its employees may not retaliate against a whistleblower with the intent or effect of adversely affecting the terms and conditions of employment (including, without limitation, threats of physical harm, loss of job, punitive work assignments, impact on salary or wage). A whistleblower who believes that he/she has been retaliated against may file a written complaint in a sealed envelope addressed to the Chair of the Audit Subcommittee, W&L Board of Trustees, c/o General Counsel's Office, Washington Hall (W-32), Lexington, Virginia 24450 (sealed envelopes will be delivered intact to the Chair of the Audit Subcommittee).

The University will use its best efforts to protect whistleblowers against any form of retaliation. It cannot guarantee confidentiality, however, and there is no such thing as "unofficial" or "off the record" reporting. The University will keep the whistleblower's identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to allow the University or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; (4) the person accused of improper activities is entitled to the information as a matter of legal right in disciplinary proceedings.

D. Contact

Questions regarding this policy should be directed to the General Counsel at (540) 458-8941 or lshank@wlu.edu.

Work Hours and Meals

Most regular full time employees are scheduled to work either a 35 or 40 hour week. These hours may vary, but the standard schedule for administrative offices is 8:30 AM – 4:30 PM Monday through Friday with an unpaid hour for lunch. Schedules in other areas of the university vary according to the support function performed. However, any departures from the normal work schedule must be approved, in writing, by the Director of Human Resources.

Lunch or meal periods will vary by department and will range from a half hour to a full hour. Bona fide meal periods are not paid time unless the employee is required to work and remain at the work site.

The University reserves the right to determine the hours of employment when shift work is necessary. Although the University attempts to minimize the disruption of changing shifts, the University may need to change shifts from time to time to meet operational needs.

It is also expected that employees be willing to work additional hours and/or overtime when needed. Supervisors will provide this notification as far in advance as possible and will limit reoccurring overtime requests.

INDEX

A

Accommodation Policies, 5, 28
Administrative Policies, 5
Annuity, 4, 17, 18, 19, 21, 23
Applicability of Handbook, 3, 6

B

Background Checks, 5, 28
Benefit, 3, 4, 14, 15, 16, 17, 18, 19, 21, 23
Benefits, 3, 14, 15, 18, 20
Bereavement Leave, 4, 24

C

Campus Communications, Facilities and Programs, 3
COBRA, 3, 16, 19, 24
Compensation, 3, 14
Compensation Philosophy and Principles, 3, 14
Computing, 5, 9, 10, 12, 29
Confidentiality, 5, 29, 35
Conflicts of Interest, 5, 30
Copyright Policy, 5, 30

D

Dental Insurance, 3, 15
Direct Deposit, 4, 16
Disabilities, 5, 22, 24, 28, 35
Discrimination, 5, 33, 35, 36
Diversity, 3, 8
Domestic Partner Benefits, 4, 20
Drug-Free Workplace and Schools Act, 5, 28

E

Educational Grants, 4, 18, 19, 20
Emergency Closing or Delay, 5, 31
Employee Advisory Committees, 3, 8
Employee Committees, 3, 8
Employee Relations, 3, 8
Employment Categories, 3, 14
Employment Disclaimer, 2
Employment of Relatives (Nepotism), 5, 32
Equal Employment Opportunity, 3, 8, 35
Essential Employees, 5, 32
Exempt Status Deductions, 4, 17

F

Faculty and Staff Fringe Benefits Committee, 3
Family and Medical Leave, 4, 24
Flexible Spending Accounts, 4, 16, 21
Fraudulent or Dishonest Conduct, 5, 38, 39

G

Grievance Procedure, 3, 11

H

Harassment, 5, 11, 33, 36
Health Benefits, 3
Health Insurance, 3, 4, 15, 18, 19, 21
History, 3, 6, 37
Holiday, 4, 16
Holidays, 4, 17, 25
Home Loans, 4, 20
Honor System, 3, 6

I

Introduction, 3, 6
Introductory Period, 3, 9

J

Job Postings, 3, 9
Jury Duty, 4, 25

L

Leaves of Absence, 4, 22
Life Insurance, 4, 17, 19, 21, 24
Long Term Disability, 4, 21, 23, 24

M

Meals, 5, 40
Military Leave, 4

N

Network Use, 5, 29
Non-Discrimination, 3, 8

O

Optional Payroll Deductions, 4
Other Benefits, 4, 24
Other Unpaid Leaves of Absence, 5, 26
Outside Employment, 5, 32
Overtime, 4, 17, 32

P

Parental Leave, 5, 26
Part-Time, 4, 14, 21
Pay Periods, 4, 16
Payroll, 4, 12, 17
Performance Planning and Review, 3, 9, 12
Personnel, 3, 4, 12, 21, 35
Personnel and Insurance Records, 3, 12

Privacy Protection, 5, 29
Professional Development, 3, 10

R

Resignation, 3, 12
Retirement, 4, 17, 18, 19, 21, 23
Return-to-Work Program, 4, 22, 23

S

Short-Term Disability, 4
Sick Leave, 4, 22
Smoking Policy, 5, 32
Social Security, 4, 16, 17, 18
Supplemental Retirement, 4, 21
Survivor Benefits, 4

T

Taxation of Insurance Premiums, 3, 16
Termination of Employment, 5, 32

TIAA/CREF, 4, 17, 18, 21, 23
Time Off, 4, 22
Tuition Remission, 4, 20

U

University Safety Committee, 3, 9

V

Vacation, 5, 12, 26, 27
Violations of Law or University Policy, 5, 38

W

Washington and Lee, 1, 3, 4, 6, 8, 9, 10, 17, 18, 20,
28, 29, 33, 35, 38
Weapons, 5, 38
Whistleblower, 5, 38, 39
Work Hours, 5, 40
Workers' Compensation, 4, 24