



# Human Resources Policies and Procedures

Effective Date January 01, 2024

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**LEGAL DISCLAIMER**

*The materials presented herein are for general reference only. Federal, state or local laws or individual circumstances may require the addition of policies, amendment of individual and/or the entire handbook to meet specific situations. These materials are intended to be used only as guides and should be used, adopted or modified without the advice of legal counsel.*

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**POLICY MANUAL STATEMENT AND ACKNOWLEDGMENT**

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This manual is designed to provide a resource to employees regarding policies, guidelines, disciplinary procedures and other matters related to your employment with University of the Potomac.

This manual is not intended to be a contract, either express or implied, nor is it intended to create any legally enforceable obligations on the part of University of the Potomac. Employment at University of the Potomac is "at-will". The University reserves the right to terminate an employee with or without cause, and with or without notice, at any time. Likewise, employees have the same right. This manual does not purport to include every conceivable situation; it is merely meant as a guideline. Federal, state, and/or local laws will take precedence over University of the Potomac policies, where applicable.

Personnel policies are applied at the discretion of University of the Potomac. University of the Potomac reserves the right to change, withdraw, apply, or amend any of its policies or benefits, including those covered in this manual, at any time. University of the Potomac will notify employees of such changes via email, posting on the University's intranet, printed memo, notice, amendment to or reprinting of this manual; however, at its discretion make such changes at any time, with or without notice and without a written revision of this manual.

By signing below, you acknowledge that you have received a copy of University of the Potomac's Employee Handbook and understand that it is your responsibility to read and comply with the policies contained therein and any revisions made to it. Furthermore, you acknowledge that you are employed "at-will" and that this manual is neither a contract of employment nor a legal document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please print your full name

*Please sign and date one copy of this notice and return it to Human Resources.*

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# 1. Introduction

Welcome to University of the Potomac (or “the University”). The University of the Potomac handbook incorporates policies and guidelines intended to provide all personnel with information about their rights and obligations as employees. We ask that you read the entire handbook, familiarize yourself with its contents, and use it as a guide when you are unsure about any aspect of your employment.

You are encouraged to contact your immediate manager/supervisor or Human Resources department regarding any matter not addressed in this handbook. To ensure University of the Potomac employees have access to the handbook, a copy will be available at our Human Resources office.

## 1.1 Our Promise

We will provide an outstanding educational experience through quality faculty and educational tools, facilities, support of student academic accomplishment, personal development, and job placement.

University of the Potomac strives to create a positive workplace culture by investing in the talent, tools, and facilities needed to become a premiere University. Engaging staff and faculty in moving toward this goal is our priority.

Building an organization capable of driving growth and profitability that meets or exceeds agreed-upon targets.

## 1.2 Our Mission

University of the Potomac's mission is to educate students by arming them with the theoretical and practical mastery needed in today's competitive workplace.

## 1.3 At-Will Employment

**Employment at University of the Potomac is “at-will”. Employment at-will implies that the employee or the University can terminate the employment relationship with or without cause, and with or without notice, at any time. The right to “at-will termination” shall not be limited to employee handbook policies or any company employee document or statement. University of the Potomac retains the right to restructure the organization which could result in the demotion or change in an employee’s current position at will, with or without cause and with or without notice.**

Employees nor any representative of University of the Potomac has the authority to make any oral or implied agreement that changes or contradicts the at-will nature of your employment. The at-will nature of your employment can only be modified by an express written agreement signed by an Executive Team member of University of the Potomac.

# 2. Employment

The following information is included in this section:

1. Equal Opportunity/Affirmative Action

2. Americans With Disabilities Act (ADA)
3. Background Checks
4. Professionalism (including work-place attire)
5. Job Classifications and Categories
6. Working Hours, Meal and Rest Breaks
7. Attendance and Punctuality
8. Payroll
9. Performance Management, Performance Improvement and Position Changes
10. Discipline and Termination of Employment
11. Transfers
12. Rehire
13. Employment, Dating, and Family Relationships

## **2.1 Posting Position Vacancies & Hiring Process**

When certain job positions are available, we start with advertising the job internally and externally. We post job descriptions on job search sites such as Indeed, Higher Ed Jobs, 2 to 4 weeks before the hiring date. Then review applicants' resumes, interview the top candidates, check references, check background, select the best candidate, and make the offer of employment.

### **Immigration Laws**

All new hires MUST complete an I-9 form on their first day of employment. The I-9 Employment Eligibility Form is used to verify the identity and employment authorization of individuals hired for employment in the United States. The I-9 form can be completed after a job offer has been made and accepted by the employee.

### **Equal Opportunity/Affirmative Action**

University of the Potomac is an equal opportunity employer. All recruitment, hiring, placements, transfers, promotions, training, compensation, benefits, discipline, and other terms and conditions of employment will be on the basis of the qualifications of the individual regardless of race, color, religion, gender, sexual orientation, marital status, national origin, ancestry, age, medical condition, veteran status, physical or mental disability, medical condition, or any other protected classification. Salaries and benefits for employees are managed on a non-discriminatory basis. Employment benefits comprise a substantial portion of compensation, and as such will be available in accordance with established policy to all employees within a specific employment classification, on an equitable basis, and without unlawful discrimination. Review practices will be followed to prevent or correct inequities. If inequities are found to exist, the University may develop a program for necessary adjustments. Employees with questions or concerns regarding any form of workplace discrimination are encouraged to bring these issues to the attention of their immediate supervisor or the Human Resources department. Employees can raise concerns and make reports without fear of reprisal or retaliation. Anyone found to be engaging in any type of unlawful discrimination may be subject to disciplinary action, up to and including termination.

## **2.2 Americans With Disabilities Act**

University of the Potomac is committed to complying with all applicable provisions of the Americans With Disabilities Act (ADA) and any similar state laws. It is the practice of University of the Potomac to not discriminate against any qualified applicant or employee with terms or conditions based on the individual's disability or perceived disability given the individual can perform the essential functions of the job. University of the Potomac will provide reasonable accommodations to a qualified individual with a disability, as defined by the applicable law, who has made University of the Potomac aware of his or her disability to the extent required by law. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resources department. University of the Potomac encourages individuals with disabilities to request a reasonable accommodation.



Please Note: Any requests for accommodation by students must be forwarded to the Campus Director.

### **Reasonable Accommodation**

Accommodation requests will be considered on a case-by-case basis. Reasonable accommodations may include alterations or modifications to the workplace, work environment, work schedule, equipment, or job-related tasks.

An employer may consider the employee's preferred accommodation, although the employer is free to choose any effective accommodation. The employer is not required to reallocate essential job functions, or to provide personal use items.

An employee or job applicant who has questions regarding this practice or believes that he or she has been discriminated against based on a disability should notify the Human Resources department.

## **2.3 Background Checks**

University of the Potomac utilizes background checks for the vetting and hiring of employees. It serves to confirm the identity, verify employment history, education, and experience of candidates that are best qualified for the position, while ensuring that candidates that may pose a legal liability to University of the Potomac or a safety risk to our employees are not offered employment.

This policy applies to all regular full-time, regular part-time, adjunct instructors and University of the Potomac temporary employees. In addition, former employees who are re-hired after six months may be required to be re-screened.

University of the Potomac will keep the information gathered confidential in the background screening reports and will use the information solely for the purpose of establishing eligibility for employment. University of the Potomac will not disclose this information to third parties without the applicant's or employee's consent, except if required by law.

## **2.4 Professionalism (including dress code)**

### **Introduction**

Every faculty and staff member has a direct impact on the image of University of Potomac. It is important for all personnel to consciously project a professional image of the University by their appearance at all times.

### **Business Attire**

Business attire is to be worn Monday through Thursday, however it is required when attending meetings, presenting to a group, and/or where business attire is expected.

<b>BUSINESS ATTIRE</b>	
<b>Women</b>	<b>Men</b>
Dresses/skirts of appropriate length (Note: hosiery is not required)	Suits Sport coats/blazers Dress pants

Pantsuit including Capri suit (any length pants) Skirt suits (including gauchos) Dress pants Blazers/jackets Blouses/knit tops Sweater sets	Shirts with collar Sweaters with shirt Tie (required)
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**Business Casual (Fridays year-round)**

Makes a more informal or relaxed impression. Also appropriate for most conferences and training sessions.

<b>Business Casual Attire</b>	
<b>Women</b>	<b>Men</b>
Pants (e.g. Khakis, Dockers) Jeans Pressed cotton pants/corduroy Gauchos (in business suitable fabrics and length) Sweaters (lightweight, turtleneck, crew neck) Vests Skirts Dresses	Pants (e.g. khakis, dockers, corduroy) Jeans Sweaters Dress shirt (without tie) Polo, golf or short-sleeved shirt Vests Ties (not required)

**Medical Exemption**

If an individual requires exemption from the footwear dress code for medical reasons, a current doctor's note must be submitted to Human Resources.

**Additional Guidelines**

In addition to appropriate attire, employees are expected to avoid extremes in personal grooming. Examples of unacceptable personal grooming include lack of cleanliness, extreme haircuts or hair color, facial or other visible body piercing, extreme jewelry such as "collars" or overly large earrings, ornamental belts, prominent tattoos, and heavy perfume or cologne. Current faculty and staff with exposed body piercing other than ears (i.e. nose, eyebrow, lip, chin, and tongue) will be asked to remove such ornamentation during working hours.

<b>INAPPROPRIATE ATTIRE AT ANY TIME</b>		
T-shirts Halter tops Tank/Tube tops Top with spaghetti straps Exposed bras, sports bras	Shorts Nylon jogging suits Sweat suits Camouflage clothing "Night club" wear	Hats Combat boots Sandals/flip-flops Crocs Tennis Shoes (look-a-likes included)

If you are in doubt as to whether an article of clothing is acceptable, please check with Human Resources for further clarification on the dress code. Adhering to these guidelines will promote a professional work environment.

## **Enforcement**

Each Department Manager is responsible for determining the appropriate image for their department. A Department Manager may determine the need for more stringent guidelines than previously listed, but they cannot impose a more relaxed dress code than stated herein. The Department Manager is responsible for discussing dress code violations with their associates. Violation of the Dress Code Policy will result in further disciplinary action up to and including termination of employment.

## **2.5 Job Classifications and Categories**

### **Probation Period**

New, re-hired, and/or transferred employees will undergo a probationary period for the first ninety (90) calendar days of employment. The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. University of the Potomac uses this period to assess employee capabilities, work habits, and overall performance.

If University of the Potomac determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance or if the employee is not performing satisfactorily, the probationary period may be extended at the University's discretion for a specified period upon written notification by the University to the employee. The employee will be notified as to the duration of the extension and the areas that require improvement. Any significant authorized absence will automatically extend an introductory period by the length of the absence.

Employment is not guaranteed during the entirety of the ninety (90) day probationary period and either party may terminate the employment relationship during this time or the extended probation period for any reason, with or without cause, with or without notice, without further obligation or liability.

Upon satisfactory completion of the probationary period, employees will be considered "regular" employees. Completion of the introductory period does not, however, change or invalidate the at-will provisions of employment described above.

### **Exempt and Nonexempt Classifications**

It is the intent of University of the Potomac to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Upon hire, each employee is designated as either "NONEXEMPT" or "EXEMPT" from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by University of the Potomac management.

In addition to the above categories, those who work at University of the Potomac will be considered full time, part time, temporary or adjunct faculty.

- **FULL-TIME:** non-temporary status, compensated bi-weekly (either exempt or non-exempt), 40 hour regular scheduled work week, eligible for benefits.
- **PART-TIME EMPLOYEES:** non-temporary status, compensated on an hourly basis, regularly scheduled to work less than 40 hours per week. Part-time employees regularly scheduled to work 20 hours or more are eligible for limited medical benefits. Part time employees that are regularly scheduled to work more than 20 hours per week are eligible for the University's part-time benefit program.
- **TEMPORARY EMPLOYEES:** notified upon hire of their temporary or intermittent status. Employment should not exceed 90 consecutive days in duration. Temporary employees will receive all legally mandated benefits (such as Social Security and Worker's Compensation Insurance). Temporary employees are not eligible for any of University of the Potomac's other benefit programs otherwise available to full-time employees.
- **ADJUNCT FACULTY:** compensated on an assignment/course basis and are notified upon engagement that the term of their contract is not to exceed a specific number of consecutive weeks in duration per assignment. Adjunct faculty are not eligible for any of University of the Potomac's benefit programs.

## 2.6 Working Hours, Meal and Rest Breaks

For the purpose of reporting time, University of the Potomac follows a Monday through Sunday work week. It begins at 12:01 a.m. Monday and ends at midnight on Sunday. Work schedules may vary according to business and customer expectations.

Hourly paid employees that are scheduled to regularly work more than six hours on a daily basis, are permitted to take three (3) breaks per work day: one (1) unpaid hour meal break and (2) two additional paid breaks of 10-minutes each. These meal and rest breaks will be scheduled at times approved in advance by the employee's supervisor. As general guidance, rest breaks should be taken prior to and shortly after the meal break. Part-time employees receive a meal break only if their workday exceeds five hours. Although employees may remain on work premises during their meal and rest break periods, employees are completely relieved of their job duties during such periods and are not to perform work while on break.

Laws may vary by state regarding the regulations governing rest and meal periods. Therefore, please consult with your manager/supervisor and/or the Human Resources department for state-specific requirements.

### Smoking

In order to comply with various federal, state, and/or local laws, to respect the rights of others, and to provide a healthy work environment for all, your office may have a restrictive no smoking practice in place. If you choose to smoke, the time taken will count as "break" time. There are designated areas at each location where smoking is permitted.

## 2.7 Attendance and Punctuality

Whether you are an employee in an exempt or nonexempt job, punctual and consistent attendance is essential. Tardiness or absence can negatively affect service to our customers, your coworkers, and your manager/supervisor. When you are tardy or absent, your workload must be shifted to others, just as you must assume the workload of others that are not at work.

All employees are expected to be on time and ready to work at their regularly scheduled time. Employees are also expected to work their full workday, notwithstanding meal periods and established breaks.

If you must be absent for the day, you are required to personally speak to your immediate manager/supervisor within 1 hour of your scheduled start time. **You must call your manager/supervisor each day that you are unable to report to work. An employee who arrives after his/her scheduled starting time is considered tardy, unless the time has been pre-approved.**

**It is not permitted, under any circumstance, for an employee to clock into the employee time clock system remotely. Any work performed by employees remotely must be approved in writing by their supervisor prior to working the hours.**

In the event that an employee fails to contact his/her immediate supervisor or Human Resources for three (3) consecutive days, it is considered job abandonment which results in voluntarily resignation.

Attendance records are maintained by supervisors and are included in all personnel files. To the extent permitted by law, absenteeism and lateness lessen an employee's chances for advancement.

#### **Disciplinary Action May Result From**

- Failure to follow proper call-in protocol
- Excessive absenteeism
- Excessive tardiness
- Excessive occurrences of early departure
- A combination of any of the above

#### **Monitoring Attendance Issues**

It is the responsibility of the employee's immediate supervisor to monitor each employee's time using the timekeeping system. **If an attendance problem is noted, the manager is required to address the matter immediately with the employee and Human Resources.**

#### **Absence (3 consecutive days)**

*In the instance that an employee is absent 3 consecutive days or longer due to a medical issue, University of the Potomac reserves the right to require a physician's statement/note to verify the employee's eligibility to return to work.*

## **2.8 Payroll**

Upon employment with University of the Potomac, employees will be advised of work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Prior notice of any scheduling changes will be provided to employees. University of the Potomac will try to keep all unscheduled changes to an absolute minimum.

Employees are paid bi-weekly on alternate Fridays. Each paycheck will include earnings for all work performed and paid time off (PTO) taken through the preceding Sunday. University of the Potomac does not give pay advances or loans. Paychecks/direct stubs are only provided to the employee. Exceptions to this protocol must be authorized by the employee in writing.

If a regularly scheduled payday falls on a holiday, employees will receive pay on University of the Potomac's last day of business before the regularly scheduled payday.

### **Falsification of Time Records**

Time records are official company documents. Intentional falsification of these time records by an employee is a serious infraction of University of the Potomac policies and may result in discipline, up to and including termination. Altering, falsifying, and/or tampering with electronic time sheets, or recording time for another employee may result in disciplinary action, up to and including termination of employment. Employees should record any time in or out on their electronic timesheet as it occurs.

### **Exempt Employees**

Employees in exempt positions are responsible for reporting exception time (e.g., PTO, jury duty) which must be submitted via ADP EZLabor for Manager/Supervisor approval.

### **Administrative Pay Corrections and Pay Deductions**

University of the Potomac takes all reasonable steps to ensure that employees receive prompt, accurate pay on the scheduled pay day. Should an error occur in payment the employee should bring the discrepancy to the attention of the HR department immediately. Corrections will be made in a timely manner upon notification.

The law requires that specific tax deductions are taken from employee compensation. Among these are applicable federal, state, and local income taxes. University of the Potomac must also deduct Medicare and Social Security taxes on each employee's earnings.

University of the Potomac offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

If you have any questions regarding your deductions, or if you believe that your pay has been improperly reduced or subject to improper deductions, you should notify the HR Department immediately. University of the Potomac will promptly investigate the deduction. If the deduction was improper, University of the Potomac will reimburse the employee for said deduction. In addition, University of the Potomac will, in good faith, take all reasonable steps necessary to ensure that no such improper deductions are made in the future.

Similarly, should you receive overpayment, please contact the HR department to have the payment reviewed.

## **Overtime**

The general practice of University of the Potomac is to avoid overtime. However, on occasion, your manager/supervisor may find overtime necessary to meet job requirements. All overtime hours must be pre-approved at the request of the manager/supervisor. Working overtime without prior approval may result in disciplinary action, up to and including termination of employment. When necessary, it is the responsibility of all employees to be available to work a reasonable amount of overtime. Exempt employees are excluded from the payment of overtime, based on the criteria established by the Federal Fair Labor Standards Act.

## **Overtime Pay**

Employees in nonexempt jobs are paid overtime according to applicable state and federal laws. Overtime is defined as hours worked in excess of 40 hours during a workweek (Monday through Sunday) or by state law if different. Overtime compensation is based on an hourly rate and is included in the regular paycheck. Non-worked hours (e.g., holidays, PTO, jury duty, or bereavement) are not used for the purpose of meeting daily and/or weekly overtime thresholds.

Most full-time and part-time employees in nonexempt jobs are paid at the rate of 1.5 times their base hourly rate for hours worked in excess of 40 hours in a workweek, or as specified by state law. Time taken for meals and time away from the office during work periods for personal reasons, such as PTO will not be counted toward hours worked. **Managers may not offer "comp" time in lieu of overtime wages.**

## **Travel Pay for Nonexempt Employees**

Occasionally, employees may be required to travel to office locations or other sites outside of their normal work location or commuting area for business meetings, seminars, training sessions, etc. University of the Potomac will compensate employees for travel time, to the extent required by law.

# **2.9 Performance Management, Performance Improvement and Position Changes**

## **Performance Management**

University of the Potomac's performance management process is designed to help all employees achieve and sustain high levels of performance. Your initiative in career planning and performance is critical to personal success and development, and that of the University's. For salary purposes, the manager/supervisor reviews employees annually. University of the Potomac reserves the right to defer reviews at University of the Potomac's sole and absolute discretion. Clear communication of expectations and attainable goals provide the best foundation for success.

If a manager/supervisor feels that an employee is not performing at a level required for the position, he or she has the option of utilizing various steps of performance management, which can include verbal warning or coaching of the employee, written warning(s), suspension (with or without pay), or termination of employment, depending on the nature, frequency and severity of the situation and the employee's performance record. There may be circumstances when one or more steps are bypassed. University of the Potomac reserves the right to exercise its discretion in utilizing performance management.

It is the manager/supervisor's responsibility to make sure each employee has the tools necessary to perform their duties effectively. Should an employee feel that they have not been provided with the tools to be successful, it is incumbent upon them to express their concerns to their manager/supervisor. This is especially important if it affects the ability to complete a task that has a deadline. Performance is something that is managed on a day-to-day basis, not on pre-determined intervals.

### **Performance Reviews**

Formal performance evaluations are typically done on an annual basis, or as needed to review the employee's activities and to determine goals for the upcoming year. Increases at University of the Potomac are performance and merit driven; employees should not expect an increase if their performance is below satisfactory. Positive performance evaluations do not guarantee increases in salary or promotions, nor do they guarantee employment for any specified period.

Performance evaluations may include factors such as the measurement of individual objectives, employee demonstrated knowledge of the position, behaviors exhibited by key performance characteristics, and personal initiative.

Performance evaluations should help you become aware of your progress, areas for improvement, and objectives/goals for future work performance. After reviewing the evaluation with your manager/supervisor, you will be asked to sign the evaluation to acknowledge that you are aware of its contents.

### **Performance Improvement**

University of the Potomac promotes a philosophy of continuous performance improvement and skill development for all employees. To help achieve these objectives, managers/supervisors are encouraged to engage in open and constructive two-way communication with employees regarding performance on a regular basis.

Should an employee's performance or conduct not be consistent with established standards or expectations, managers/supervisors are encouraged to address the performance or conduct issues and resolve them to meet University of the Potomac goals. University of the Potomac does not intend to relinquish the right to terminate an employee at will, and this does not replace or contradict the at-will status of all employees. However, it is intended to provide guidelines that will assist managers/supervisors in helping employees identify and correct performance or conduct issues that may periodically arise. If employees disagree with established rules of conduct, policies, or practices, they can express their concern. No employee will be penalized, formally or informally, for voicing a complaint with University of the Potomac in a reasonable, professional manner. Not every problem can be resolved to everyone's total satisfaction. Discussion of mutual problems can assist employees and management in developing confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment.

### **Position Changes**

**Promotion**—University of the Potomac tries to promote from within whenever possible, however makes no guarantee of promotion for any employee.



Advancement is based on overall qualifications, initiative, ability, and performance. Aptitude, attendance, punctuality, professionalism, conduct, interpersonal skills, completion of special courses of study, and other factors have a bearing on advancement.

When a promotion is made, a salary increase may be granted, but not guaranteed. However, in special situations where a promotion is subject to review, the increase may be deferred until the employee has demonstrated the ability to fill the higher-level position. Generally, this deferment will not exceed three months. In some cases, a position title change may occur that may or may not be a promotion.

**Demotion**—The movement of an individual to a position with a lower level of responsibility through reevaluation or for other reasons, is at University of the Potomac's discretion. Each will be reviewed on an individual basis to determine whether a salary change will be made.

## 2.10 Discipline and Termination of Employment

As discussed under the Performance Management section, University of the Potomac utilizes a progressive system is to communicate and document substandard work performance. University of the Potomac also utilizes a progressive discipline system to address other violations of Company policy in order to achieve improved employee performance and retention.

Discipline may be initiated for various reasons including, but not limited to, violations of company standards of conduct, insubordination, and/or poor job performance. Disciplinary action may call for any of four steps – verbal warning, written warning, suspension with or without pay, or termination of employment – depending on the nature, frequency and severity of the offense(s) and the employee's performance record. There may be circumstances when one or more steps are bypassed. University of the Potomac reserves the right to exercise its discretion in utilizing progressive discipline.

Discipline must be timely and should follow as closely as possible to the incident requiring action. The disciplinary action taken will be consistent with previous actions initiated in a similar situation, except in situations where cumulative or progressive effects would result in a different action.

Although the employment relationship between the employee and University of the Potomac is considered "at-will", the University may use progressive discipline at its discretion.

**Performance Improvement Plan (PIP)** Whenever there is a performance issue on any employee, the manager should start with verbal warning and if not corrected the manager send written warning and CC-ed to HR. The President is notified of those individuals on written warning. If there is still no improvement, the manager fills in the PIP form with a time range and submits it to the concerned employee in a meeting that includes the Director of HR. A weekly meeting will follow to see the improvement of the employee's performance and a decision will be made accordingly.

## **Termination of Employment**

Termination of employment from University of the Potomac can be voluntary or involuntary. If you choose to voluntarily terminate your employment, University of the Potomac requests that you submit your resignation to your manager/supervisor in writing. Standard business etiquette is to provide a notice of two-weeks, though it is not a legal requirement. Employees are encouraged to provide advance notice to allow for staffing and training prior to their departure. For purpose of business reasons, it may be determined by the manager/supervisor that it is advisable to accept your resignation prior to the end of the two-week notice period. If University of the Potomac elects to accelerate your last day rather than have you serve the notice period, you shall be paid for the full notice period not to exceed two weeks. If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire.

## **Reduction of Workforce**

At times it may become necessary to eliminate jobs and/or lay off employees for reasons such as: loss of business, lack of work, consolidation of positions, elimination of positions or parts of our business, closure or sale of a facility, or any other business reason. Such layoffs are permanent unless stated in writing to be temporary. University of the Potomac will select the person or persons to be laid off based on our judgment of needs, skills, and other factors deemed relevant. No laid-off employee has any right to be recalled.

## **Pay at Termination**

When employment is terminated, including but not limited to resignation, involuntary termination, or reduction in force, the employee will be paid for any accrued and unused PTO, in addition to any wages due for hours worked.

## **Exit Interviews**

Exit interviews are designed to identify trends in the views of departing employees regarding organizational practices, procedures, benefits, and other elements of employment with University of the Potomac. Should you leave University of the Potomac, you may be asked to participate in an exit interview on or near your last day of employment.

## **2.11 Transfers**

Employees may apply to transfer to another position only if each of the following conditions are met: (1) the employee has been in his/her current position for at least 6 months; and (2) the employee does not have any attendance or other performance issues and is in good standing with the company. If the transfer is approved, the employee will be placed in the new position on a probationary status for a period of at least ninety (90) days (see Section 2.4, above). Generally, an employee who transfers under this policy shall not be eligible for a subsequent transfer for one (1) year following the transfer.

## **2.12 Rehire**

Employment length of service with University of the Potomac is determined by the duration of continuous regular service from the date of hire. If a former employee is rehired as a regular employee after a break in service of no more than one year, the employee

immediately receives credit for his or her prior service with University of the Potomac. In this instance, the following occurs:

- The date of hire reverts to the original date he or she was first hired by University of the Potomac.
- The rehire date becomes the date he or she returned to work.
- The service date is his or her original hire date, adjusted by the amount of time he or she was away from University of the Potomac, if less than one year. An example is below:

**Original Date of Hire: 02/01/1999**  
**Termination Date: 06/15/2002**  
**Rehire Date: 09/15/2002**  
**Time Away from University of the Potomac = 3 months**  
**Adjusted Service Date = 05/01/1999 (original date adjusted by time away)**

**Note:** University of the Potomac's Rehire Policy is intended to impact only an employee's eligibility for benefits and PTO accruals.

## **2.13 Employment, Dating, and Family Relationships**

University of the Potomac aims to recruit, hire, retain, and develop the most highly skilled individuals in each of our businesses—and to do so in a working environment free from harassment or conflicts of interest. From time to time, University of the Potomac may receive applications from qualified candidates who are related to or have close personal ties to current employees. Similarly, coworkers who are both currently employed by University of the Potomac may begin dating during the course of their employment. While we recognize the many benefits and contributions relationships have brought to University of the Potomac over the years, we also realize that conflicts of interest or other potential issues may arise when family members are hired into the organization, or when coworkers enter into dating relationships. No family members will be employed in the same department or employed on the same campus without prior written approval from the President.

### **Dating**

University of the Potomac prohibits all forms of harassment in the workplace (see harassment policy for further details). Due to the potential for issues arising when coworkers (especially coworkers of unequal position/management status) begin dating, the following is prohibited:

- Managers/supervisors are not permitted to enter into dating or similar relationships with subordinates—either direct or indirect reports, including anyone over whose employment they exercise any control or influence. Example: A manager responsible for all personnel in a location/office is not permitted to begin dating any employees of the location/office, regardless as to whether they report directly to him/her.
- Human Resources or Payroll representatives are not permitted to enter into dating or similar relationships, where they directly or indirectly influence or approve the work, compensation, promotional opportunities of employees, or have access to their personal data.

There may be an exception to circumstances in which the spouse or partner of a University employee is already employed at University of the Potomac. This policy may be waived in such circumstances, and only by the President.

### **Fraternizing**

University of the Potomac prohibits romantic, sexual and exploitative relationships between University employees and students. In the event that any such relationship is reported and confirmed, the administrator or staff member will be subject to disciplinary procedures up to and including termination of employment in the case of administrators and staff members, or dismissal for cause in the case of faculty members. Under no circumstance should employees or former employees contact students or other employees via text messaging unless approved by the Campus Director. Similarly, employees are prohibited from engaging in improper fraternization with students online. This includes interacting or engaging in personal communications on social networking sites.

Faculty and staff are prohibited from accepting gifts, money, or other tangible items from students.

There may be an exception in circumstance in which the spouse or partner of a University employee is a student at University of the Potomac; as such, this fraternization policy may not apply in all respects. Regardless, the employee is required to inform his/her supervisor of the situation in order to analyze and address it, as appropriate.

## **3. Benefits**

The following information is included in this section:

1. Health and Welfare Plans, 401k Savings Plan
2. Leaves of Absence
3. Holidays
4. Paid Time-Off
5. Bereavement
6. Time Off to Vote
7. Jury Duty
8. Tuition Assistance

### **3.1 Health and Welfare Plans**

University of the Potomac offers a comprehensive health and welfare program to all eligible employees. Benefits take effect following 30 days of employment from the date of hire for full time employees.

University of the Potomac provides full-time employees and their dependents access to medical, life, vision, and dental insurance benefits. University of the Potomac may pay a portion of the employee coverage. University of the Potomac does not pay any portion of dependent coverage. Eligible employees may participate in the insurance plans subject to the terms and conditions of the agreement between University of the Potomac and the insurance carriers.

We offer a broad selection of voluntary health and welfare options. University of the Potomac currently pays the entire cost for programs, such as basic life, accidental death

and dismemberment, and short/long term disability insurance. Costs are shared between employee and University of the Potomac in other programs, such as medical, dental and vision. Employee contributions are paid via convenient payroll deductions.

As with all of the policies and procedures, University of the Potomac reserves the right to change this policy (including plans offered and contribution amounts) at any time, with or without notice.

Details of the insurance plans are described in the Summary Plan Description (SPD) of each plan. The SPD and coverage cost information will be provided in advance of enrollment to eligible employees.

Additional general information on medical, dental, life, or vision insurance can be provided by contacting Human Resources.

### **Continuation of Coverage**

In accordance with federal law, most employers sponsoring group medical/dental plans are required to offer employees and their families the opportunity for temporary extension of coverage commonly referred to as COBRA (Consolidated Omnibus Budget Reconciliation Act) benefits. This continuation coverage is offered at the full monthly premium (plus a 2% administrative fee pursuant to applicable law) in certain instances where coverage under the plan would otherwise end. This notice is intended to summarize your rights and obligations under the continuation coverage provisions of the law.

Employees and covered dependents have the right to choose this continuation coverage if group health coverage is lost due to a qualified status change. Examples of qualified status changes include termination of employment, a reduction in your hours of employment (for any reason other than gross misconduct on your part), or divorce. Your spouse/domestic partner and/or dependent children also have the right to choose continuation under University of the Potomac's group health insurance plan if they would lose group health coverage because of any of the following events:

- Death of employee
- Divorce, legal separation, or termination of a spouse or qualified domestic partnership
- Eligibility for Medicare benefits
- Employee child loses dependent status under the group health plan, under the law, the employee or family member must inform the Human Resources department of a divorce, legal separation, or loss of dependent status within 31 days after the occurrence of the event. This information can be processed online or by phone.

Upon notification to Human Resources, the qualified individual will be advised of the right to choose continuation coverage. The individual has 60 days from the coverage termination date to elect continuation coverage.

### **Workers' Compensation / Job-related Injury**

University of the Potomac provides a comprehensive Workers' Compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the

course of employment that requires medical treatment. Subject to applicable legal requirements, including loss of wages, Workers' Compensation Insurance provides compensation (wage) benefits after a seven working day waiting period. Compensation benefits will begin immediately if the employee is hospitalized.

Employees who sustain work-related injuries or illnesses should inform their supervisor and Human Resources immediately. Though it may appear minor, it is imperative that on-the-job injuries be reported immediately. Doing so will enable an employee to qualify for coverage as quickly as possible. Employees may be asked to see a medical provider selected by University of the Potomac for minor injuries. University of the Potomac may not deny any request to file a workers' compensation claim.

Neither University of the Potomac nor the insurance carrier shall be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any recreational, social, or athletic activity which takes place outside of normal working hours, even if sponsored by University of the Potomac, unless participation is required by University of the Potomac.

### **401k Savings Plan**

University of the Potomac offers a 401(k) Savings Plan with automatic enrollment to all eligible employees who are at least 18 years of age and have completed one month of employment. Plan description documents, investment prospectus, and enrollment forms will be provided to newly eligible employees by Payroll in the month prior to their eligibility date. The 401(k) Savings Plan offers tax-deferred contributions, a wide range of investment options, and access to your money in the event of financial need prior to retirement.

An employer's match in the plan will begin following one (1) month of employment. Employees have the option to opt out.

## **3.2 Leaves of Absence**

There are several types of leave available to University of the Potomac employees:

### **Family and Medical Leave (FMLA)**

Eligible employees of University of the Potomac may request a Family and Medical Leave of Absence (FMLA). Eligible employees are those who have been employed by University of the Potomac for at least 12 months, have worked at least 1,250 hours during the 12 months immediately prior to FMLA and are employed at a work site where there are 50 or more University of the Potomac employees within 75 miles.

Employees must request a planned FMLA at least 30 days before the leave begins. In the event that the need for leave is not foreseeable; the employee must request FMLA as soon as he/she becomes aware that it will be needed. Employees should use the request form, available upon request from Human Resources. Failure to comply with this requirement may result in a delayed start of leave.

FMLA may be taken for the following reasons:

- (1) the birth of an employee's child or the placement of a child with the employee for foster care or adoption, given the leave is completed within 12 months of the birth or placement of the child;
- (2) the care of the employee's spouse, child or parent with a "serious health condition"; or
- (3) the "serious health condition" of the employee.

A "serious health condition" is one that requires inpatient care in a hospital or other medical care facility or continuing treatment or supervision by a health care provider. An employee may take leave under Section (2) above only if the employee's spouse, child or parent is unable to care for his or her basic needs, as certified in writing by the family member's health care provider.

If an employee requests leave due to a serious health condition of themselves or a family member, the employee must support the request with a certification issued by their attending health care provider. The certification should include the following information: (1) the date, if known, of which the serious health condition commenced; (2) the probable duration of the condition; (3) an estimated duration of treatment time needed for the individual, be it employee or employee family member; and (4) a statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the individual requiring care. If an employee requests intermittent leave for planned medical treatment, the certification should specify the dates treatment is expected to be given and the duration of such treatment. If the time estimated by the health care provider specified above expires, the employee must submit a re-certification if the additional leave is desired. In addition, extensions that cause the total period of leave to exceed the twelve (12) week limitation identified above will not be granted. Appropriate forms can be obtained from Human Resources.

FMLA may be taken for up to 12 work weeks during a designated 12-month period. This period will be calculated based on the 12-month period measured forward from the date of the employee's first use of FMLA. Only time that qualifies as FMLA will be counted against your FMLA entitlement to the fullest extent permitted by law.

Intermittent leave is calculated in one-hour increments. If an employee requests intermittent leave, it may be necessary for the University to temporarily transfer the employee to another position for which he or she is qualified, and has equivalent pay and benefits which is better suited to accommodate an intermittent or reduced time of leave.

Unless an employee is receiving pay from another source such as Short-Term Disability Insurance or Workers' Compensation, an employee taking FMLA must use accrued PTO during the FMLA leave.

During FMLA, group health insurance benefits will be maintained for up to 12 work weeks as though the employee were continuously employed. Employees must continue to pay their share of applicable premiums (for the employee and any dependents) during this leave. See Human Resources for payment options.

An employee who takes a leave because of his or her own serious health condition must provide a medical certification verifying that he/she is able to return to work and resume normal responsibilities. Employees that do not return to work on the first workday following the expiration of an approved FMLA will be deemed to have resigned from their employment. Employees returning from such a leave will normally be reinstated to their original or an equivalent position and will receive pay and benefits equivalent to those they received prior to the leave, as required by law. In certain circumstances, "key" employees may not be eligible for reinstatement following a family and medical leave. University of the Potomac will provide written notice to any "key" employee who is not eligible for reinstatement.

For questions or to submit a request for FMLA, please contact Human Resources.

### **Military Caregiver Leave**

Employees who are eligible for Family and Medical Leave may also request leave if their spouse, child, parent, or "next of kin" meets the definition of an injured or recovering "covered service member." Next of kin is defined as the closest blood relative of an injured or recovering "covered service member."

Covered service member is defined as any member of the Armed Forces, including the National Guard or Reserves, that is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness incurred on active military duty that renders him or her unfit to perform the duties of his or her office, grade, rank or rating.

If the need for this leave is foreseeable based on planned medical treatment, employees must provide 30 days prior notice. If the need for the leave is not foreseeable, employees must request the leave as soon as practicable (typically within 1 to 2 business days of learning of the need for leave). Employees should use the request form, available upon request from Human Resources. Failure to comply with this requirement may result in a delayed leave start date.

An employee seeking leave under this policy must provide University of the Potomac with a medical certification from the injured service member's health care provider establishing eligibility for leave. When leave is requested, University of the Potomac will notify the employee of the requirement for medical certification and when it is due. Failure to provide the requested medical certification in a timely manner may result in denial of leave until it is provided. Appropriate certification forms can be obtained from Human Resources.

Military Caregiver Leave is a type of FMLA leave and may be taken for up to 26 work weeks in a single 12-month period. The single 12-month period begins on the first day the eligible employee takes military caregiver leave and ends 12 months after that date. All time off that qualifies as Military Caregiver Leave or traditional FMLA leave will be counted against employees' statutory family and medical leave entitlements to the fullest extent permitted by law.

If both spouses are employed by University of the Potomac, they are permitted to take a combined total of 26 weeks of Military Caregiver Leave, or any combination of such leave and traditional FMLA leave, in a 12-month period.



Military Caregiver Leave is unpaid leave. An employee on Military Caregiver Leave must use accrued PTO unless the employee is also receiving pay from another source such as Short-Term Disability insurance or Workers' Compensation.

During a Military Caregiver Leave, group health benefits will be maintained for up to 26 work weeks as if the employee was actively working. Employees must continue to pay their share of applicable premiums (for the employee and any dependents) during the leave. Please contact the HR Department to discuss payment arrangements.

Employees not returning to work on the first workday following the expiration of an approved Military Caregiver Leave, and that have not requested an extension of the agreed upon leave in advance, with appropriate documentation, will be deemed to have resigned from their employment. Employees returning from such a leave will normally be reinstated to their original or an equivalent position and will receive pay and benefits equivalent to those received prior to the leave, as required by law. In certain circumstances, "key" employees may not be eligible for reinstatement following a Military Caregiver Leave. University of the Potomac will provide written notice to any "key" employee who is not eligible for reinstatement.

If you have any questions concerning or would like to submit a request for a Military Caregiver Leave, please contact Human Resources.

### **Qualifying Exigency Leave**

The Family and Medical Leave Act (FMLA) entitles eligible employees who work for covered employers to take up to 12 work weeks of unpaid, job-protected leave in a 12-month period for a "qualifying exigency" arising out of the foreign deployment of the employee's spouse, son, daughter, or parent. FMLA leave for this purpose is called qualifying exigency leave. Employees who are eligible for Family and Medical Leave ("FMLA") may also request leave to attend to an exigency or emergency situation arising out of the fact that a spouse, son, daughter, or parent is on active duty (or has been notified of an impending call order to active duty) in the Armed Forces (including the National Guard and Reserves) in support of a qualifying contingency operation. For purposes of qualifying exigency leave, an employee's son or daughter on covered active duty refers to a child of any age.

A "qualifying contingency operation" is a military operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or an opposing military force or that results in a call to active duty of uniformed service members under any provision of law during a war or during a national emergency.

Qualifying exigencies include issues arising from a covered military member's short notice deployment (i.e., deployment on seven or less days of notice); military events and related activities that are related to the active duty or call to active duty status of a covered military member; certain childcare and related activities; care of the military member's parent who is incapable of self-care (such as arranging for alternate care, providing care on a non-routine, urgent, immediate need basis, admitting or transferring a parent to new care facility, meeting with hospice/facility); making financial or legal arrangements; attending counseling; taking up to five days of leave to spend time with a covered military

member who is on short-term temporary rest and recuperation leave during deployment; and attending to certain post-deployment activities. Employees should use the request form available upon request from Human Resources. Failure to comply with this requirement may result in a delayed start of leave.

An employee seeking leave under this policy must provide University of the Potomac with a certification establishing eligibility for leave. When leave is requested, University of the Potomac will notify the employee of the requirements for certification and when it is due. Failure to provide the requested certification in a timely manner may result in denial of leave until it is provided. Appropriate certification forms can be obtained from Human Resources.

Qualifying Exigency Leave is a type of FMLA leave and may be taken for up to 12 workweeks in the normal 12-month period established by University of the Potomac for FMLA leave. All time off that qualifies as Qualifying Exigency Leave will be counted against an employee's state and federal family and medical leave entitlement to the fullest extent permitted by law.

Qualifying Exigency Leave is unpaid leave. An employee on Qualifying Exigency Leave must use accrued PTO during the leave, unless the employee is receiving pay from another source such as Short-Term Disability Insurance or Workers' Compensation. During a Qualifying Exigency Leave, group health benefits will be maintained for up to 12 workweeks as if the employee was actively working. Employees must continue to pay their share of applicable premiums (for the employee and any dependents) during the leave. Please contact the Human Resources to discuss payment arrangements.

Employees who do not return to work on the first workday following the expiration of an approved Qualifying Exigency Leave, and who have not requested an extension of the leave in advance, with appropriate documentation, will be deemed to have resigned from their employment. Employees returning from such a leave will normally be reinstated to their original or an equivalent position and will receive pay and benefits equivalent to those they received prior to the leave, as required by law. In certain circumstances, "key" employees may not be eligible for reinstatement following a Qualifying Exigency Leave. University of the Potomac will provide written notice to any "key" employee who is not eligible for reinstatement.

If you have any questions concerning or would like to submit a request for a Qualifying Exigency Leave, please contact Human Resources.

### **Return to Work**

University of the Potomac supports the return to work, as soon as possible, for all University of the Potomac employees who have been removed from the work place by the employee's attending physician.

Employees of University of the Potomac on any type of medical leave cannot return to work without a release from the attending physician. The release must specify the return to work date and whether the return to work is "full duty with no restrictions". If the return to work is restricted, the physician must specify restrictions with respect to hours allowed to work daily, work activity that is/is not permitted, and the period of time for which the restrictions must be observed.

University of the Potomac will accommodate the “restricted” release to return to work wherever possible based on University of the Potomac business needs; however, University of the Potomac is not required to create a job, change a job, or provide an alternative position to return an employee to work when the physician has released the employee with restrictions.

If an employee is returned to work on a restricted release, the employee must strictly follow the physician's instructions and restrictions to be permitted to work. The employee must notify his/her supervisor immediately and provide the supervisor with a copy of the revised medical release if the employee's attending physician changes the terms of the release to return to work.

### **Military Leave**

In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), University of the Potomac will approve a job-protected Military Leave of Absence for the number of days specified in written or verbal orders issued by appropriate military authority to be used for military training, reserve duty, drills, maneuvers, etc. All National Guard and Reserve members are encouraged to provide a copy of orders, the annual drill schedule, or other type of documentation to employers as soon as available and, if possible, before the commencement of military duty. All full-time, part-time, and temporary employees (excluding interns) are eligible.

A Military Leave of Absence may be granted to employees who are absent from work because of service in the U.S. Uniformed Services. Advanced notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

In addition, if the employee should be called to active duty, the employee generally may take active duty leave for up to five years. Before taking military leave, the employee must provide his or her supervisor/manager with written or oral notice of the need for a military leave to perform military service. Failure to provide this notice may be excused, however, if military necessity prevents giving it or if it is otherwise impossible or unreasonable for the employee to do so.

Any Military Leave of Absence will be unpaid. However, employees may use any available PTO for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

Paid Time Off accrual will be suspended during the leave and will resume upon the employee's return to active employment. However, upon the employee's return, the employee's PTO accrual rate per pay period will resume based on the seniority the employee would have attained had the employee remained continuously employed.

Employees on Military Leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time.

Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

The period an individual has to make application for reemployment or report back to work after military service is based on time spent on military duty. For service of less than 31 days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, considering safe travel home plus an eight-hour rest period. For service of more than 30 days but less than 181 days, the service member must apply for reemployment within 14 days of release from service. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service.

Contact the Human Resources department for more information or questions about military leave.

## **Reinstatement**

When returning to University of the Potomac after military leave, the employee will either be reinstated to the position he or she would have held if not for the period of uniformed services (which may include promotion, demotion, transfer or layoff—referred to as the “escalator position”), the position the employee held before taking military leave, or a position comparable to that which the employee would have held if not for the period of uniformed service, with the same seniority, status, and pay, if the following conditions are met:

- Proof of honorable discharge from duty.
- Proof of ability to resume the position.
- Notice of intention to return is given.

Factors that may be considered in determining what position the employee will be offered include the employee's length of military service, qualifications and disability. University of the Potomac will make reasonable efforts to help the employee become qualified to perform the duties of any of these positions. If the employee is not qualified to perform the duties after reasonable efforts have been made by University of the Potomac, he or she will be reemployed in any other position that is the next nearest approximation to the “escalator” position and then to the pre-service position. For employees who return from military service disabled, University of the Potomac will make reasonable efforts to accommodate the disability and to help the employee become qualified to perform the duties of his or her reemployment position.

Employees returning from military leave may be placed in the position they would have attained had they remained continuously employed or a comparable position depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

## **Parental Leave**

The Washington D.C. Parental Leave Act of 1994 allows a "parent" 24 hours of leave during any 12-month period to attend or participate in school-related events for his or her child. A "parent" is defined by the Act as:

- the natural mother or father of a child;

- a person who has legal custody of a child;
- a person who acts as a guardian of a child regardless of whether he or she has been appointed legally as such;
- an aunt, uncle or grandparent of a child; or
- a person who is married to one of the individuals listed above.

A "child" is defined as a person under twenty-one (21) years of age, a person who, though twenty-one years of age or older, is substantially dependent upon the parent by reason of physical or mental disability, or a person who is under twenty-three (23) years of age and is a full-time student at an accredited college or university.

A "school-related event" is an activity sponsored by either a school or an associated organization such as a parent-teacher association in which the parent's child involves the child directly either as a participant or subject, but not as a spectator. Examples of school-related events are:

- a student performance such as a concert, play or rehearsal;
- the sporting game of a school team or practice;
- a meeting with a teacher or counselor;
- or any similar type of activity.

Employees are not entitled to be paid for parental leave, unless they elect to use accrued paid time off (e.g., vacation, personal days).

To request parental leave, employees should notify their supervisor and Human Resources of their desire for leave to attend a school-related event at least 10 calendar days prior to the event, unless the need to attend the school-related event cannot be reasonably foreseen, in which case employees should inform their supervisor and Human Resources as soon as possible of the desire for leave.

The University may deny a request for parental leave only if the granting of the leave would disrupt the University's business and make the achievement of production or service delivery unusually difficult.

### **3.3 Holidays**

Active, full-time and part-time employees are eligible for University of the Potomac paid holidays. However, any department or operation may require an employee to work a holiday, and/or alter the annual holiday schedule to accommodate business requirements and demands in individual locations.

University of the Potomac will issue a "Holiday Calendar" for each year for employees, and may grant holiday time off to eligible employees for the holidays listed below:

Day After New Year's Day  
 Martin Luther King Day  
 Presidents' Day  
 Memorial Day  
 Independence Day  
 Labor Day

Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve Day  
Christmas Day  
New Year's Eve Day  
New Year's Day

In the event that any of the above listed holidays fall on a weekend, faculty and staff members will receive the Friday before (if the holiday falls on Saturday) or the Monday after (if the holiday falls on Sunday) as the holiday.

### **Holiday Pay**

University of the Potomac grants paid holiday time off to eligible full time and part-time employees immediately upon employment.

The holiday pay rate will be the employee's straight-time pay rate as of the date of the holiday. The employee's holiday pay will be for the number of hours the employee would otherwise have worked, based on the employee's regular work schedule, on the day that University of the Potomac closed to observe the holiday. An employee who was not scheduled to work on the day the holiday is observed will not receive Holiday Pay.

Employees are required to work their regularly scheduled work day before and after the holiday. An employee with an unexcused absence immediately prior to or immediately after a designated holiday will not be paid for the holiday.

If a recognized holiday falls during an eligible employee's approved PTO absence, holiday pay will be applied to the holiday day instead of the paid PTO that would otherwise have been applied.

Employees on a leave of absence are not eligible for holiday pay.  
Holiday hours will not be counted as hours worked for the purposes of determining overtime.

## **3.4 Paid Time-Off (PTO)**

University of the Potomac recognizes that time away from work to rest and relax is important to ensure that there is appropriate balance between professional and personal life. Paid Time Off (PTO) is a classification of time intended to be used for absences such as vacation and personal business. "Sick Time" is designed to be used for compensation when time is missed from scheduled work due to sickness or an accident. It may also be used for an accident of immediate family (i.e., spouse, children, parents, brother or sister, etc.).

### **Vacation Request**

University of the Potomac requires two weeks' notice in advance from an employee who has a plan to go out on vacation.

## **PAID TIME OFF**

### **Eligibility for PTO**

Employees in an eligible employment classification, begin earning PTO upon hire however, PTO may only be used once they have successfully completed their ninety (90) day introductory period, in accordance with the schedule below.

PTO accumulation is for employees working 35 hours or more per week. The amount of PTO an employee receives increases with the length of their employment service as shown in the following schedules:

<b>Time in Service</b>	<b>PTO Hours Earned Per Bi-Weekly Pay Period</b>	<b>PTO Hours Accumulated in 12 months</b>
Beginning of year one through year three	3.077	80 hours
Beginning of year four through year eight	4.615	120 hours
Beginning of year nine and beyond	6.154	160 hours

At the end of the year, an employee's balance of unused PTO hours may not exceed 40 hours carryover to the next year, unless it is approved by the executive committee. Employees at the 4-year mark and above, the rollover is up to 60 hours. When an employee uses some or all of the accumulated hours, they resume earning hours at their regular rate. There is no credit for hours worked while at the maximum. There is no pay in lieu of PTO.

### **Change from full-time to part-time**

If an employee changes from a full-time status eligible for PTO to a part-time status not eligible for PTO, there will be no additional accrual of PTO and a pay-out will occur for any PTO earned while at the full-time status.

## **Sick Time**

### **Eligibility for Sick Time**

Regular full-time employees/faculty may use Sick Time once they have successfully completed their ninety (90) day introductory period. **Any sick leave taken prior to the completion of the introductory will be "Leave Without Pay (LWOP)".**

### **Sick Time Accrual**

Employees begin accruing sick leave effective their date-of-hire and continue to be accrued on a bi-weekly basis. The accrual rate of 1.54 is standard for all staff regardless of class or years of service with the University. The maximum number of Sick Days any employee may accrue is 5 days. This is a "use it or lose it" policy; any unused Sick Time at the end of each calendar year will be lost.

### **PTO and Sick Time Advances**

University of the Potomac may prevent employees from taking PTO and Sick Time until hours are earned under University of the Potomac's accrual plans. Despite this fact, many employers permit employees to take time off before it is earned. When this occurs, the Wage and Hour Division of the Department of Labor treats the unearned PTO and Sick Time as "an advance on wages". An employee, who receives such advances will therefore, be considered to have been overpaid if they resign or are discharged before the PTO or Sick Time is earned. Based on this premise, the Division will allow employers to reconcile their accounts by recovering such advances from the employees' final

paychecks. All employees are notified of this reconciliation and agree to it when completing the Time Off Request Form and when timesheets are submitted.

#### **PTO and Sick Time Accrual During Leaves of Absence**

PTO or Sick Time will not be earned during any type of leave of absence. PTO and Sick Time accrual will commence upon the employee returning to work.

#### **PTO and Sick Time Termination Payout**

Employees will be paid for any accrued PTO time less any paid time off taken since the commencement of employment. Any accrued and unused Sick Time will not be paid out upon separation of employment.

### **3.5 Bereavement**

Employees who wish to take time off due to the death of a significant person in their life should immediately notify their supervisor of the need for leave. Full-time staff and faculty will be provided up to three (3) consecutive days of paid bereavement leave to attend the funeral and/or make funeral arrangements. Part-time staff who are in a temporary status, are compensated bi-weekly, (either exempt or non-exempt), and who are regularly scheduled to work at least 20 hours per week will be provided with up to three (3) consecutive part-time days of paid bereavement leave to attend the funeral and/or make funeral arrangements. If additional time is needed, the employee may use accrued PTO and/or may request an unpaid leave of absence in accordance with University of the Potomac's other leave policies.

Documentation of the employee's loss should be provided to the employee's supervisor as soon as is practical and within two (2) work weeks of the absence for Bereavement Leave. Documentation includes, but is not limited to, death certificate, newspaper obituary notice or clipping, memorial service card, etc.

Bereavement pay is calculated based on the base pay rate and scheduled hours of work at the time of absence, and will not include any special forms of compensation, such as incentives and/or bonuses.

### **3.6 Time Off to Vote**

An employee should make reasonable efforts to participate in the voting process outside of working hours. However, if an employee does not have sufficient time outside of working hours to cast his or her vote, University of the Potomac will grant up to two hours of time off. The time off for voting should be taken at the beginning or end of an employee's regular working shift, whichever requires the least time off from the regular working shift. When possible, the employee should provide his or her manager/supervisor with notice three days prior to an event when the employee knows or has reason to think that time off will be necessary.

### **3.7 Jury Duty**

University of the Potomac encourages all employees to fulfill their civic responsibilities by serving jury duty, when required.



Employees must show the Jury Duty Summons to their supervisor as soon as possible after the Jury Duty Summons is received so that the supervisor can plan to accommodate the employee's absence. Unless the employee is serving on a jury, the employee is required to report for work on the employee's regular work schedule. If the employee's jury group is excused before reporting for service, the employee must report for work on the employee's regular work schedule. If the employee reports for jury duty service and is released, the employee must report to work for the remainder of the employee's work schedule.

### **Pay While on Jury Duty Leave**

Federal FLSA regulations require that exempt employees who are absent for a portion of the work week for jury duty receive their regular salary for that week. While not required to do so by federal or state law, in all other cases University of the Potomac will pay eligible employees for their time on Jury Duty Leave as documented by the Jury Participation form provided by the Clerk of Court at the completion of Jury Duty service, up to a maximum of two weeks. Eligible employees include staff, temporary and faculty, full-time and part-time. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence, minus any jury duty pay received from the court. The employee will not receive jury duty pay for any day, or part of a day, of jury duty service unless the employee was scheduled to work and was absent from work to perform jury duty.

To receive jury duty pay, the employee must provide the supervisor with the Jury Participation form provided by the Clerk of Court at the completion of Jury Duty. The supervisor will attach the copy of the Jury Duty Summons to the employee's Jury Participation Form and submit both forms to the Payroll department with the employee's time for the work week(s) during which the employee served on a jury. The employee will be paid only for jury service as documented by the Jury Duty Summons and the Jury Participation Form, performed at a time that the employee would otherwise have been scheduled to work. University of the Potomac will continue to provide any benefits to which the employee is otherwise entitled, on the same terms to which otherwise entitled for the full term of the jury duty absence.

## **3.8 Employee Tuition Benefit**

As an academic institution, University of the Potomac supports personal growth of our employees and opportunities for social interaction and exchange of ideas within and beyond company walls. Educational development provides a mechanism for bringing new ideas into the organization and, most importantly, a means for infusing energy and agility into the workplace.

University of the Potomac has the unique benefit of being part of both Corporate and Academic America, which allows us to offer educational assistance for those wanting to enroll at University of the Potomac.

### **Training and Development**

The University of the Potomac is working hard to comply in every direction as an institution of higher education. All employees are required to complete several mandatory training courses such as FERPA, Sexual Harassments prevention, Drug and alcohol abuse prevention, etc. yearly to ensure compliance with relevant laws, policies, and regulations. Employees are also expected to take some professional development training to support their work. These training should be approved by immediate supervisors.

The Education Assistance Program will be reviewed quarterly to evaluate the program's use and effectiveness. University of the Potomac reserves the right to pause or discontinue the program at any time. In the event the benefit should be discontinued, employees currently participating will be allowed to complete their program.

### **Tuition Assistance**

Reimbursement of tuition for certificate programs, courses, and degree programs are provided for full-time and part-time benefits eligible staff/faculty affording them the opportunity to gain additional knowledge in their particular field or improve job-related skills. **Individuals with at least ninety (90) days of continuous service to University of the Potomac are eligible to apply for this benefit.**

Certificate programs and/or miscellaneous courses must be directly related to the present job or responsibility. Courses applying to an undergraduate or graduate degree must be job-related or otherwise deemed to be beneficial to both University of the Potomac and the individual.

All courses relating to a degree or certificate must be taught by an accredited college, university, technical, or business school. Reimbursement will be made only where prior approval of the course(s) of study has been authorized by the President and only after the individual submits evidence of satisfactory completion on the basis of academic achievement and grades as follows:

<b>GRADE</b>	<b>AMOUNT OF TUITION REIMBURSEMENT</b>
A	100%
B	75%
C	50%
D or Below	None

Courses graded on a pass/fail basis will be considered as a B grade if a P (pass) is given.

Reimbursement will pay for tuition only. No reimbursement will be made for the costs of books, supplies, room and board, fees (including labs, general service/activity fees, late fees, or installment payment fees), an audit where no grade is given for credits received for "life experience".

Reimbursement is limited to maximum credit hour rates as follows:

- Up to **\$220** per quarter hour
- Up to **\$330** per semester hour

The maximum tuition assistance subsidy that will be paid to any individual in a fiscal year ending June 30<sup>th</sup> is \$2,000.

Individuals must seek all available forms of gift aid. Final reimbursement will be percentage [based upon final grade(s)] of the net cost after deducting gift aid.

There will be no reimbursement if an individual withdraws from the course(s) or if employment is terminated (by employee or the University) for any reason other than disability or economic layoff before completion of course(s).

Individuals who wish to apply for tuition assistance must submit a completed Request for Tuition Assistance Subsidy along with course descriptions to the President. Forms are available through Human Resources. Requests must be submitted at least twenty (20) days before the start of the course.

Within sixty (60) days following completion of the approved course work, employees must submit original request forms along with validated receipts of costs and grade reports to Human Resources for processing.

Personnel taking advantage of this benefit must understand that school attendance and course work must not intrude upon or interfere with normal business hours or the performance of assigned work, that doing course work during normal working hours is strictly prohibited, that University of the Potomac business must take precedence, and that any scheduling conflicts between employment at the University must be resolved in favor of the University. Violations of these conditions may lead to immediate dismissal.

### **Off-Site Education**

Individuals may find courses off-site that are better suited to their personal development plans or more convenient for their schedules. Furthering your education is encouraged; it does not matter to the University if you select an on-site program or one that is offered by a different accredited institution of higher learning. It is the policy of University of the Potomac to recognize only degrees earned at institutions that are regionally or nationally accredited by agencies recognized by the U.S Secretary of Education.

### PAYMENT UPON TERMINATION OF EMPLOYMENT

If employment is terminated for any reason other than a voluntary resignation or willful misconduct before completion of course(s), the individual will receive the approved tuition reimbursement upon proof of successful completion of the course(s).

**If an individual voluntarily resigns or is terminated for willful misconduct before their course is completed, they will not receive any reimbursement. If an individual resigns from POTOMAC, he/she must repay University of the Potomac for 50% of the amount reimbursed for courses completed in the preceding twelve (12) month period. The total amount owed will be deducted from the individual's final paycheck. If there is a balance remaining, it must be paid to University of the Potomac within fifteen (15) days of the last day of employment.**

### SEMINARS, WORKSHOPS AND NON-CREDIT CLASSES

Faculty is required to participate in some form of professional development each year. Staff is also encouraged to participate in activities which will add knowledge or improve job-related skills.

Individuals who wish to participate in off-site seminars, workshops or non-credit classes must obtain prior approval by their immediate supervisor. The approval for off-site seminars etc. will be based upon their job relatedness and cost effectiveness. Courses that can be taken in-house for a lower rate will not be approved for off-site training.

## Employee Tuition Waiver

Full-time faculty and staff that have completed ninety (90) days of employment at University of the Potomac are eligible to enroll in the University's classes and receive a full tuition waiver.

Doctorate students will receive a part time tuition waiver(one class per semester).

Part-time Personnel (*individuals scheduled to work at least twenty (20) hours per week but less than thirty (30) hours per week*) who have completed one (1) year of employment are also eligible to enroll in classes and receive a full tuition waiver.

Individuals who wish to enroll under this plan must apply through admissions for the program in the normal manner. In addition, they must complete the Tuition Waiver Form with the financial planner who will provide a copy to the Human Resources Manager. Faculty and staff members will only be accepted into courses if there are available openings after all tuition paying students have been accepted. Faculty and staff members must meet all prevailing admission requirements and will be subject to all prevailing academic policies. Once accepted into a program, the individual must meet with the Human Resources Manager to insure they have a complete understanding of the terms of this benefit.

Any individual who requests a tuition waiver must complete all of the requirements of Financial Aid in applying for grants. Personnel who are convinced that their income would exclude them from receiving any financial aid and who are disinclined to reveal their income to the Financial Aid Office must state, in writing to the President, their reasons for not complying with this provision. The President will then decide on the validity of the request and inform Financial Aid of the decision.

Any grants received would be applied to tuition and any remaining balance would be waived in full unless employment requirements referenced below are not fulfilled.

Only tuition and the required application fee are waived. Individuals will be responsible for all other costs associated with their enrollment including textbooks and supplies.

Once a faculty or staff member is enrolled in a course or program, the tuition waiver will be honored for the remainder of the term regardless of the individual's employment status. **If an individual's employment with University of the Potomac terminates before the completion of the program, he/she can remain in school but will be responsible for paying the tuition for the remainder of their course of study.**

If an individual decides to resign from University of the Potomac after graduation, to work in their field of study, no financial reimbursement to University of the Potomac is required. However, the individual must agree to meet with their supervisor the beginning of their last quarter to discuss their work intentions. The individual is asked to provide University of the Potomac with as much advance notice as possible if they plan to resign from their position at University of the Potomac. However, at a minimum, the individual agrees to provide two weeks advance notice of their intent to resign if they are a staff member and one month notice if they are a faculty member.

### INDIVIDUAL RESPONSIBILITY

Personnel taking advantage of the tuition assistance benefit must understand that school attendance and course work must not intrude upon or interfere with normal business hours or the performance of assigned work.

- **It should also be understood that completing course work during normal working hours is strictly prohibited.**
- **It should also be understood that University of the Potomac business must take precedence and that any scheduling conflicts must be resolved in anticipation of the business need.**
- **No work hours (including teaching schedules) will be adjusted to accommodate class schedules, even if a specific course is required for attainment of a degree. Individuals must take this into consideration when they are selecting their course of study due to the various times of course offerings. Some programs require onsite attendance during the day for orientation, etc. The individual is responsible for reviewing these issues with their advisor before selecting their course of study.**

### **FAMILY TUITION WAIVER**

#### ELIGIBILITY

- All full-time personnel who have completed one (1) year of employment are eligible to enroll members of their immediate family into programs and receive a full tuition grant.
- Part-time personnel (individuals scheduled to work at least twenty (20) hours but less than thirty (30) per week) who have completed one year of employment are eligible to enroll members of their immediate family into programs and receive a 50% tuition grant.

This is a benefit an employee may or may not extend to their family members. If an employee elects to offer this benefit to a family member that does enroll in a University of the Potomac program, the employee cannot revoke the benefit. Also, the employee is responsible for seeing that the family member follows the terms specified in this policy.

#### ELIGIBLE INDIVIDUALS

For purposes of this policy, family members include:

- Spouse/Partner----1
- Children (including dependents for which the employee has legal guardianship and claims the student as a dependent on their 1040)----Up to 3
- Parent(s)----Up to 2
- Siblings---Up to 2
- Extended Family (including uncles, aunts, cousins, grandparents) ---Up to 2

Note: Employee should provide notarized statement that shows the same mailing address for spouse/partners and proof of relationship for extended family members.

Biological and legally adopted children are entitled to this benefit regardless of age and dependent status; dependent non-biological children are eligible up to reaching the age of 25. Non biological children are not eligible after their 25th birthday.

#### ADMISSIONS PROCEDURES

Eligible family members interested in enrolling under this plan must apply through Potomac's established admissions procedure. Family members may enroll in courses only if there are available openings after all tuition students have been accepted. Family members must meet all prevailing admission requirements and will be subject to all prevailing academic policies.

Family members who wish to receive a tuition waiver must complete all of the requirements of Financial Aid in applying for grants in a timely manner. This includes filing a Free Application for Federal Student Aid (FAFSA) before the specified deadline.

Faculty or staff members who are convinced that their income would exclude their family member(s) from receiving any financial aid and who are disinclined to reveal their income to the Financial Aid Office must state, in writing to the President, their reasons for not complying with this provision. The President will then decide on the validity of the request and inform Financial Aid of the decision.

In cases where Grant Eligibility is denied due to the family member being in default on any prior loan, they will be responsible for taking the appropriate steps to bring the defaulted loan back into good standing. This will enable the family member to receive Title IV Aid to offset the tuition costs. If the family member does not take the appropriate steps within ninety (90) days to get the defaulted loan back to good standing whatever eligibility existed for student aid will become the responsibility of the individual.

#### PAYBACK

This is a tuition waiver program. It applies to Associate degree programs and Certificate programs, Payback of tuition is not required.

#### COSTS

Only tuition is waived. Family members will be responsible for all other costs associated with their admission/enrollment; including textbooks, supplies, and housing. A deposit is required at the time of acceptance to confirm enrollment.

Upon the start of classes, the deposit will be applied toward the cost of first quarter books. If the student decides not to start classes, the deposit will be refunded.

#### LOST GRANTS

If an individual loses their grant money due to unsatisfactory academic performance, the individual will be responsible for paying the tuition no longer covered by the grant. The amount of the University of the Potomac institutional grant will not be increased.

#### TUITION CHARGES FOR REPEATING COURSES

It is the school's policy that a student enrolled in their original program will not incur more in tuition charges than the total cost of the program quoted when they started the program. Tuition is charged on a quarterly basis based on credits taken until such a time as the entire amount has been charged to the student's account. Any classes needed for

graduation after the full enrollment agreement tuition has been charged are delivered at no charge.

#### TERMINATION OF EMPLOYMENT

If personnel receiving a family tuition grant terminates their employment with University of the Potomac for any reason, the family member's grant will be honored for the current term. However, the grant monies will be lost for future terms.

## **4. Standards of Conduct**

The following information is included in this section:

1. Ethics
2. Positive Representation of the University to Students
3. Anti-Harassment
4. Drugs and Alcohol
5. Notification of Conviction
6. Use of Systems and Information
7. Problem Resolution
8. Safety
9. Weapons and Explosives
10. Violence in the Workplace
11. Conflicts of Interest
12. Outside Employment

### **4.1 Ethics**

The successful business operation and reputation of University of the Potomac is built upon the principles of fair dealings and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of University of the Potomac is dependent upon our students' trust and we are dedicated to preserving that trust. Employees owe a duty to University of the Potomac and to its students, to act in a manner that merits the continued trust and confidence of the public. University of the Potomac expects its officers, directors, supervisors, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

Compliance with this policy of business ethics and conduct is the responsibility of every University employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

#### **Code of Ethics and Conduct**

To ensure orderly operations and provide the best possible work environment, University of the Potomac expects employees to follow the rules of conduct that serve to protect the interest and safety of its employees and students.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records or any form of attendance record
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Negligence or improper conduct leading to damage of employer owned, student or vendor owned property
- Falsification of student records
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any unexcused absence or absence without proper notice
- Unauthorized use of telephones, mail system, internet services or other employer owned equipment; for internet usage, this includes pornography, inappropriate business sites and any other sites that could potentially harm our network
- Unauthorized disclosure of business "secrets" or confidential information
- Violation of personnel policies
- Any unsatisfactory performance or conduct deemed inappropriate by the administration in its sole discretion, but not listed above
- Transporting students in personal cars or vehicles
- Sending text messages to students or other employees, unless specifically approved by the Campus Director.
- Connecting any kind of storage device to an University of the Potomac computer and downloading University of the Potomac information of any sort for any purpose not approved by your immediate supervisor or the President.

Nothing in this policy negates the at-will employment with University of the Potomac and either party may terminate the relationship at any time, with or without cause, and with or without advance notice.

## **4.2 Positive Representation of the University to Students**

University of the Potomac values your views on ways to improve the services we provide to our students. Our open-door policy is designed to provide a means to share your ideas and views with us. The quality of the experience and education students obtain at the University is powerfully influenced by the attitude of instructors and other employees. If you are positive, confident, and speak well of the quality of the education, curricula, instruction, facilities, and administration; our students will also be positive and confident. If, on the other hand, students are exposed to criticism by employees, however well



intentioned, about the quality of the education, curricula, instruction, facilities, or administration; their confidence and their education may be impaired.

For these reasons, we expect all employees to voice concerns and constructive criticism solely to management, and never, under any circumstances, express views to students critical of the education, curricula, instruction, facilities, or administration of University of the Potomac. Violation of this rule will result in disciplinary action, which may include immediate termination.

This policy applies when using social media as well. Please see Section 4.6, "Use of Systems and Information" for additional information regarding social media.

### **4.3 Anti-Harassment**

University of the Potomac has been built on a foundation of treating our fellow employees with dignity and respect, and of being dedicated to conducting all business with honesty and integrity.

It is University of the Potomac's policy that all employees and students have a right to work and study in an environment free of discrimination, which includes freedom from harassment, whether that harassment is based on color, race, national origin, physical or mental disability, medical condition, sexual orientation, religion, age, sex, marital status, gender, or any other classification protected by applicable discrimination laws. This policy covers all employees. The University will not tolerate harassment, whether engaged in by fellow employees, supervisors, managers, temporary employees, or non-employees who conduct business or otherwise interact with the University. Any person can raise concerns and make reports without fear of retaliation or reprisal.

To avoid even the appearance of impropriety or favoritism, University of the Potomac prohibits employees from dating students during their enrollment at University of the Potomac. For the additional protection of instructors, staff, and students, employees may not interact socially with students who are not members of their family during or outside of work hours, on or off the premises of University of the Potomac. This includes interacting or engaging in personal communications with students on social networking or social media sites. Employees are permitted to interact with students at sponsored events such as graduation ceremonies. Employees should also refrain from inappropriate physical contact with students that might be construed or implied as sexual in nature and from the use of sexual or offensive language or innuendo in the presence of students. Instead, employees should meet with students on University of the Potomac property, only when fully visible to others such as in rooms with others present, with open doors to public areas or with clear windows to public areas.

Violation of this policy may result in disciplinary action, up to and including termination of the employee who harasses others. With respect to students, guests, and non-employees, offending individuals may be asked to leave and not return.

#### **Sexual Harassment**

Sexual harassment, whether verbal, physical, or environmental, is unacceptable, and will not be tolerated regardless of whether it occurs at the University facilities, or in other work-related settings, including travel and University related social events. Sexual

harassment includes unwelcome written or verbal sexual advances and the written or verbal solicitation of sexual favors from an unwilling subordinate or co-worker in return for promotions, increased wages, and continued employment. Other verbal, written, and/or physical conduct of a sexual nature made to an employee when submission to such conduct is made, either explicitly or implicitly, a condition of an individual's employment, or has the purpose or effect of creating an intimidating, hostile, or offensive working environment, is prohibited as well.

Examples of unlawful harassment include, but are not limited to, unwelcome conduct of the following types:

- Unsolicited verbal sexual comments
- Subtle pressure for sexual activity and/or offers of employment benefits in return for sexual favors
- Sexist remarks about a person's body or sexual activities
- Any type of physical contact that is unwelcome by the recipient, such as: patting, pinching, brushing against another, or blocking normal movement
- Demanding sexual favors, accompanied by implied or overt threats, involving one's employment, grades, compensation, promotion, or job assignment
- Physical assault
- Conduct that has the purpose or effect of unreasonably interfering with an affected person's work performance, or creating an intimidating, hostile, or offensive work environment
- The display of sexually suggestive objects or pictures

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or welcomed social relationships.

### **Other Harassment**

In addition to the information regarding sexual harassment noted above, improper conduct, which interferes with an employee's or student's ability to perform their duties or study, is prohibited. The failure of employees to report prohibited conduct may result in adverse action, up to and including termination.

Examples of harassment may include, but is not limited to:

- Making jokes or telling stories of a sexually or racially offensive nature
- Using racial, ethnic, or sexual slurs or epithets
- Displaying sexually or racially explicit photographs, posters, cartoons, or written materials
- Making sexually explicit comments about another individual, including comments concerning sexual orientation
- Leering at another individual
- Defacing personal property for purposes of a racial, ethnic, or sexual "joke"
- Inquiring about the sexual activities or preferences of another individual
- Making age-negative comments, for example, about "geezers" or "pip-squeaks"
- Creating an atmosphere, which another individual reasonably regards as hostile

The purpose of this policy is not to regulate employees' or students' personal lives or morality. The policy was formulated to protect our students and employees, both male

and female, against unsolicited and unwelcome sexual overtures and/or other unlawful conduct, either physical or verbal. Conduct which has the purpose of unreasonably interfering with an individual's work or creates a hostile, intimidating, or offensive work environment may also constitute harassment. Disregard or failure to comply with the harassment policy may result in disciplinary action, up to and including termination.

## **Reporting**

Employees or students who have complaints of harassment should report such conduct to their manager/supervisor, Human Resources or an Executive Team member immediately. Complaints about an Executive Team member should be reported to the President. Employees or students who observe harassment should also report such conduct to their manager/supervisor or the Human Resources.

University of the Potomac will investigate the matter in a timely fashion. Upon completing the investigation of a harassment complaint, the University will communicate its intended actions to the complainant and to the alleged harasser. If the Company finds that harassment occurred, the harasser will be subject to appropriate disciplinary action, up to and including termination. All employees and students are expected to cooperate with the investigation. Failure to do so may lead to discipline, up to and including termination. Information provided by individual employees in the course of an investigation will be treated as confidentially as possible and only be provided to those who have a need for the information or when it is required in the course of investigating the complaint. Providing false information in the course of an investigation is grounds for discipline, up to and including termination.

## **Retaliation**

Employees are also protected by law from retaliation for opposing or reporting unlawful harassment or discrimination or for otherwise participating in processes connected with an investigation, proceedings or hearing conducted by University of the Potomac or a government agency with respect to such complaints. University of the Potomac will take disciplinary action up to and including the immediate termination of any employee who retaliates against another employee for engaging in any of these protected activities.

## **4.4 Drugs and Alcohol**

University of the Potomac recognizes a responsibility to provide a safe and productive work environment for all employees. Toward this end, University of the Potomac has a particular concern regarding substance abuse, as it can affect an employee's productivity and efficiency; jeopardize the safety of the employee, coworkers, and the public; impair the reputation of University of the Potomac and its employees; and violate state and federal statutes. For these reasons, we have developed this policy and any violation of these regulations may result in termination.

### **What is Prohibited and Required of Employees**

While on University premises and/or conducting business-related activities off of University of the Potomac premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. This policy also prohibits the unauthorized use of prescription drugs. The possession, consumption, purchase, or sale of alcohol on University premises or while operating University of the Potomac's equipment or vehicle is prohibited.

Furthermore, no employee shall be under the influence of or impaired by alcohol while on University premises or while performing University of the Potomac business. Any exception to this policy for special situations, e.g., holiday parties, special dinners, or other like events must be approved in advance by your manager/supervisor and be conducted in accordance with any limitations that accompany approval. In addition, persons whose positions with University of the Potomac require driving as a part of their work may be removed from such positions if found to have been driving under the influence of alcohol whether on duty or off duty.

**Legal Drugs** – The legal use of prescription drugs is permitted at the workplace only if such usage can be reasonably accommodated within the meaning of the Americans with Disabilities Act, such that it does not impair an employee's ability to perform the essential functions of the position effectively and in a safe manner that does not endanger the employee or other individuals in the workplace. Legal Drugs are those prescribed or over-the-counter drugs that are legally obtained by the employee and used for the purpose for which they were prescribed and sold.

Even such legal drugs may affect the safety of the employee or coworkers or members of the public. Therefore, any employee who is taking any legal drug that might impair safety, performance, or any motor functions must advise his or her manager/supervisor before reporting to work under such medication. If University of the Potomac determines that such use does not pose any safety or product quality risk, the employee will be permitted to work.

**Illegal Drugs** – are drugs or controlled substances that are (a) not legally obtainable or (b) legally obtainable, but not obtained or used in a lawful manner. Examples include cocaine and marijuana, and prescription drugs that were not lawfully obtained.

The manufacture, use, purchase, sale, transfer, possession, being under the influence, or the presences in one's system of detectable amount of an illegal drug by any employee is prohibited (a) on University of the Potomac premises, (b) while operating University of the Potomac equipment or vehicles, (c) where the employee is performing University of the Potomac business off premises, or (d) where such activity away from University of the Potomac premises or business affects the employee's suitability for continued employment or may harm the reputation of University of the Potomac and our employees.

**Reasonable Suspicion Testing** – University of the Potomac may require blood or urine testing without prior notice if there is a reasonable suspicion that drug and/or alcohol use may be occurring. Circumstances which might create such suspicion include but are not limited to: odor of alcoholic beverages, marijuana, or other illegal substances, erratic or inappropriate behavior, physical conditions or symptoms consistent with alcohol or illegal drug use, and unexplainable work accidents. Any employee who refuses to be tested will be terminated immediately. An employee who tests positive and is determined to be in violation of this policy will be terminated. Any employee who tests positive for any illegal substance may request a re-test on the original sample within 2 hours following receipt of the first test. Re-tests will be at the expense of the employee.

**Employee Assistance** – Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with a trained professional. University of the Potomac contracts with an employee assistance company

as part of its benefit package. Contact Human Resources if you have any questions regarding this program.

The Drug Free Workplace Act of 1988 requires that all personnel notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than (5) days after such conviction. The University is then required to notify the appropriate federal agency within ten (10) days after such notification.

## **4.5 Notification of Conviction**

An employee must notify his or her manager/supervisor and Human Resources of any dishonesty or breach of trust offenses (theft, fraud, embezzlement, forgery, money laundering), drug-related felonies (possession, intent to sell, operating a motor vehicle under the influence of a drug or alcohol), or violent felonies (aggravated battery, assault, bodily harm, attempted murder, murder, burglary, burglary of a vehicle, homicide, rape, child abuse, sexual assault, or other violent crimes) no later than five (5) days after such conviction. A criminal conviction may include the following dispositions: Convicted, Nolo Contendere/No Contest, or Guilty.

Failure to notify your immediate manager/supervisor and the Human Resources department may lead to termination of employment. Individuals with criminal convictions involving dishonesty, breach of trust or other violent crimes will not have future access to consumer information and may be subject to termination of employment. However, all conviction records will be evaluated and considered on a case-by-case basis in accordance with University of the Potomac's policies, business needs and procedures, and customer requirements. A conviction record will not automatically result in termination of employment.

## **4.6 Use of Systems and Information**

University of the Potomac continues to invest in and upgrade our computer technology and Internet access in order to better serve our customers and to exchange information with other employees. When used correctly, these systems are valuable tools that can make us all more productive. Moreover, our customers rely on us to handle their data in a manner that is consistent with the trust they place in University of the Potomac. Strict adherence to these policies significantly reduces the likelihood of improper disclosure of customer data and helps ensure the security of the systems that University of the Potomac relies upon to continue to be the leader in our industry. Accordingly, violation of these policies may result in discipline, up to and including termination.

### **Ensuring Security of Company Electronic Media**

To ensure the security of our computer systems and information, the following guidelines are strictly enforced unless specifically authorized:

- At no time should any unauthorized software be installed on a University of the Potomac computer or any computer that connects to the University of the Potomac network. This includes screensavers, toolbars, movie files, music, or any other material that is protected by copyright, streaming audio or video files, or any software that could compromise the security or integrity of University of the Potomac's firewalls, networks, or systems (e.g., hacker tools).

- Connecting to systems (i.e. proxies) in an attempt to specifically circumvent security measures that are in place is strictly prohibited.
- Users are not permitted to download, transmit, or install software executables, pirated software, vulnerability scanning tools, or inappropriate written/graphic material.

### **No Expectation of Privacy**

No employee should have any expectation of privacy in their use of University of the Potomac provided communication resources. University of the Potomac has access to and may monitor emails, voicemails, and internet usage.

University of the Potomac reserves the unlimited right to access and review all traffic transmitted through or received by University of the Potomac provided equipment and services. This includes internet email messages, web browser cache files, bookmark files, history logs, and other information stored on or transmitted through University of the Potomac's computers. Employees should not expect any right to privacy when using University of the Potomac's desktop computers, portable laptop computers, handheld wireless devices, networks, voicemail, or associated services.

### **Acceptable Use of Electronic Mail and Internet Access**

University of the Potomac provides electronic communication services, including phones, fax machines, email, and the Internet, for conducting business, performing work related duties, professional training, and education. Limited personal use of these resources is authorized as long as such use:

- Is occasional and of reasonable duration
- Does not adversely affect performance
- Is not prohibited by University of the Potomac practice(s)
- Does not violate state or federal laws or compromise intellectual property rights

Each employee is responsible for discussing personal use issues with his or her manager/supervisor prior to engaging in non-business activity. In all cases, an employee's use of email and/or access to the Internet is at the discretion of his or her Campus Director or President.

### **Prohibited Activities**

#### **Computer, Email, and Internet Usage**

Computers, computer files, e-mail system, and software furnished to employees are University of the Potomac property intended solely for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer usage may be monitored.

University of the Potomac recognizes that the Internet and e-mail has many benefits for employees and assists in obtaining work-related data. However, all internet usage is limited to job-related activities. Personal use of the internet is not permitted.

The following is a list of some prohibited behaviors as well as some guidelines that have been established for using the computer, e-mail system, and the Internet in an appropriate and professional manner:

1. Internet and e-mail access may not be used for transmitting, retrieving, accessing, or storing of any communications of a defamatory, discriminatory, harassing, offensive, threatening, intimidating, or disruptive nature. Examples of unacceptable content may include but are not limited to: sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.
2. Intentionally accessing, transmitting, receiving, archiving, or downloading illegal or sexually explicit material, or material that promotes hate, violence, or discrimination of any kind.
3. Sending electronic chain letters or unsolicited email (SPAM).
4. Gambling.
5. Operating a personal mail list service on University of the Potomac's email system.
6. Soliciting for personal gain or profit, or engaging in any business activity that is not in support of University of the Potomac's sanctioned business activities.
7. Transmitting University media advertisements, internet web pages, electronic bulletin board postings, etc., via email without prior approval from local management.
8. Creating or maintaining personal web pages or non-authorized business web pages using University of the Potomac's internet access.
9. Using University of the Potomac provided equipment and services to access internet email accounts (e.g., Hotmail, Yahoo Mail, etc.) to send, receive, or store email messages or attachments.
10. Attempting to disable or violate any security mechanisms that exist on University web sites or other internet sites.
11. Disparaging, abusive, or offensive language; materials that would negatively reflect upon University of the Potomac; and any illegal activities are prohibited.
12. The use of Instant Messaging (IMing) through an outside source such as AOL or Yahoo! for any purpose is not allowed at any time. University of the Potomac believes that business communication should never be performed via IM; as such, there is no reason for any employee to have any AOL or Yahoo! instant messaging system installed on a company computer. Distance Education staff is excluded from this (provision 7 of Policy 210) specific provision.
13. University of the Potomac purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, University of the Potomac does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. University of the Potomac prohibits the illegal duplication of software and its related documentation.
14. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the internet. All downloaded files are to be checked for viruses, if unsure, check with IT department. All compressed files are to be checked before and after decompression.
15. Connecting an external memory device and downloading any University materials of any nature not belonging to you for any purpose not approved by your immediate supervisor or the President.

16. Engaging in fraudulent or illegal activities of any kind, specifically relating to Title IV funds.

All internet data that is composed, transmitted, or received via our computer communications system is considered to be part of the official records of University of the Potomac, and, as such, is subject to disclosure to law enforcement and other third parties. Consequently, employees should always ensure that the business information contained in internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful. As stated above, the equipment, services, and technology provided to access the Internet remain at all times the property of University of the Potomac. As such, University of the Potomac reserves the right to monitor Internet traffic and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. Employees are responsible for preventing others from accessing the Internet through their computers.

Employees should notify their manager/supervisor or any other member of management upon learning of violations of this policy. The University will, as needed, use forensic specialists to investigate any potential violations of fraud or abuse. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment.

### **Social Media**

Employees are expected to adhere to University of the Potomac's compliance requirements and all other policies and procedures when using or participating in social media. All the rules that apply to other University of the Potomac communications apply here, specifically: anti-harassment/ respecting all employees, instructors, and students; protecting confidentiality, privacy and security; and safeguarding and proper use of University of the Potomac assets.

### **Company Stationary, Letterhead, or Use of University of the Potomac Logo**

Company Stationary, Letterhead, or the University of the Potomac logo cannot be modified, altered or changed in any manner without the approval of the President.

### **Telephone**

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Voice mail greetings should be professional and create a positive image for University of the Potomac and the employee. University of the Potomac reserves the right to monitor telephone calls for training and evaluation purposes.

Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making personal calls and may be required to reimburse University of the Potomac for any charges resulting from their personal use of the telephone.

### **Mail**

The use of University of the Potomac paid postage for personal correspondence is not permitted unless paid for by the employee. All personal mail or packages shipped to University of the Potomac on behalf of an employee must be prepaid and may not list



University of the Potomac's name on the address, shipping, or billing order. Employees who violate this policy may be subject to disciplinary action, up to an including termination of employment.

### **Cell Phone Usage**

Personal cell phones should be turned to the silent mode or turned off while at work during all times except breaks and lunch periods. Employees are expected to limit the use of their personal cell phones; excessive use can lead to disciplinary action.

## **4.7 Problem Resolution**

A critical component of complaint resolution is communication. Initially, your manager/supervisor is responsible for explaining your job to you, providing you with instructions and directions, making assignments, answering questions, providing training, evaluating your performance, and overseeing the work in your department. Therefore, your manager/supervisor is your most important resource if you have a work-related problem or concern.

A key element in problem resolution is an open-door policy to communicate with other officials of University of the Potomac, which allows us to address employee concerns internally. University of the Potomac has an open-door process to promote speedy resolution of problems in the workplace. We believe all employees should have an opportunity to openly discuss work related problems or concerns without fear of retaliation or prejudice.

If you feel that you have not been treated in accordance with University of the Potomac's policy, or if you feel that you have been harassed or discriminated against, we encourage you to bring the matter to the attention of your immediate manager/supervisor.

While this should be the standard procedure, there may be situations where you cannot approach your manager/supervisor or do not feel comfortable doing so. If this is the case, you should request to meet with your department manager/supervisor or other appropriate management personnel. If a satisfactory solution is not reached at your location, you may contact the Human Resources department.

## **4.8 Safety**

Safety is the responsibility of everyone.

University of the Potomac is committed to strong programs of accident and injury prevention and ensuring compliance with all relevant environmental, health and safety laws both federal and state regulations.

University of the Potomac makes all reasonable efforts to:

- Protect the safety and health of faculty, staff and students
- Provide a safe workplace for faculty, staff and students
- Provide information to faculty, staff and students about safety and health hazards
- Identify and correct safety and health hazards and encourage faculty, staff and students to report hazards

## 4.9 Weapons and Explosives

It is University of the Potomac's strict practice to prohibit the possession or carrying of firearms, ammunition, or other weapons at University of the Potomac work locations. This includes:

- Any University of the Potomac office or campus, whether owned or leased
- Surrounding parking areas
- Company-sponsored functions, such as picnics or other celebratory or marketing related functions, whether on or off property owned, or leased by University of the Potomac

This restriction also applies to keeping or transporting a firearm or weapon in a private or University of the Potomac vehicle that is parked in the above locations. Persons found in possession of any type of firearm or weapon in such locations will be subject to discipline, up to and including immediate termination.

For purposes of this practice, **a weapon is any device designed or intended to inflict harm or injury on another person.** Examples include, but are not limited to:

- Firearms of all types (handguns, rifles, shotguns, assault rifles, pistols, air-pistols, pellet guns, BB guns, non-functioning firearms, or replicas of firearms, etc.)
- Bows, cross-bows, arrows, blow guns, or any kind of projectile throwing device
- Any actual or replica of an explosive device including ammunition, firecrackers, cherry bombs, M-80s, bottle rockets, hand grenades, dynamite, time bombs, plastic explosives, blasting caps, fuses, and detonation cord
- Knives that are more than one inch in length
- Brass or metal knuckle studs, clubs, batons, throwing stars, etc.

## 4.10 Violence in the Workplace

University of the Potomac is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society, University of the Potomac has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on University of the Potomac's premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of University of the Potomac.

Conduct that threatens, intimidates, or coerces another employee, customer, student, or member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in danger. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

University of the Potomac has Emergency and Safety protocol information available at each site. If at any time you perceive an immediate threat to your personal safety, a faculty/staff member, or student do not hesitate to call 9-1-1.

University of the Potomac will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report should be protected as much as is practical. In order to maintain workplace safety and the integrity of the investigation, University of the Potomac may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines may be subject to prompt disciplinary action, up to and including termination of employment. University of the Potomac encourages employees to bring their disputes or differences with other employees to the attention of Human Resources, and their manager/supervisors, before the situation escalates into potential violence. University of the Potomac is eager to assist in the resolution of employee disputes; and will not discipline employees for raising such concerns.

### **Security Inspections and Property**

University of the Potomac wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials and to this end, University of the Potomac prohibits the possession, transfer, sale, or use of such materials on its premises. University of the Potomac requires the cooperation of all employees in administering this policy.

Desks and other storage devices may be provided for the convenience of employees but remain the sole property of University of the Potomac. Accordingly, any agent or representative of University of the Potomac can inspect them, as well as any articles found within them, at any time, either with or without prior notice.

### **Personal Property**

University of the Potomac is not responsible or liable for any personal property of an individual that is lost, stolen, or damaged. The responsibility for safeguarding, replacing, or repairing personal property lost, stolen, or damaged while on University of the Potomac premises is that of the employee.

### **University of the Potomac Property**

Employees are responsible for University of the Potomac property, materials, or written information issued to them or in their possession or control. Employees must return all University of the Potomac property immediately upon request or upon termination of employment. Where permitted by applicable laws, University of the Potomac may deduct from an employee's check or final paycheck the cost of any items that are not returned when required. University of the Potomac may also take all action deemed appropriate to recover or protect its property.

## 4.11 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest, or the appearance of a conflict of interest. This policy establishes only the framework within which University of the Potomac wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact your manager/supervisor or Human Resources department for more information or questions about conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of University of the Potomac. Business dealings with outside firms should not result in conflict of interest or the appearance of a conflict of interest, by unusual gains for those firms, University of the Potomac, or any University of the Potomac employee. "Unusual gain" refers to: bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls or rewards or gratuities designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval. University of the Potomac bans the use of commissions, bonuses, or other incentive payment programs given to employees or contractors for the purpose of securing enrollments of Service members and all prospective enrollments. University of the Potomac has a strict policy banning high-pressure recruitment tactics for the purpose of securing enrollments of Service members and/or other prospective students. The university has a zero tolerance for tactics including the aforementioned outcomes.

An actual or potential conflict of interest, or the appearance of a conflict of interest, occurs when a University of the Potomac employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of University of the Potomac's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which University of the Potomac does business, but also when an University of the Potomac employee or relative receives any kickback, reward, gratuity, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving University of the Potomac.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if University of the Potomac employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of University of the Potomac the existence of any actual or potential conflict of interest as soon as possible, so that safeguards can be established to protect all parties.

## 4.12 Outside Employment

Outside employment of any kind, whether nonprofit, proprietary or governmental may create an unacceptable conflict of interest for full-time employees of University of the Potomac. Outside employment includes, but is not limited to, self-employment, employment by another company, or contract employment.

University of the Potomac utilizes adjunct instructors on a regular basis. Employees in a staff role are not permitted to teach in this capacity as an additional source of income.

University of the Potomac employees must promptly disclose any outside employment before beginning the employment relationship with University of the Potomac. Such Disclosure should include discussion of any foreseeable conflict of interest. Outside employment may be pursued or continued only with prior University of the Potomac approval.

To obtain approval, a Campus Director or the President may require additional information or documentation concerning the outside employment. All outside employment must be documented and agreed to by an University of the Potomac Executive Officer in advance of an offer of employment with University of the Potomac.

A University of the Potomac employee may hold an approved job with another organization as long as he or she satisfactorily performs his or her job responsibilities with University of the Potomac. All University of the Potomac employees will be judged by the same performance standards. University of the Potomac scheduling demands are of primary importance, regardless of any existing outside work requirements.

If University of the Potomac determines that an employee's outside work interferes with performance or the ability to meet the requirements of University of the Potomac, as they are modified from time to time, or creates a conflict of interest, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with University of the Potomac.

The University reserves the right to terminate the employment of any University of the Potomac employee who engages in undisclosed outside employment or outside employment creating a conflict of interest or the appearance of a conflict of interest.

## **5. General Information**

The following information is included in this section:

1. Communication Guidelines
2. Personal Information
3. Use of Company Name
4. Confidential Information
5. Notice of Privacy Practices
6. Employee Privacy and Access to Records
7. Falsification of Information

### **5.1 Communication Guidelines**

Employees must be sensitive to the importance of providing courteous treatment in all working relationships and methods of communication (e.g. face-to-face, telephone, and electronic). Remember, you are conducting business on behalf of University of the Potomac. Presenting the University in a professional manner at all times is paramount. Questions regarding exceptionable behavior in communication should be referred to your manager/supervisor.

#### **Contact From the Media**

Verbal or written communication to the media on behalf of the University is prohibited without the written consent from the CEO/President. In the event of contact from the media (in any form), it is imperative that you refer all questions and concerns to the

CEO/President. Failure to comply with this policy could result in disciplinary action up to and including termination of employment.

## **5.2 Personal Information**

As an employee of University of the Potomac, you are responsible for maintaining accurate and updated personnel records. Life changes such as: your name, address, telephone number, marital status, dependent status, state/federal exemptions, emergency contacts, education, licenses, certificates and/or email address should be provided to Payroll.

## **5.3 Use of Company Name**

Exercise care to avoid using University of the Potomac's name in any manner that could be misinterpreted to indicate any tie between University of the Potomac and an outside activity. For example, if an employee endorses an advertised article, University of the Potomac's name and/or address should not be used, and there cannot be any statements in the article connecting the employee with University of the Potomac.

## **5.4 Confidential Information**

Employees of the University will be exposed to many forms of confidential information. Confidential information includes all non-public information—whether compiled by University of the Potomac and/or the employee – which can be reduced to writing, maintained electronically, or intellectual property. This information must be protected so as to not be made available and/or accessible to others outside of the University to be used or sold for independent economic value.

Confidential information includes but is not limited to inventions, technical data, nonpublic financial information, strategic business plans, program development plans, unique business and servicing methods, customer and prospective customer lists, employee information, training manuals, student scheduling, potential student leads, internal procedures and operations, recruitment methods and practices, pricing, costs and expenses, and budgets. Confidential information also includes student files, student or alumni names, social security numbers and similar private information, faculty records and any other information that would otherwise disclose personal information.

Additionally, confidential information includes personal and non-public information (sometimes referred to as consumer information) that would be harmful to University of the Potomac's customers if disclosed to unauthorized parties. As an employee, officer, or director you should maintain the confidentiality of private information entrusted to you by University of the Potomac, its business partners, suppliers, customers, or others related to University of the Potomac's business.

The protection of University of the Potomac confidential business information and trade secrets is vital to the interests and the success of University of the Potomac. Employees who improperly use or disclose University of the Potomac trade secrets, student information, or confidential business information may be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

University of the Potomac also respects the intellectual property rights of others and complies with the laws protecting those rights. Employees are prohibited from using or disclosing confidential or proprietary information belonging to any other company or third party, including a former employer, in connection with their employment with University of the Potomac. Likewise, employees are prohibited from bringing onto University of the Potomac's premises any confidential documents or proprietary information belonging to or relating to their prior employment.

Discussing confidential information and sharing confidential documents and/or electronic information displays poor judgment and undermines the confidence University of the Potomac has placed in you. You can ensure the confidentiality of private information by adhering to the following:

- Employees must keep all personal or non-public information (in any form) confidential, except as authorized by University of the Potomac or legally mandated.
- Employees are not to access files or materials containing confidential information unless there is a business reason for doing so.
- Employees should only disclose information to those authorized persons who have a legitimate business need for the information.
- Employees are not to remove confidential information from the office without the knowledge and consent of management.
- Employees must protect confidential information received from corporate business partners and are not to reproduce, transcribe, or disclose the information without prior written approval of the corporate business partner.
- When meeting with persons at their desk, employees should be sure that no confidential information is showing on the desk or visible from the computer screen.
- Employees should never leave confidential information unattended.
- Proactive security measures should be taken, such as locking an office door and/or activating a computer's screen lock function.
- Employees are to comply with all security mandates that are issued from time to time.
- All employees should take the necessary steps to protect information containing the following individual identifiers, which when combined would allow a reasonable individual to identify the subject of the information.
  - Names
  - Telephone numbers
  - Fax numbers
  - Email addresses
  - Social Security numbers
  - Medical record numbers
  - Health plan beneficiary numbers
  - Account numbers
  - Vehicle identifiers and serial numbers, including license plate numbers

University of the Potomac uses the Information Security Plan to protect confidential data and information.

## 5.5 Notice of Privacy Practices

The privacy of employees' and students' personal and health information is important to University of the Potomac. University of the Potomac adheres to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) in protecting personal and health information. In addition, University of the Potomac complies with the Family Educational Rights and Privacy Act (FERPA) in protecting its students' education records. All University of the Potomac employees are expected to understand and comply with both HIPAA and FERPA as well.

HIPAA provides that only specific individuals within the organization, as authorized by University of the Potomac, may have access to your protected health information (or "PHI") in order to administer University of the Potomac's group health plans. A list of these authorized individuals is available through the HR Department. Any unauthorized use or disclosure of protected health information may result in discipline (up to and including termination), as well as civil and/or criminal penalties.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. As a general rule, under FERPA, personally identifiable information may not be released from a student's education records without his or her prior written consent.

## 5.6 Employee Privacy and Access to Records

University of the Potomac maintains the following files on each employee:

### **The Personnel File**

This file includes the job application, resume, college transcripts (when required), records of training and professional development, courses taught or authorized to teach, work schedule, time sheets, job assignments, performance appraisals, performance improvement plans, additional documents from the "new hire" packet, recommendation letters and disciplinary letters.

During employment, access to the personnel file is limited to the employee, management personnel in his/her chain of command, Regulators and Accreditors, and HR Department personnel on a need-to-know basis. After termination of employment, access is limited to HR Department personnel on a need-to-know basis.

### **The Benefits and Payroll File**

This file includes information such as Insurance and retirement applications, retirement loan documentation, garnishments and other court-ordered withholdings, COBRA, FMLA, Worker's Compensation Notifications, reports, medical restrictions, and releases.

During employment, access to the benefits file is limited to the employee, management personnel in his/her chain of command and HR Department personnel on a need-to-know basis. After termination of employment, access is limited to HR Department personnel on a need-to-know basis.



Employees who wish to review their own file should contact Human Resources. With reasonable advance notice, an employee may review documents from his/her file.

**References**

Requests for references or employment verifications on current or former employees should be referred to the Human Resources Department only, which will confirm the employee's dates of employment and job title with University of the Potomac.

**5.7 Falsification of Information**

Falsifying any document that is used for or by University of the Potomac will not be tolerated. This includes, but is not limited to, the following examples:

- Making, using, or possessing any falsified University of the Potomac document or record.
- Altering or forging any University of the Potomac document or record (including identification or student ID cards).
- Forging (signing another's name) or mis-signing request forms.
- Manufacturing IDs.
- Misuse of forms such as letterhead stationery or forms developed for or used by University of the Potomac.

Violation of this policy may result in disciplinary action, up to and including termination of employment.



It is the intent of University of the Potomac to keep and maintain this handbook current with State and Federal Laws. It is the intent of University of the Potomac to ensure your employment with University of the Potomac is both beneficial to you and University of the Potomac and that you will be a valuable asset to our mission of serving students.