



FIVE TOWNS COLLEGE

STAFF HANDBOOK



305 N. Service Rd.

Dix Hills, NY 11746

www.ftc.edu

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NOTICE FOR ACADEMIC YEAR 2020-21

The College's Reopening Plan filed with NYS during the Coronavirus pandemic is fully incorporated by reference here and supercedes all content in this Handbook to comply with all requirements of the USDOE, NYSED, NYSDOH regulations, CDC and WHO recommendations.

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This Staff Handbook is current as of the date of publication. Staff is deemed to have read, understood and agreed to be bound by the provisions contained herein. Five Towns College reserves the right at any time, without notice, whenever it deems it advisable, to change, modify, withdraw, or cancel any requirement or regulation contained herein, including the right to withdraw all or part of the provisions contained herein. This Handbook is intended to provide guidance to the staff and other constituents of the College. In instances where this Handbook is deemed to conflict with more specific provisions contained in other College publications or letters of appointment, those

specific provisions will control over the more general provisions contained herein.

Part I: Organization of the College

The Five Towns College *Faculty Handbook*, rev. July 2020, sets forth provisions that are incorporated by reference herein. Staff is requested to review that content found at the *Faculty Handbook*, pages 1-47, as though it were fully set forth at length. Those provisions can be found online under Faculty/Staff Resources.

The topics included are:

A Brief History of Five Towns College;

Institutional Mission and Goals;

Licensure, Accreditation, and Memberships;

Planning and Institutional Renewal;

Governance of the College;

Administrative Organization of the College;

A Learner-Centered Approach at a Teaching Institution;

Organization of the Academic Year; and

Institutional Research.

Part II: Rules and Regulations

EQUAL EMPLOYMENT OPPORTUNITY

Five Towns College is committed to its policy of non-discrimination in its employment practices and educational programs. All employment actions, including, but not limited to, recruitment, hiring, promotions, terminations, layoffs, returns from layoffs, compensation, benefits, transfers and participation in Five Towns College College-sponsored training, education or social/recreational programs or employment practices, are made without regard or consideration for an individual's race, color, creed, religion, sex, sexual orientation, gender identification, age, national origin, citizenship status, veteran status, mental or physical disability, marital status, genetic information or an individual's membership in any other class or category protected by applicable federal, state or local law.

EMPLOYMENT AT WILL

This Handbook is not an employment contract and does not confer or guarantee any fixed terms or conditions of employment. While Five Towns College looks forward to a long and mutually beneficial relationship with all of our staff and full-time faculty, there is no specific employment term. All employment at Five Towns College is “at will” and may be terminated, without prior notice, warning or discipline, at any time, for any or no reason by either the employee or the College. Nothing contained in this Employee Handbook or in any other communications by Five Towns College to its employees will alter or modify the “at will” nature of employment of Five Towns College’s employees.

PAY FREQUENCY

Salaries and wages are paid on a semimonthly basis through the ADP HRIS database. The semimonthly payroll dates are on the 15th and last day of the month (adjusted for holidays and weekends).

Paychecks are available for pick up in the Business Office at 11:00 AM on the pay date. The employee must bring his/her ID in order to receive their check. No checks will be distributed without a picture ID. If the employee needs to have someone other than his/herself pick up their check, this must be arranged in advance with the Business Office.

All employees are eligible and encouraged to enroll in the Direct Deposit Program. “Employee Direct Deposit Enrollment Form” can be picked up in the Business Office. Employees may deposit to multiple accounts in multiple banks. Direct Deposit allows funds to be deposited in the bank account on payday.

Payroll pay stubs are no longer distributed to those receiving direct deposit. A copy of your pay stub may be viewed online through the following link:

<https://workforcenow.adp.com/workforcenow/login.html>

To view the annual W2 statement and all semimonthly statements, please go to MYSELF / PAY / STATEMENTS. The first time users should register at the ADP website by entering “fivetowns-1234” as the registration code and following the prompts.

Note there is a delayed payment schedule for part-time employees of the College. Specifics regarding the delayed scheduled can be verified with the Business Office.

WORKING SCHEDULE

A. Working Schedule

Members of the professional staff are expected to maintain their regularly assigned working schedule on student holidays and during student vacation periods. The exceptions are listed under Employment Benefits.

B. Time Records

Staff members are required to record their attendance in and out whenever they start or end their working day.

Staff members may take an hour for lunch each day. Lunch hours may not be shortened or omitted for any reason, to compensate for a late arrival or early departure.

A salary deduction may be made for lateness exceeding eight minutes. Staff members may not compensate for a late arrival by staying beyond their normal working day.

If illness or an outside working assignment requires a late start or early end to their regular office hours, staff members are expected to notify their supervisor of the circumstances.

A supervisor must be informed in advance and written approval secured for any change in the regular work schedule.

C. Absence Notification

The College has setup an email account for you to use whenever you will not at your regular job for the following reasons: Sickness, Vacation, Arriving late to work or taking a personal leave day.

The email address is: absent@ftc.edu

Please include the following in the email:

1. Your full name
2. Your department or unit

3. Day(s) absent or coming in late
4. The reason for your absence or coming in late: Sickness, Personal Day, Vacation, and Doctor's Appointment etc.

D. Emergency Notification: Blackboard

The College has setup an emergency notification system that will contact you directly by: telephone (home, cell or both), text message or email. This system is only used in case of emergencies occurring on the College campus or when College is closed due to weather conditions. Please complete the required form online.

E. Emergency Contact Information Form

Please complete this form, so the College can contact your designated emergency contact person, in case an emergency occurs during the working day.

F. Agreement of Confidentiality Statement

Please read and sign this important document agreeing to keep confidential all student and college information that you may come into contact with during the course of your employment here at the College and/or otherwise comply with FERPA.

G. Use of the College Telephone

The College maintains a limited number of telephone lines. It is imperative that these lines be used only for official College purposes. Staff members may not use these telephones for personal calls.

H. College Stationery, Postage, and Copy Machines

Official College stationery and envelopes may only be used for authorized College purposes. Under no circumstances may official College stationery be used for letters to public officials or organizations involving petitions, causes, political, or other controversial matters.

The College postage meter, copy machines, and other equipment may be used only for official College purposes.

I. College Purchases

A completed purchase order signed by the staff member initiating a purchase request and approved by the appropriate supervisor must be submitted to the Business Office well in advance of the anticipated need in order that appropriate authorization may be obtained for that purchase.

J. Injuries and Accidents

Injuries and accidents occurring while at work must be reported to the Public Safety Office and the Business Office. The College is required by law to make reports of all injuries and accidents.

K. Smoking Restriction

New York State regulations do not permit smoking anywhere in the building. Please observe this regulation as it is strictly enforced.

L. Internet Access and E-mail

Staff members who desire access to E-mail or the internet must read and sign the Computer Laboratory and Internet Policy Statement which is available in the Business Office, follow Acceptable Use standards, adhere to social media policy and only use College computers for College business. There is no expectation of privacy on College owned computers.

Part III. Employment Benefits

OTHER PROFESSIONAL STAFF BENEFITS

In addition to salary, the College also assumes the costs of the premiums for New York State Worker's Compensation, Federal Unemployment Insurance, New York Unemployment Insurance and the employer's share of the New York State Disability, Social Security and Medicare taxes.

Five Towns College reserves the right to alter the benefits package made available to employees at any time, consistent with applicable law and regulation. The College will attempt to notify employees of any alteration in the benefits package.

Social Security and Medicare

All employees of the college are required to participate in the federal social security and Medicare programs. A payroll deduction is made for each category based on a federally mandate percentage of salary. The employer matches the amount of the employees' deduction. Employees are encouraged to check with the local social security office with regards to the benefits offered upon retirement.

Statutory New York State Disability Insurance

This statutory insurance is provided to insure that all employees who suffer a non-work related injury, and cannot continue working for period of time up to six months, will receive a weekly benefit. New York State law sets the amount of this benefit. Notice of any must be given by the injured to the College as soon as practicable.

Workers Compensation Insurance

This benefit provides payment for all costs and damages resulting from bodily injury by accident or disease arising out of, and in the course of, employment at the College. Employees are required to report all injuries to the Business Office of the college as soon as it is practical to do so.

Unemployment Insurance

Staff members whose employment is terminated involuntarily except for cause such as unsatisfactory performance or attendance, moral turpitude or insubordination may be eligible to receive weekly unemployment benefits. The cost of unemployment insurance is borne entirely by the College. The local NYS Department of Labor office may be contacted for specific information relating to the amount and the duration of benefits.

Health and Dental Insurance

All full-time salaried employees are eligible to participate in Five Towns College's group medical and insurance benefits, which includes hospitalization, doctor visits, prescriptions and

dental care. The new hires become eligible to participate in the Five Towns College sponsored benefits after 90 days of full time employment.

Currently the college offers two different health and dental insurance options for its employees. The Summaries of Benefits and Coverages are available in the Business Office.

All necessary enrollment documents and paperwork must be completely filled out and submitted to the Business Office within 30 days of eligibility. If not timely completed and submitted, the employee must wait until the open enrollment date, established by each respective insurance carrier (currently January 1st).

Medical and dental insurance coverage can be also extended to the spouse, domestic partner and dependent children (by blood or through adoption) of eligible full-time employees who have enrolled in a timely manner.

For the list of employee medical and dental contributions, please see the Employee Benefit Handbook available in the Business Office. Medical and dental pre-tax employee contributions are made each pay period through the ADP payroll system.

Life Insurance

The college provides a term life insurance policy to all full time employees after 90 days of full time employment. This benefit is provided by the College at no cost to the employee. The policy is written for the annual salary of each participating employee, with a limit of \$100,000. The benefit is reduced by 35% at age 65 and by 50% at age 70. Covered employees must complete a Beneficiary Form and submit it to the Business Office.

Additional Short Term and Long Term Disability Insurance

Five Towns College provides additional short-term and long-term disability insurance policy to all full time employees after 90 days of full time employment. This benefit is provided by the College at no cost to the employee

Short-term disability is intended to provide the employee with some portion of the income for a short duration in case the employee becomes ill or injured unrelated to your duties at the College. The benefit amount is 60% of employee's predisability weekly earnings subject to plan's maximum of \$500.

Long Term Group Disability Insurance offers additional disability insurance benefits after the short-term disability benefits expire after 26 weeks. This benefit replaces a portion of the employee's predisability monthly earnings subject to the plans maximum monthly benefit of \$5,000, less other income the employee may receive from other sources during the same disability.

Tax Saving Cafeteria Plan Benefits (Section 125) Optional

Eligible employees may participate in the Flexible Spending Plan. The flexible spending plan enables an employee to redirect a portion of his/her pretax compensation into specific types of accounts: dependent care, unreimbursed medical expenses and transportation account. The

details of the Flexible Spending Plan, its annual limits, carryovers, and grace periods are outlined in the Employee Benefit Guide, available in the Business Office.

401(k) Savings Retirement Plan

Five Towns College has established a 401(k) Savings Retirement Plan which provides eligible employees the opportunity to defer any amount or percentage of their compensation into the retirement plan.

Eligible employees are defined as those who are at least 21 years of age and have completed one year of employment. The employees could start participating in the plan after one of the intake dates (currently April 1 and October 1).

The plan has loan provisions and provides for withdrawals due to termination, resignation, retirement, death or disability and hardship.

Benefits are paid upon retirement or termination of employment. Additional information regarding the 401(k) savings and profit sharing plan is contained in the Plan Document and the Summary Plan Description, a copy of which is maintained by the Vice President of Finance and Administration.

Employees can view their 401k accounts on www.estratas.com. First time users can log in using their SS# as User ID and DOB as their Password.

New York Paid Family Leave (NYPFL)

In April 2016, NYS enacted a new statute that effectively creates a newly mandated employee benefit known as, “NY Paid Family Leave” (NYPFL). This is a required benefit to employees that is actually funded by employees and that must be covered by employers’ premium payments. It is to be implemented through the NYS Workers’ Compensation Board administratively. To accomplish this, a deduction similar to the FICA deduction is withheld such that a maximum of \$85.56 annually is deducted. Overall, NYPFL is a pooled benefit for all—every employee is entitled and every employee is required to pay.

Basically, the NYPFL provides a new benefit to NY employees who face a qualifying event that would make them eligible for a permissible use of benefits under the statute. The statute is intended to provide some financial relief to individuals who must take time off from work to provide bonding and care for a close family member and care when military service prevents someone from providing care and other certain specific situations. NYPFL does not allow employees to take paid leave for their own medical condition or circumstance. NYPFL does provide for full job reinstatement.

Some of the NYPFL permissible uses include:

- Caring for a newborn child in the first year of a child’s life or in the first year of adoption placement
- Caring for a family member with a “serious health condition”, or

- Relieving family pressures when a family member, including a spouse, domestic partner, child or parent is called to active military service.

The statute provides a definition of “serious health condition” that needs to be satisfied. In part, it states that it may be, “any illness, injury, impairment, physical or mental condition involving: inpatient care, continuing treatment or supervision by a healthcare provider, and requiring assistance to perform the activities of daily living, and/or a long-term or permanent period during which a family member is unable to work, attend school, or perform regular daily activities.

Important to reiterate that unlike the federal Family Medical Leave Act (FMLA), the NYPFL does not allow employees to take paid leave for their own medical condition or circumstance.

In order to be eligible to receive paid leave benefits, employees are required to have worked for their employer for at least six months. Full-time employees (those who work more than 20 hours/week) are eligible after 26 consecutive weeks of work for the employer. For those who work part-time or less than 20 hours/week, they must have worked 175 days to be eligible.

NYPFL is being phased in over the next four years and, initially, as of the effective date of January 1, 2018, seeks to provide eight (8) weeks of benefits of 50% of weekly wages to a maximum weekly benefit of \$652.96 in 2018. The number of weeks of leave and amount of pay increases yearly until, by 2021, employees will be eligible for the full 12 weeks of paid leave, earning 67% of their weekly pay (capped at 67% of the statewide average weekly pay). Results in a maximum weekly benefit of \$874.97 (calculated using the average weekly wage of \$1,305.92 for the year 2016).

In sum, taking the employee’s average weekly wage and multiplying it by 0.00126 would calculate the amount of the benefit. Or, as a matter of course, an amount equal to .126% of every wage dollar paid in 2018 is to be withheld until a cap of \$85.56 is met.

This law goes into effect as of January 1, 2018 and the NYPFL deduction will immediately go into effect; a look back period of up to six months is permissible. Five Towns College has already taken steps to comply with NYPFL. More detailed information is available in the Business Office as well as information about how to file a claim for NYPFL.

Family and Medical Leave Act (FMLA)

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

Vacation time

In addition to the College Observed Holiday Period, all full-time staff members hired on a twelve-month basis are entitled to accrue paid vacation days according to the following schedule:

Calendar Year	Number of vacation days
Year # 0	0
Year # 1	3
Year # 2-5	6
Year # 6-14	11
Year #15 and more	16

Vacation periods will be scheduled according to the needs of the College and must be approved in advance by the direct supervisor and the Provost or the Vice President of Finance & Administration.

All vacation days should be used by December 31st. With the permission of the direct

supervisor, employees may request to carry over up to five vacation days to the next calendar year. Carry over vacation days must be used by March 31th. Any unused vacation days will be lost.

Paid College Observed Holiday Period

All full-time staff members hired on a twelve-month basis are entitled to the College Observed Holiday Period that corresponds to the period beginning Christmas Day and running through New Year's Day. All offices of the College will be closed.

Paid Sick time

All full-time staff members hired on a twelve-month basis are entitled to Sick Days according to the following schedule:

New Hires in the first calendar year of service:

Hired between		Number of days
January 1	April 30	7
May 1	June 30	6
July 1	July 31	5
August 1	August 31	4
September 1	October 31	3
November 1	November 30	2
December 1st	December 31th	1

After the first calendar year, all full-time staff members hired on a twelve-month basis are entitled to seven (7) Sick Days.

Starting September 30, 2020, all part-time employees of the college are entitled to accrue up to 56 hours (7 days) of paid sick time each year. Part-time employees accrue the sick time at a rate of one hour for every thirty (30) hours worked. The sick time will be paid at the regular rate of pay.

Five Towns College cannot retaliate against employees in any way for exercising their rights to use sick leave. Furthermore, employees must be restored to their position of employment as it had been prior to any sick leave taken. Employees who believe that they have been retaliated against for exercising their sick leave rights should contact the Department of Labor's Anti-Retaliation Unit at 888-52-LABOR or LSAsk@labor.ny.gov.

Upon the request of an employee, the Vice President of Finance & Administration is required to provide, within three business days, a summary of the amount of sick leave accrued and used by the employee in the current calendar year.

After January 1, 2021, employees may use accrued leave following a verbal or written request to their employer for the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care:

- Sick Leave:
 - For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or

- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.
- Safe Leave:
 - For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
 - to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
 - to file a complaint or domestic incident report with law enforcement;
 - to meet with a district attorney's office;
 - to enroll children in a new school; or
 - to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

The term "family member" is broadly defined to include an employee's child (biological, adopted or foster child; a legal ward; or a child of an employee standing in loco parentis), spouse, domestic partner, parent (biological, foster, step or adoptive parent; legal guardian; or person who stood in loco parentis when the employee was a minor child), sibling, grandchild, or grandparent, and the child or parent of an employee's spouse or domestic partner.

Sick days can be used in the minimum increments of 4 hours (half a day).

No Sick Days can be carried over to the next calendar year.

Holidays

The College recognizes the following holidays for professional staff:

- New Year's Day
- President's Day
- Martin Luther King Day
- Memorial Day
- Fourth of July
- Labor Day
- Thanksgiving Day
- Christmas Day

Hourly employees required to work on any of the eight College recognized national holidays will be compensated at time and a half rate.

Floating Holidays

The College does not provide any paid floating holidays.

Bereavement Leave

Full-time employees are allowed up to five (5) days paid leave when necessary to be absent because of death in the immediate family. For the purpose of this policy, the immediate family is limited to the following relatives: mother, father, brother, sister, spouse, child, grandchild, grandmother, grandfather, or relative residing in the employee's household, domestic partner or significant other.

Jury Duty Leave

If an employee is legally obligated to be absent from work for service as a juror, he or she will be excused from work. The employee will receive his or her regular for the first three days of Jury service. As soon as the employee receives the jury duty summons in the mail, a copy of the summons must be submitted to the employee's supervisor and the Business Office.

Upon completion of jury duty service, the employee must submit a copy of the service certificate issued by the court clerk, to the Business Office, indicating the actual days that the employee served on the jury panel. For hourly employees, time spent on jury duty shall not be counted as time worked for the purposes of computing overtime pay. If an employee is excused by the court, he or she is expected to report for work, as long as he or she is able to perform at least four hours of work during that day.

Employee Resignations

When a full-time staff member hired on a twelve-month basis resigns from a position at Five Towns College, the compensation for up to five (5) accrued vacation days will be paid with the last pay check, provided a minimum of two (2) weeks notice is given and fulfilled, all items (keys, uniforms, badges) have been returned, and the team member has not been otherwise terminated for cause. There will be no pay out for the accrued sick days which are forfeited as of the date of resignation.

Part IV. Sexual Harassment

It is the policy of Five Towns College to require a work and academic environment in which there is mutual respect for all members of the College community-students, faculty and staff.

Five Towns College is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Five Towns College has a zero- tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of Five Towns College's commitment to a discrimination-free work environment.

Sexual harassment, in any form, is contrary to this College policy and is illegal under federal and state law and will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.

The College has adopted the NYS Sexual Harassment Prevention Policy pursuant to section 201- G of the Labor Law. All College employees must read these policies and procedures found here: <https://www.ftc.edu/nys-sexual-harassment-prevention-policy/> and incorporated fully herein. Further, the College complies with NYS Education law, Article 129-B, Title IX and follows all relevant and required policies and procedures.

All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Five Towns College, with a government agency, or in court under federal, state or local anti-discrimination laws.

Part V. Drug-Free Workplace

All professional staff members are advised that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited. Professional staff members that are convicted for violation of such prohibitions will have their employment at the College terminated. In accordance with the regulations of the Drug-Free Workplace Act of 1988, the College has established an awareness program to inform employees about the danger of drug abuse. Videos, books, and pamphlets describing the danger of drug abuse are available to all professional staff members as well as referral to appropriate agencies for drug counseling or rehabilitation. Further, the College has posted its *Biennial Report: Complying with the Drug- Free Schools and Campuses Regulations 2018* which can be found here: http://www.ftc.edu/wp-content/uploads/2014/09/FTC_BIENNIAL-REPORT_12.7.18.pdf. All employees are required to read this document and comply with its provisions.

Further, to this end, in compliance with the Federal Drug Free Workplace Act, Five Towns College is committed to addressing the problems of alcohol and other substance abuse on the College campus. The College adheres to its alcohol policy and does not sponsor activities on or off campus where alcohol will be served. Violation of the College alcohol policy will not be tolerated. Further, in compliance with The Drug-Free Schools and Communities Act and the U.S. Department of Education's supporting regulations, Five Towns College adopts and implements programs "to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees on school premises or as part of any of its activities" (EDGAR Part 86 Subpart A 86.3).

Part VI. Grievance Procedures

Generally, as pertains to students/employees, and the Five Towns College Code of Conduct, a grievance is defined as a charge that a student/employee believes they have been adversely affected in a direct, personal, and material way by a decision or action of another individual. Such a dispute may involve another student, faculty, or a staff member. There are two ways to resolve a grievance-informally and formally.

Informal: A student/employee who believes he or she has been personally aggrieved by a staff or faculty member in a matter dealing with his/her coursework or the carrying out of a College regulation should first seek to resolve the problem through discussion or email with the individual involved. If speaking with the individual, i.e. staff or faculty, does not bring a resolution, students/employees are encouraged to contact the Department/Division Chair. Should further assistance be needed, the Dean of Students Office should be consulted.

Formal: Failing a resolution of the matter informally, the student/employee may then file a formal complaint with the Dean of Students Office, Associate Dean of Students/Director of Residence Life, Vice President of Finance and Administration or other appropriate designee who will investigate this complaint. The student/employee may be asked to provide additional information and/or the results of such investigation will be forwarded to the complainant.

Students/employees are assured that no adverse action will be taken as a result of filing a complaint. If the student/employee remains dissatisfied with the decision reached at this level, he/she may **appeal** within three (3) days to the Provost or his/ her designee for redress. In some instances, depending on the nature of the grievance, the Provost or his/her designee has the discretion to assemble a panel of three members, including staff, faculty or students to review the facts, informal decision, and may request additional investigation, hearing, or supplemental documentation. In any event, the decision of the Provost or his/her designee, including panel, is final.

If there is a vacancy in any of these positions, the grievance shall be filed with the next level institutional official. Grievances against the President shall be filed in writing directly with the Provost or designee, who shall forward such grievances to the FTC Board of Trustees to avoid any conflict of interest.

All other formal complaints in the form of Incident Reports should be filed through the Public Safety Office. Depending on the nature of the grievance, the above procedures will be followed. If the alleged complaint potentially falls under the ambit of Title IX of the Education Amendments of 1972 or the N. Y. S. Education Law, Article 129-B, or the N.Y.S. Sexual Harassment Prevention law, the particular policies and procedures adopted and promulgated thereunder by the College will take precedence and be followed. In such instance, the matter will be forwarded to the attention of the Five Towns College Title IX Coordinator. The FTC Sexual Misconduct Policies and Procedures are located here: [https:// www.ftc.edu/nys-education-law- article-129-b/?preview=true](https://www.ftc.edu/nys-education-law-article-129-b/?preview=true) and [https:// www.ftc.edu/wp-content/uploads/2014/09/FINAL- TitleIX.7.27.18_links-1.pdf](https://www.ftc.edu/wp-content/uploads/2014/09/FINAL- TitleIX.7.27.18_links-1.pdf). Further information about informal/formal procedures are stated in the Five Towns College *Student Handbook*, page 29.

Confidentiality. All oral and/or written materials prepared for grievance under this policy, and all statements and communications made as part of the processes described herein, are confidential. All involved parties and participants are obligated to hold all matters related to a mediation or grievance in confidence, to the extent permitted by law. Failure to comply may result in

disciplinary action.

Responsibility. The Grievant and Respondent and all other participants are expected to abide by all procedures outlined in this policy, participate in good faith, and ensure confidentiality before, during, and after the process.

Acceptance of Remedy by Grievant. If it is found that the Grievance is justified and a remedy is recommended, the Grievant shall, before receiving any such remedy, execute a written agreement recognizing the remedy to be satisfactory and waiving any claims to causes of action arising out of the grievance.

Documentation. The initial Grievance documents initiating the grievance process and appeals as well as final notification letters from the Chair, Dean of Students, Provost, and/ or President shall be filed in the Office of the Provost or the President, as appropriate, where they will be maintained. Upon completion of all phases of the grievance process, any and all other documents, information, and records which have been collected or generated are maintained for compliance and reporting purposes in the Provost's Office.

Part VII. Performance Evaluation

The current Professional Staff Evaluation Form is available in the Business Office.

Part VIII. Professional Code of Conduct

I. Preamble

This Professional Code of Conduct is intended to ensure that appropriate legal, collegial, and ethical behaviors are demonstrated by the faculty and staff of Five Towns College at all times when they are discharging their College duties and responsibilities. This Code of Conduct is specifically written to advance and enhance the mission of the College, to preserve the highest standards of teaching, advisement and scholarship, to ensure that the College's important responsibilities are met, and to protect academic freedom. All faculty and staff are expected to adhere to this Professional Code of Code and to conduct themselves in ways that are moral, ethical, respectful, and responsible. To this end, the Professional Code of Conduct enumerates a number of stipulations, requirements, and regulations concerning the College's significant activities and interactions during an employee's days and hours of employment.

II. Responsibilities of All College Employees

1. Employees agree to comply with the policies, procedures, rules and requirements indicated in all College publications, especially the *Faculty Handbook* or *Staff Handbook*.
2. Every College employee must report for work as scheduled and provide at least the required number of minimum weekly work hours.
3. If, for any reason, employees cannot be present when scheduled, they must notify their supervisor prior to the start of their work schedule.
4. Smoking, coffee, restroom, and other breaks are to be kept to an absolute minimum during work hours.
5. Time spent during employment hours on personal matters is to be kept to an absolute minimum and must not interfere with College deadlines, duties, or responsibilities.
6. All employees will adhere to a strict policy of abstaining from any alcohol and/or drug use or possession on campus. They will comply with any other policies, rules, regulations and stipulations regarding alcohol and drugs.
7. Employees are not to conduct or maintain personal relationships with other employees during their hours of employment if those personal relationships interfere with the performance of work responsibilities. Employees are also prohibited from letting any personal relationships affect or interfere with their fair and objective application of the College's policies, procedures, and business affairs.
8. Employees must conduct, maintain, and/or develop relationships with enrolled students that are clearly professional. Intentionally fraternizing outside of the college and/or on a social networking site with an enrolled student without supervision or permission is not permitted.
9. Employees are not to threaten, harass, intimidate, or indulge in behaviors with enrolled

students, faculty or staff that are unprofessional, discriminatory, or recognized as inappropriate in a workplace.

10. All employees will comply with the rules and regulations concerning student privacy rights, as stipulated under the Family Educational Rights and Privacy Act (FERPA), as well as individual faculty and staff privacy rights and the privacy of the College's business affairs.

11. All employees agree to comply with the College's authorized form of personal identification required of them during their days and hours of employment whenever they are on campus and to register any motor vehicle using the College's parking areas.

12. All employees agree not to present themselves to any outsiders as representatives of Five Towns College unless they are specifically authorized to do so by the College President or one of his authorized representatives.

13. All employees agree to return all College equipment, supplies, furnishings, ID badges, keys, permits, documents, etc. upon the conclusion of their employment with the College.

14. All employees agree to comply with all Equal Opportunity Commission guidelines regarding non-discriminatory behavior with regards to: race/ethnicity, gender, religion, disability, age, marital status, etc.

15. All employees understand that fabrications, serious inaccuracies or omissions, or instances of plagiarism appearing on any forms, statements made, documents, etc. submitted to their personnel file may result in immediate termination of their employment.

16. All reports submitted on behalf of the College to outside accrediting and oversight agencies and officials will, to the best of one's knowledge, be complete, accurate and appropriate.

17. No employee is permitted to make statements, written or verbal, about the College to anyone that are untrue or dishonest.

18. All employees are expected to maintain the highest levels of integrity and professionalism when employed at the college.

19. All employees are responsible for conducting College business in compliance with all federal, state and local laws, regulations, accreditation standards, and Five Towns College's own policies and procedures, as applicable to their department or division.

20. College employees, whether staff, faculty or administrators, may file grievances, complaints, concerns, etc. and agree to follow the stated grievance procedures in the appropriate handbooks (e.g., Faculty Handbook, Staff Handbook) for doing so.

21. Employees have the right to inspect their own personnel file and add any document to that file that has a relevance to their College performance or their employment qualifications.

22. The privacy of all personnel records will be maintained.

23. Faculty and staff members will accept a role in the governance of the institution.

24. All employees agree to comply with all copyright rules and regulations.
25. All employees must sign out for all equipment borrowed from the College. A copy of this agreement to maintain the equipment must be kept on file with the Office of Academic Affairs and the Division Chair or Department Director issuing the equipment.

III. The Faculty Members' Responsibilities

1. Faculty members should base their evaluations of students' academic performances substantially on objective criteria and not on matters irrelevant to performance, e.g., personality, race, religion, degree or nature of political activism, or personal beliefs. They are also expected to maintain a classroom or online course site free of bias and prejudice.
2. Faculty members should present the subject matter of courses as published in the College Catalog, Course Overviews, and as approved by the faculty in their collective responsibility for the curriculum.
3. Faculty members should be adequately prepared for the classes they teach.
4. Faculty members should announce and maintain posted office hours on campus.
5. Faculty members should be punctual in starting and ending classes and should not cancel classes except for emergency situations. Cancelled classes are to be made up by the faculty member or an appropriate substitute.
6. Faculty members should not exploit students for private advantage.
7. Faculty members should acknowledge significant assistance from colleagues, students and others, when appropriate, in their publications, recordings, films, recitals, etc.
8. Faculty members should strive to be objective in their professional judgment of their colleagues.
9. All faculty members will be evaluated annually according to a set of predetermined and published criteria and new faculty will be evaluated within the first 90 days of employment and at least several times during the academic year.

IV. Administrative and Supervisory Responsibilities

1. All administrators and supervisors will base their evaluations of personnel performances substantially on objective criteria and not on matters irrelevant to job performance, e.g., personality, race, religion, degree or nature of political activism, or personal beliefs.
2. All administrators and supervisors will maintain their scheduled days and hours of service. They will notify their appropriate supervisor and/or employees of absences or inability to keep their scheduled hours for work.
3. All administrators and supervisors will strive to be objective in their professional judgment of their colleagues.

V. The Use of Technology

Five Towns College provides faculty and staff with access to a variety of technologies, including personal computers and printers, network infrastructure, the Internet, e-mail and voicemail, for use in the performance of their duties. Technology should be used for College-related business, e.g. teaching, research, administrative matters, and communication with students and colleagues.

1. While conducting all College-related business, employees will use only their @ftc.edu email addresses.
2. Five Towns College recognizes and supports the occasional use of technology resources for personal purposes, providing that it: (a) does not disrupt the College's computer network; (b) does not involve an ongoing commercial enterprise or activity that personally benefits the employee; (c) conforms to all appropriate standards of professional conduct; (d) is only temporary, not extended; and (e) does not detract from the discharge of one's College duties and responsibilities. The College expects all employees to respect the clear priority of College business over the use of computers, telephones, and other types of communication devices for personal matters.
3. The use of computers, electronic mail, the network, or the Internet for inappropriate or illegal purposes such as commercial sales, illicit or pornographic photos, practical jokes, harassment, the intentional breaking of security, the sending of abusive or offensive material and /or unwanted chain letters is expressly prohibited.
4. Texting during work hours is prohibited unless it involves immediate emergency or critical personal needs.
5. Any documents, emails, files, etc. created, stored, received, transmitted or otherwise contained on a College computer or storage device or network remain the property of the College for a period of seven years.

VI. Gifts, Entertainment, Travel

1. Neither faculty nor staff shall furnish expensive gifts or provide excessive entertainment or benefits to people on behalf of Five Towns College.
2. Faculty and staff shall not accept or solicit any gifts or benefits of more than nominal value (in excess of \$100) for themselves from individuals or organizations with whom Five Towns College does business or is otherwise affiliated.

VII. Conflicts of Interest

1. Trustees, officers, faculty and staff owe their primary professional allegiance to Five Towns College and its mission. A conflict of interest exists when a Five Towns College representative or a member of their family is in the position to benefit personally, directly or indirectly, from their dealings with an organization or person conducting business with Five Towns College. Confidence in Five Towns College and its employees is put at risk when the

conduct of an individual involves, or appears to involve a conflict between their private interests and those of the institution.

VIII. Reporting Known or Suspected Violations

1. Five Towns College faculty, staff, and trustees are required to report promptly any known or suspected violations of the Code of Conduct to the President, the Provost and/or the Dean of Students. No retaliatory action of any kind will be permitted against anyone making such a report in good faith.
2. Violations of this Code of Conduct may lead to disciplinary action, including removal from office or termination of employment. Violations of this Code may also constitute violations of law and may result in criminal and/or civil liability for the offender and for the college. All staff, faculty and trustees are required to cooperate in internal investigations of possible misconduct.