



# Albizu University Employee Manual 2018

*Translating version from the Spanish employee manual*

Approved by the Board of Trustees at the ordinary meeting held on August 24<sup>th</sup>, 2018

Jaime L. Albors  
Secretary of the Board of Trustees

## Table of Contents

President's Letter.....	7
1.       PREAMBLE.....	8
1.1.     Scope .....	8
1.2.     History .....	8
1.3.     Mission.....	9
1.4.     Vision .....	9
1.5.     Values.....	9
1.6.     Hymn.....	9
1.7.     Logo.....	10
1.8.     Basic principles .....	10
1.9.     Accreditations/Licenses .....	11
1.10.    Location and contact information .....	11
2.       EMPLOYEE DEFINITION AND STATUS .....	12
2.1.     Employment Contract.....	12
2.2.     Employee .....	13
2.3.     Temporary employment contract.....	13
2.4.     Fixed-term employment contract.....	13
2.5.     Non-exempt employees (hourly employees).....	13
2.6.     Exempt employees (employed for a fixed salary: executives, professionals, managerial).....	13
2.7.     Non-teaching staff.....	14
2.8.     Regular full time employees.....	14
2.9.     Substitute employees.....	14
2.10.    Part-time employees .....	14
2.11.    Temporary employees supported by restricted funds .....	14
2.12.    Academic-administrative employees.....	15
2.13.    Appointment of faculty with academic rank to a full time administrative position.....	15
3.       EMPLOYEE RIGHTS DUTIES AND WORKING HOURS .....	15
3.1.     Employee rights .....	15
3.2.     Employee duties .....	15
3.3.     Working schedules.....	16
3.4.     Absences and tardiness.....	16
3.5.     Recording of attendance.....	17
3.6.     Overtime .....	17
3.7.     Meal breaks .....	18
3.8.     Payroll payment .....	18

3.9.	Payroll deductions.....	18
3.10.	Holidays.....	18
3.11.	Institutional administrative recess .....	19
3.12.	Payroll processing corrections.....	19
3.13.	Incentives, commissions or bonuses .....	19
4.	EMPLOYEE PROCEDURES .....	19
4.1.	Internal and external position announcements .....	19
4.2.	Application for employment .....	19
4.3.	Employment references.....	20
4.4.	Verification of professional references.....	20
4.5.	Background check certificate.....	20
4.6.	Orientation for new employees.....	20
4.7.	Probationary period .....	20
4.8.	Performance evaluation .....	21
4.9.	Identification badges.....	22
4.10.	Updating employee information .....	22
4.11.	Access to employee's file and disclosure of information.....	22
4.12.	Promotion and transfer policies .....	23
4.12.1	Promotions.....	23
4.12.2	Transfers.....	23
4.13.	Employment of relatives.....	23
4.14.	Outside employment .....	24
4.15.	Request for change of work schedule, amount of working hours or department .....	25
5.	INSTITUTIONAL POLICIES .....	25
5.1.	Equal employment opportunity.....	25
5.2.	Non-discrimination policy .....	26
5.3.	Compliance with immigration laws and regulations .....	26
5.4.	Policy on sexual harassment .....	27
5.4.1.	Procedures to file complaints.....	28
5.4.2.	Scope of the policy.....	28
5.5.	Policy on violence against women.....	29
5.6.	Policy on domestic violence.....	29
5.6.1.	Purpose .....	29
5.6.2.	Definitions.....	29
5.6.3.	Help for victims of stalking and/or domestic violence .....	30
5.6.4.	Confidentiality.....	31
5.6.5.	Training.....	31

5.6.6.	Early intervention and educational strategies for prevention .....	31
5.6.7.	Designation of personnel in charge of matters relating to stalking or domestic violence.....	32
5.6.8.	Leave options for employees who are victims of domestic violence .....	32
5.6.9.	Disciplinary procedures for employees who stalk and/or commit acts of domestic violence .....	32
5.6.10.	Protocol for handling situations of stalking and domestic violence at Albizu University .....	32
5.7.	Policy on sexual orientation discrimination.....	33
5.8.	Policy on retaliation.....	34
5.9.	Policy on drug and alcohol.....	34
5.10	Non-smoking policy .....	36
5.11	Policy on conflicts of interest .....	35
5.12.	Administrative procedure for handling complaints and solving conflicts .....	35
5.12.1.	Informal method.....	35
5.12.2	Formal method.....	36
5.13.	Policy on the appropriate use of information resources, the Internet and electronic communication .....	37
5.13.1.	Introduction.....	37
5.13.2	Responsibilities of users.....	38
5.13.3.	Prohibited conduct.....	38
5.13.4.	Use of computer programs (software).....	39
5.13.5	Software and information resources management .....	40
5.13.6.	Audits.....	40
5.13.7	Equipment and software registration .....	41
5.13.8.	Purchasing of equipment.....	42
5.13.9	User accounts .....	43
5.13.10.	Account types and duration .....	43
5.13.11	Internet and Intranet web pages .....	43
5.13.12.	Email use .....	45
5.13.13	Electronic messages etiquette.....	45
5.13.14.	Telephone system.....	45
5.13.15	Disclaimer .....	46
5.13.16.	Policy on electronic surveillance through recording cameras.....	47
6.	STANDARDS OF CONDUCT .....	48
6.1.	General guidelines.....	48
6.2.	Policy on violence at the workplace.....	50
6.3.	Confidentiality.....	50
6.4.	Dress code.....	51
6.5.	Use of institutional cell phones.....	52
6.6.	Use of personal cell phones.....	52

6.7.	Gifts.....	52
6.8.	Donations.....	52
6.9.	Promotions,sales, and collection of money.....	52
6.10.	Client relations.....	53
6.11.	Disciplinary Sanctions .....	53
7.	EMPLOYEE BENEFITS.....	53
7.1.	Summary of benefits and eligibility.....	53
7.2.	Vacation.....	53
7.3.	Sick leave .....	54
7.4.	Bereavement leave .....	55
7.5.	Health insurance .....	55
7.6.	Extension of health insurance coverage.....	56
7.7.	State Insurance Fund.....	56
7.8.	Non-occupational temporary disability insurance.....	57
7.9.	Long-term disability insurance.....	57
7.10.	Chauffeur insurance.....	58
7.11.	Institutional retirement plan.....	58
7.12.	Family medical leave (FMLA).....	59
7.13.	Maternity and lactation leave .....	60
7.14.	Jury duty leave.....	61
7.15.	Leave for witnesses in criminal cases.....	61
7.16.	Educational leave.....	62
7.17.	Sports leave.....	62
7.18.	Military leave (U.S. Armed Forces, Reserve, and National Guard).....	63
7.19.	Policy on study benefits.....	63
7.19.1.	Assistance for professional development .....	63
7.19.2.	Study benefits at Albizu University.....	64
7.19.3.	Rights for tuition payment exemption for spouses and children at the undergraduate level.....	65
7.20.	Stipends for catastrophic conditions .....	65
7.20.1.	Eligible circumstances .....	66
7.20.2.	Exclusions .....	66
7.21.	Law Number 148, June 30, 1969, the Christmas Bonus Act of Puerto Rico, as amended .....	67
8.	TERMINATION/RESIGNATION OF EMPLOYMENT.....	68
8.1.	Separation from Employment .....	68
8.2.	Exit Interviews .....	68
8.3.	Management of Child Support (ASUME).....	69
8.4.	Returning University Property.....	69

<b>9.</b>	<b>VALIDITY AND AMENDMENTS.....</b>	<b>69</b>
<b>9.1.</b>	<b>Severability.....</b>	<b>69</b>
<b>9.2.</b>	<b>Validity .....</b>	<b>70</b>
<b>9.3.</b>	<b>Amendments.....</b>	<b>70</b>

## **TO ALL EMPLOYEES OF ALBIZU UNIVERSITY:**

This manual has been prepared to serve as a guide and source of information for the employees of Albizu University regarding the conditions of work, benefits, and development of human resources. It is our desire that all employees read and comply with the policies and directives contained in this Employee Manual.

As an institution of higher education, we wish to develop an effective university which fully respects human beings. We hope that our Institution maintains a sustained growth by recognizing the talents of our community, strengthening communication and trust, and seeing in every challenge an opportunity. Our goal is to reward the efficient and proper performance of our employees.

Albizu University reserves the right to change or eliminate, when it deems it necessary, the content of this manual. Likewise, if any of its stipulations, or regulations and policies, are thought to be ambiguous, Albizu University also reserves the right to interpret the latter.

We extend a cordial welcome to our staff. We trust that your contribution will be of benefit to our Institution.

Success in fulfilling our mission!

Yours truly,

Jose Pons Madera, PhD  
President  
Albizu University

## **1. PREAMBLE**

It is the obligation of every employee to read and comply with the regulations and conditions set forth in this Employee Manual. The Manual summarizes the benefits, rights, and obligations pertaining to employees, as well as applicable policies and procedures. All references to one gender should be understood to include both male and female employees.

### **1.1. Scope**

This manual is applicable to employees of the San Juan and Miami Campuses, and the Mayaguez University Center of Albizu University, as well as to future institutional units that may be added to Albizu University. In those cases where the policies included in this manual refer to documents, or are based on statutes, specific to the jurisdiction of Puerto Rico or Florida, such policies shall apply only to the Campus under that jurisdiction. Since no manual can anticipate all circumstances and questions about the established policies, Albizu University reserves the right to interpret, change or rescind any policy or section within this Manual, at any time, at its sole discretion. In that event, employees will be notified in writing, or through the University's web page. Copies of this Manual will be provided to each employee for their exclusive use and reference.

### **1.2. History**

Albizu University is a non-profit, private institution of higher education, with campuses in San Juan, Puerto Rico, and Miami, Florida. It traces its origin to 1966, when Dr. Carlos Albizu Miranda, one of the most admired and respected leaders in the Hispanic world of psychology, along with several colleagues, founded the Puerto Rico Institute of Psychological (PRIP) with the objective of offering a master's of science degree with a concentration in clinical psychology.

In 1972, the PRIP broadened its offerings, adding doctoral degrees (Ph.D. and Psy.D) in clinical psychology, thus becoming the first culturally sensitive higher education Institution offering a doctorate in clinical psychology in Puerto Rico and the United States. At that time, there were a limited number of professionals specialized in the field of mental health in Puerto Rico. Moreover, their professional training had taken place primarily at institutions outside of Puerto Rico. After finishing their studies outside of Puerto Rico, these professionals faced the need to adapt their training to the socio-cultural realities of Puerto Rico. The PRIP developed as an educational institution whose programs of study were built, both in theory and in practice, on the multi-cultural heritage of Puerto Rico.

The Miami campus of Albizu University was founded in 1980 under the name of Miami Institute of Psychology (MIP). With this step, the University responded to a need in the continental United States for graduate programs in psychology sensitive to the ethnic and cultural concerns of Hispanics and other minorities, capable of providing relevant training that responded to the role that the socio-cultural environment plays in behavior patterns. Its programs of study have been designed to train professionals prepared to serve minorities as well as the general population. The PRIP later became the Caribbean Center for Advanced Studies (CCAS), and in 2000 Carlos Albizu University, and now Albizu University.



### **1.3. Mission**

Albizu University trains professionals in behavioral sciences, speech pathology, and other disciplines, who are committed to serving and doing research aimed at improving the quality of life of diverse communities.

### **1.4. Vision**

Be an international leader in academic innovation, research, and community service, fostering diversity to generate social transformation.

### **1.5. Values**

- At Albizu University “love reaches beyond knowledge”
- Excellence in academic programs and services
- Development of integral and humanistic qualities in our students
- Respect for diversity
- Commitment to social responsibility
- Updating and integrating knowledge with technological advances
- Ethical behavior at all organizational levels
- Commitment to the development of our human resources
- Openness to the participation of the academic community
- Operational transparency and administrative efficiency

### **1.6. Hymn**

Hymn of Albizu University  
Knowledge, Country and Love

Cherishing life  
Knowing you are learning  
Living to transcend

Your people  
Your country  
Will proudly see you grow

You usher in a new day  
Bring light into darkness  
Become the seed of hope  
A blossom to humanity

You make dreams come true  
Blaze new trails  
Live your life with honor

The richest treasure  
You learn  
Is that love reaches beyond knowledge

The richest treasure you learn  
Is that love reaches beyond knowledge

### 1.7. Logo

The new logo of Albizu University has been simplified to only include the items that represent the values of the University. These elements, which have been part of the logo since 1966, are the triangle, the circle and the Psi symbol. The items that were deleted were the horizontal lines, the founding date and the name of the founder, Carlos, in order to highlight his last name which we all commonly refer to.

The Psi symbol, which had been modified in order to humanize it, had its lower tip reduced to balance the composition. However, its size was increased to make it the dominant element, embracing closer and more clearly the equilateral triangle, which represents the spiritual dimension of human beings and the trinity of the following principles: faith, hope and charity. The circle continues to exist implicitly by the relationship of the Psi symbol with the points of the triangle.

The representative colors of the University were modified to have a darker hue for the purpose of communicating the excellence and legitimacy of the institution.



### 1.8. Basic principles

Albizu University is genuinely committed to the welfare of the student body, dedicated to their professional formation with excellence and enthusiasm, which significantly contributes to our educational environment. The basic principles of Albizu University are:

1. Education should promote the development of human potential.
2. Education should promote the integration of knowledge, values, and human behavior.
3. Education should promote academic excellence, reflexive thinking, critical analysis, creative capacity, and the willingness to act.
4. Education should be based on historical, social, economic, and political perspectives.

5. Education should promote respect and sensitivity toward different ethnicities and cultures, as well as toward groups with special needs.
6. Education should promote leadership skills and training in professional and scientific matters.
7. Education should promote social conscience, responsible participation in social and economic affairs, and the ability to face conflicts and stressful life events.
8. Scientific and professional endeavors should be aimed at benefiting the individual and the community.
9. Education should promote understanding and cooperation efforts between diverse individuals, communities, organizations, and social groups.
10. Education should promote the acquisition of more than one language and exposure to various cultural traditions.
11. Education should promote in individuals a desire for a life-long search for knowledge and its updating.

### **1.9. Accreditations/Licenses**

Albizu University is accredited by the Middle States Commission of Higher Education (MSCHE) and licensed in Puerto Rico by the Puerto Rico Council on Higher Education. In Florida it is licensed by the Commission for Independent Education. The Doctoral Programs in Clinical Psychology at both campuses are accredited by the American Psychological Association (APA); in San Juan since 1994, and in Miami since 1991.

The Master of Science (MS) education program in Speech-Language Pathology (Residential and Satellite location) at Albizu University is accredited by the Council on Academic Accreditation in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association, 2200 Research Boulevard, #310, Rockville, MD 20850, 800-498-2071 or 301-296-5700.

The Master of Science (MS) education program in Speech-Language Pathology (Residential & Distance Education) at Albizu University Miami Campus is an Applicant for Accreditation by the Council on Academic Accreditation in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association, 2200 Research Boulevard, #310, Rockville, MD 20850, 800-498-2071 or 301-296-5700.

Albizu University was the first Hispanic University in Puerto Rico whose graduate programs in psychology (Ph.D. and Psy.D) were accredited by APA.

### **1.10. Location and contact information**

The San Juan campus of Albizu University is located at 151 Tanca Street, on the corner of San Francisco Street in Old San Juan. The telephone number is (787) 725-6500, and the fax number is (787) 721-7187. The website is <http://www.albizu.edu/Inicio> .

The mailing address is:

Universidad Albizu  
P.O. Box 9023711  
San Juan, P.R. 00902-3711

The Administrative Headquarters of Albizu University is located at 205 Luna Street, Old San Juan, Puerto Rico. The telephone number is (787) 725-6500. The mailing address is

Universidad Albizu  
Oficinas de Administración Central  
PO Box 9023711  
San Juan, Puerto Rico 00902-3711

The Mayaguez University Center is located at 56 Jose De Diego Street, Mayagüez, PR 00680. The telephone number is (787) 838-7272; the fax number is (787) 721-7187. The website is <http://www.albizu.edu/Mayaguez>. The mailing address is

Centro Universitario de Mayagüez  
56 Calle Juan De Dios  
Mayagüez, Puerto Rico 00680

The Miami campus is located at 2173 NW 99<sup>th</sup> Avenue, Miami, FL 33172-2209. The telephone number is (305) 593-1223, and the fax number is (305) 592-7930. The website is <http://www.albizu.edu/Home>. The mailing address is

Albizu University  
2173 NW 99<sup>th</sup> Ave.  
Miami, FL 33172-2209

## **2. EMPLOYEE DEFINITION AND STATUS**

In accordance with applicable laws, employees of Albizu University are classified in the following categories and, based on these, their eligibility for the various benefits offered by the University is defined.

### **2.1. Employment contract**

An employment contract is a contract by which a legal entity or natural person named “employer” hires a natural person named “employee” so that he or she renders services voluntarily for the benefit of the employer or a third party for which said person shall receive compensation, when these services are rendered for others and within the work environment and under the direct supervision of the employer. The term “employer” used in a contract or legal document includes any person representing the employer or exerting authority on his behalf, but only for the purpose of identifying the person making decisions, actions and omissions for which the employer is solely responsible, unless otherwise explicitly stated.

## **2.2 Employee**

When the word employee is used in this manual, this term, in its broadest sense, will refer to female and male employees. Under no circumstance, this term will imply any gender preference. It will neither refer to services rendered by independent contractors, or to labor performed voluntarily or for free due to friendship or good will, for which persons doing such labor shall not be entitled to the conditions and benefits afforded to regular employees. It will neither include such persons who work under a temporary employment contract for a period of time or project.

## **2.3. Temporary employment contract**

This employment contract is based on a work contract entered into for the purpose of performing a specific project, work for a certain period of time, or substitution for a worker who is absent or on leave, or carrying out extraordinary work or one of short duration, such as, but not limited to, annual inventories, equipment, machinery or company facility repairs, seasonal work like in Christmas time, accreditation or licensing processes, student recruitment, fulfilling temporary orders due to increase in production or services, or any other specific project or activity. Temporary employment ceases once the purpose for which it was established has been met. A worker under a temporary employment contract should have no expectation of having permanent employment and are not eligible for the Albizu University fringe benefits program, unless his contract explicitly specifies otherwise.

## **2.4 Fixed-term employment contract**

It is a written or verbal fixed-term or project-specific contract. In the case of administrators, executives, and professionals, the terms of these contracts shall be determined at will by the parties involved, as expressed thereof.

## **2.5. Non-exempt employees (hourly employees)**

These employees are remunerated for each working hour. They have the right to be paid for overtime at the rate of one and a half hours (1.5) for each hour worked in excess of eight (8) hours a day, and at the rate of one and a half hours (1.5) for each hour worked in excess of forty (40) hours a week. Pay for these employees is calculated based on the information from the record of hours worked if authorized by their supervisor, and paid at the end of each payroll period. An employee who works overtime without the authorization of his supervisor will receive his pay for the hours worked but may be disciplined for having worked overtime without authorization.

## **2.6. Exempt employees (employed for a fixed salary: executives, professionals, managerial personnel)**

Employees who are required to work the amount of hours necessary to satisfactorily complete their assigned tasks. Although these employees are specifically excluded from the provisions of federal and state laws regarding salary and work schedule, they must submit an attendance on the Time

and Attendance system. A classification of exempt or non-exempt employee can only be handled by prior written notification to the employee by the Human Resources Office of the University.

### **2.7. Non-teaching staff**

Employees who perform administrative tasks, which are classified in various categories.

### **2.8. Regular full time employees**

Employees who are not temporary or probationary and who complete a minimum 37.5-hours working week. Unless otherwise stipulated in the employment contract or recruitment document, they are eligible for the institution's fringe benefits package subject to the terms, conditions, and limitations of each benefit program.

### **2.9. Substitute employees**

Employees who are hired to serve in place of regular employees who are on leave of absence for a period of time. They are paid the minimum salary stipulated for the class of position they are occupying. They are not eligible for fringe benefits except those required by law.

### **2.10 Part-time employees**

Employees who work at the University less than 30 hours a week.

Among other reasons, this may occur if the working time of a regular employee is reduced from full time to part time.

They cannot work additional hours from those stipulated in the contract, except if the supervising personnel requests this and authorizes the request in writing.

The employees under this category must comply with all the policies set forth in this manual. Nevertheless, they are not eligible to receive fringe benefits.

### **2.11. Temporary employees supported by restricted funds**

Temporary employees whose salaries and benefits are funded by external resources. All such employees do not have any expectation of remaining in their job beyond what was stipulated in their contract. Those employees supported by restricted funds who, at the conclusion of the work for which they were hired, occupy a regular position performing the same duties they carried out in their temporary status may be eligible to add time served in the temporary position to their probationary period in the new position to a maximum of six (6) months, provided the work they do has the same functions and duties they carried out while being a temporary employee.

## **2.12 Academic-administrative employees**

Employees of the University who are appointed to a post of President, Chancellor, or Academic Program Directors. They must qualify for an academic rank and possess it or attain it at the University at the moment of their appointment to any of these academic-administrative positions.

## **2.13. Appointment of faculty with academic rank to a full time administrative position**

Faculty members with academic rank may be appointed to a full time administrative position without losing their rank. Administrative leave can be conceded to a faculty member with academic rank held at the time the leave was granted. While on administrative leave, the faculty member will be eligible for promotions in academic rank, tenure, and sabbaticals, provided he continues to perform some kind of academic/teaching function as part of his regular work. Apart from the previously indicated exception, members of the faculty with rank on administrative leave are subject to the dispositions, procedures, and norms applicable to Non-Teaching Personnel and not those applicable to faculty.

## **3. EMPLOYEE RIGHTS, DUTIES, AND WORKING HOURS**

### **3.1. Employee rights**

All employees have basic rights in the workplace, including protection against health or physical integrity risks, the right to participate in religious services, the right to privacy, subject to the Employer's legitimate interests of protecting his business, property, and workplace, according to the law. Likewise, all the University's personnel has the right to not being discriminated, in accordance to the terms and conditions of their employment, nor shall they be subject to reprisals in agreement with the criteria banned by law. Moreover, the dignity of all employees shall be respected, including protection against abusive attacks to their honor and reputation.

### **3.2. Employee duties**

The employees will have the following basic duties:

- Comply with all the responsibilities and obligations of his position according to the University's norms, and with good faith and diligence.
- Observe the safety and hygienic measures established by the Institution or those required by his position.
- Abstain from improper, disorderly, criminal or immoral conduct which could reasonably affect the best interests of the University and its contributors.
- Abstain from any conduct which may contribute to the dissemination of rumors and gossip harming or deteriorating the University's image or that of its contributors.
- Obey the University's instructions and regulations in the regular exercise of their duties.
- Contribute to improve the University's productivity and competitiveness.

- Comply with all the duties that derive from the employment contract or manual, or the policies, rules and norms established by the University, not contravening public morals or law and order.

### **3.3. Working schedules**

Work shifts for the University's full time staff will be determined by each department, according to service needs.

Full time regular employees should work a minimum of thirty-seven (37) hours a week in San Juan, and thirty-seven and a half (37.5) hours in Miami. Lunch and dining recesses should not exceed forty-five (45) minutes. No employee is authorized to change his working schedule without the recommendation of his supervisor and written approval by the Chancellor.

Flex time is a variation of temporary flexible working hours. In this regard, any change in the working hours should be recommended by the supervisor and approved in writing by the Chancellor, who will notify the change to the Office of Human Resources.

In accordance with the University's needs, an employee may be requested to work on Saturday and Sunday, as well as additional hours. The working hours may vary according to the needs of the University and/or the department where the employee works.

### **3.4. Absences and tardiness**

To guarantee a safe and productive work environment, the University's employees must be punctual in regards to their working hours. It is the employee's responsibility to account for his absences and tardiness by submitting via Time and Attendance.

As soon as an employee becomes aware he cannot come to work or will be late to his work shift due to sickness or any other reason, he should directly notify the head of his department or his immediate supervisor at least four (4) hours in advance before his work shift begins. Text messages or emails will not be accepted to notify absences or tardiness.

Absences should be accounted for by one of the leaves of absence given by the University. Otherwise, the employee will not be compensated for his absence. Besides notifying his/her absence, the employee should submit the absence on Time and Attendance system no later than one day after the absence and follow up on pending matters so that service and operations are not affected.

Any tardiness should be accounted for and discussed with the supervisor. No employee can record the attendance of another employee since this would lead to disciplinary measures, including immediate termination of employment. The employee should submit on Time and Attendance system the Tardiness Report the same day the incident occurs. The supervisor should submit approval on Time and Attendance system daily.



Disciplinary actions, including employment termination, can be taken against any employee who incurs in frequent and unjustified absences and tardiness.

### **3.5. Recording of attendance**

All employees must record their attendance daily as required by their work shift. It is the responsibility of each employee to record accurately their working time.

Albizu University will prepare the payroll in accordance to all applicable laws, norms and procedures. Applicable laws and regulations require that the University keep a record of the working hours so that each employee's pay and benefits may be calculated. All employees are required to come to work as stipulated in his work schedule. Exempt employees must comply with their work schedule as assigned by their immediate supervisor according to their employment contract. Non-exempt employees should accurately report working time through the proper attendance system.

Non-teaching and non-exempt staff should record time of the following four events:

1. Start of the working day
2. Lunch break
3. Return from lunch break
4. End of the working day

Exempt employees should only record the start of the working day. If there should be any change in their work schedule, he must report it to his immediate supervisor.

Worked hours should be recorded through a time card machine located in an accessible place or by submitting this information in writing to the supervisor. Altering or falsifying worked hours will be subject to disciplinary measures, including termination. If the record of worked hours is changed, it should be signed by the employee and his supervisor. Hours not worked should be recorded by the employee in the official Absence Report.

It is the responsibility of each non-exempt employee to sign the Attendance Record to certify the veracity of the recorded time. The supervisor will check and sign the attendance record before submitting it for processing. The staff should make sure the attendance record is submitted to be duly processed in accordance with the established schedule.

In the event the employee has to leave the Institution during working hours for personal reasons, he should previously and explicitly ask authorization from his supervisor, representative, or in the absence of both, from the Department of Human Resources. It is mandatory to record time not worked in the attendance record.

### **3.6. Overtime**

Overtime hours are those an employee works for his Employer in excess of forty (40) hours a week. The hours that an employee works for his/her Employer in his/her weekly day of rest, in accordance to the law.

### **3.7. Meal breaks**

All employees are given each day a sixty (60) minute meal break in the San Juan campus. In the Miami campus the meal break is forty-five (45) minutes. Supervisors will program said breaks according to the operational requirements, provided the break is given after the second working hour has concluded and before the sixth consecutive working hour. Employees are relieved of all their work responsibilities during the break period and will not receive any compensation for that period.

### **3.8. Payroll payment**

The payroll payment cycle is every two weeks, which means there are twenty-six (26) pay cycles each year. Full time and part-time employees' paychecks or direct deposit will include the payment for time worked up to the closing of the payroll. In the event pay day falls on a recess period or holiday, the payroll will be processed so that pay day will be on the last working day, before the regular calendar payday. At the start of the year, the Finance Office will distribute to all employees the pay day calendar.

In the event an employee is absent on pay day the paycheck will be available to the employee upon return. If the absent employee authorizes another worker to receive the paycheck, the employee must submit a request in writing so that this employee may be given the paycheck; in addition, the employee must present valid identification to the Finance Office to receive said paycheck.

### **3.9. Payroll deductions**

Applicable laws and regulations require that Albizu University make deductions to employees' salary. There are applicable income, Social Security, Medicare, and withholding taxes as well as other deductions authorized by the employee in accordance with applicable laws and regulations.

### **3.10. Holidays**

Paid holidays are provided at the discretion of Albizu University. Such holidays are set forth in the University's Academic Calendar, which is put out at the start of each academic year.

Holiday pay is calculated at the rate of a regular working day (on the holiday date) based on the number of hours the employee works on that day. If a holiday observed by the University falls on a paid absence period for eligible employees (leave due to sickness or vacation), it will be paid as a holiday and not as a paid leave or benefit. To be paid for a holiday, the employee must work the working day before and after the holiday.

Albizu University will not provide paid holidays to employees who have authorized unpaid leaves, such as Family Medical Leave or Educational, Sports, or Military Leave.

### **3.11. Institutional administrative recess**

The University will recess administrative activities during Christmas as regulated each year by the Institution. Recess days will be paid from the employee's accrued vacation balance.

### **3.12. Payroll processing corrections**

Albizu University will take reasonable measures to assure that each employee receives the correct amount of salary through the method of payment chosen by the employee, which may be by paycheck or direct deposit. However, employees are responsible for checking their pay stubs and identifying any difference or error in their paycheck, maybe in voluntary deductions such as deductions in their health insurance, among others. The employee should inform any discrepancy immediately to the Office of Human Resources. In the event an error is committed while processing the payroll, the salary adjustment will be made in the next payroll, provided the error was duly reported. If the difference was not reported on time, the adjustment in the amount of the difference will be made in one payment within a reasonable time after the error is identified.

### **3.13. Incentives, commissions or bonuses**

Albizu University will not directly or indirectly provide any commissions, bonuses or any other payment incentive to employees, or persons or entities participating in any recruitment or student admissions event, or in regards to decision making on granting economic aid to students to guarantee enrollment or financial aid. This prohibition will not apply to contracting foreign students who reside in other countries which are not eligible to receive federal aid for students.

## **4. EMPLOYEE PROCEDURES**

### **4.1. Internal and external position announcements**

Internal and external announcements of position vacancies will be made simultaneously. All employees interested in a position should check whether they meet the minimum requirements set in terms of academic preparation, experience, tasks and responsibilities detailed in the announcement. All internal applicants should notify their supervisor of their interest in being considered for an internal position included in the announcement. In such cases, the current supervisor of the applicant will verify his references. The Office of Human Resources will notify all applicants of the final decision.

### **4.2. Application for employment**

Albizu University trusts the veracity of information contained in the *résumé* or *curriculum vitae* provided by each candidate for employment, as well as any other information provided during the recruitment process. Any misrepresentation, falsification, inaccuracy, or omission of information may result in the immediate disqualification and rejection of the candidate or in his separation from the post for which the employee was recruited.

As part of the application for employment process at Albizu University, each candidate for employment must provide the following documents:

1. Official transcripts , received directly from the institution(s) of higher education where the applicant studied
2. Police Clearance Certificate issued by the Puerto Rico Police Department (for employees at the San Juan campus). A private company will perform the background check of candidates for Miami campus.
3. Debt certificate issued by ASUME (Child Support Agency) or a Certificate of Child Support Compliance showing that the applicant is up to date in his obligations (for employees at the San Juan campus)
4. Evidence that the applicant is duly authorized to accept employment in the United States.

#### **4.3. Employment references**

All candidates for employment should present three (3) verifiable professional references related to prior work experiences. These will be taken into consideration when the candidate is evaluated and will be verified by the Human Resources Office.

#### **4.4. Verification of professional references**

It is an Institutional policy to check all applicants' professional references. This information will be part of the employee's record and will be handled confidentially. Identification of false information provided by a candidate for employment about his alleged previous professional experiences will be sufficient reason for immediate disqualification for the position he is applying for or the immediate termination of employment when the falsity of the information provided is discovered after the employee has been employed.

#### **4.5. Background check certificate**

All candidates for employment will present a Police Clearance Certificate. Once the personal references and the Police Clearance Certificate are satisfactorily reviewed, the applicant will be notified so that the recruitment process can continue.

#### **4.6. Orientation for new employees**

The Office of Human Resources orients new employees on matters related to the processes, policies, benefits, and general norms of the University. It also reviews and discusses the type of training and orientation necessary so that the employee can familiarize the functions and responsibilities of the position and the University. The employee will follow the orientation protocol established for the particular position. In case of any doubt, the new employee may address it with the Office of Human Resources or his immediate supervisor.

#### **4.7. Probationary period**

The purpose of the probationary period is to give the employee the opportunity to demonstrate the ability to achieve a satisfactory level of performance and determine if capable of meeting the expectations of the position that the employee has been hired for, as well as those of the University. This period will be used to evaluate skills, work habits, and general performance. This period will also be used by the University to let go any employee, in a reasonable period of time, who is unable to achieve the efficiency and productivity that his position requires, so that the Employer will not incur in any penalty or economic burden. Employee probationary periods will be as follows:

1. The probationary period for exempt employees classified as executives, administrators or professionals will automatically be ninety 90 days or twelve (12) months.
2. The probationary period for all other University's employees will automatically be ninety-(90) days to nine (9) months.

The probationary period stipulated in this section will not limit the benefit of accumulating vacation time. Vacation time will accumulate from the start of employment; however, employees will be entitled to enjoy this benefit after completing six (6) months on the job.

If an employee while on the probationary period takes a leave authorized by law, his probationary period will automatically be interrupted without his having to be notified. In the event the employee returns to work, the probationary period will resume until the remaining period of time is reached.

In accordance with the law, a month is defined as a period of thirty (30) consecutive natural days.

If a temporary employee is hired for a fixed period of time or a specific project, he will be credited with the amount of worked time up to a maximum of six (6) months, provided the work he does during this period has the same functions or duties as the work he did as a temporary employee.

#### **4.8. Performance evaluation**

The performance evaluation process of Albizu University is a continuous one that permits both supervisor and employee to determine the department's goals according to the institutional strategic plan. The supervisor will follow up on the employees, regarding the objectives and challenges identified in their previous meeting. The formal evaluation (in writing) of all full time and part-time regular personnel should be made at least once (1) each year, following up on the established objectives.

Formal performance evaluations will be carried out annually to provide employees and supervisor the opportunity to engage in a dialogue regarding assigned tasks, to identify and correct areas of opportunity for improvement, as well as to promote and recognize areas of particular strength and excellence, and plan the most suitable ways to achieve the University's goals.

In this evaluation process, the supervisor and the employee should first meet to identify the objectives based on the institutional strategic plan and subsequent meetings should follow up on how their agreements are being fulfilled. At the end of the evaluation process the supervisor should

discuss the outcome of the tasks assigned and performed, the achievement of goals, work competencies, and projects, as well as identifying and establishing agreements to correct deficient areas, in addition to promoting and acknowledging areas of strength. The employee must review and then sign the evaluation, once he has discussed and expressed his comments in writing. The signature indicates that the employee understood and reviewed what was discussed and that he knows the content of the evaluation, even if he disagrees with it.

It is highly recommended that supervisors and employees regularly discuss the employee's performance and pursuit of the goals of the position within the context of the University's goals.

Employees should be aware that evaluations may be delayed due to their department's operational issues and heavy workload. Furthermore, the employee's evaluation does not necessarily entail that the Institution is under the obligation of making adjustments to the employee's salary.

Although it is recommendable to perform an evaluation in writing during the probationary period, not evaluating the employee during this period is not an impediment for his approval.

#### **4.9. Identification badges**

All employees of Albizu University will be issued an identification badge. It is important for this badge to be visible and accessible at all times while the employee is at the University. If the badge is lost, becomes damaged, or is stolen, the employee must inform his immediate supervisor in writing and request a new badge. The replacement badge will be paid by the employee at the Finance Office.

Employee should abstain from wearing the identification badge outside of working hours and while not in the Institution's premises

#### **4.10. Updating employee information**

Employees are responsible for maintaining their official personnel files up to date, sending documentation regarding their experience, training, and education, licenses, and certifications to the Office of Human Resources, including any other document or information that they deem important or necessary in relation to the position they hold at Albizu University. They are also responsible for any changes to the data that were originally provided to this office. Mailing address, telephone number, number and names of dependents, emergency contact information, educational and occupational records are only some of the data that must be updated when necessary. In case of an emergency, the individuals notified will be those that the employee has designated.

#### **4.11. Access to employee's file and disclosure of information**

Personnel files will be under the custody of the Office of Human Resources and will be maintained securely with restricted access. Any request for information about an employee by a third party

who is not a direct or indirect supervisor of the employee must be approved and authorized in writing by the employee about whom the information is requested, except when requested by a court order, a judicial authority with the appropriate jurisdiction, or an accrediting agency. An employee who authorizes access to his personnel file relieves the University and its employees regarding the use to which this information may be given. It is the University's policy not to divulge information on its employees by telephone.

An employee who wishes to review their personal documents must file a written request to Human Resources five (5) days in advance to the date in which desires to review them. The request should indicate the documents that the employee wishes to review. The review will be conducted in the presence of a Human Resources officer.

#### **4.12. Promotion and transfer policies**

Albizu University promotes the development and professional growth of its employees. This policy may manifest itself in the form of a promotion or transfer to another position within the University.

##### **4.12.1. Promotions** – Promotions are based on institutional needs and the position requirements.

A promotion is defined as personnel function that results in a higher grade in the same salary category or a grade in a different salary category with a higher remuneration. Employees considered for promotion have demonstrated through evaluations a commitment to excellence in their area of work, initiative and dedication to improving the systems and services provided by the University. Their academic preparation, professional development, attendance, punctuality and commitment to the University is also taken into account. Employees on probationary period do not qualify for promotion.

##### **4.12.2. Transfers** - Transfers, as a general rule, take place within the same level of responsibility and salary scale. An employee who desires consideration for a transfer should request in writing a formal application to his supervisor, with a copy to the Office of Human Resources. The supervisor shall make a recommendation regarding the request. Transfers do not require a probationary period.

#### **4.13. Employment of relatives**

Albizu University seeks to provide equal employment opportunity to all qualified candidates. Family relations in the workplace, as defined below, may give the appearance of a conflict of interest and could have an adverse impact on the functioning of the University, especially if a member of a family has direct or indirect influence over the conditions of employment of the other family member. For this reason, such family relations in the workplace will be prohibited, except when they meet the conditions stipulated in the internal regulations applicable to conflicts of interest and:

1. There is documented justification for such hiring and promotion based on the ability of the candidate to meet the requirements of the position for which he applied, in a manner greatly superior to other candidates;
2. The family member is the only qualified candidate for the position; or
3. In cases of lack of qualified candidates

In any of these exceptions, it will be necessary to obtain the written authorization of the Chancellor or the President, as the case may be.

For purposes of this policy, family members are defined as domestic partner, or children, parents, grandparents, grandchildren, siblings, parents-in-law, uncles, aunts, and nephews and nieces to the third degree of consanguinity as it is provided for in the Civil Code of Puerto Rico or in the applicable statutes of Puerto Rico and Florida.

Albizu University firmly disapproves of nepotism in the workplace. Nepotism is defined as favoritism demonstrated by supervisors towards relatives, especially in regard to recruitment of personnel.

All candidates for employment must reveal in their application any family relation up to third degree of consanguinity with any employee of Albizu University. In such cases, the Director of Human Resource should notify the Chancellor and/or President of the situation before proceeding in the evaluation of candidates for the position. The applicant will be notified as well that the continuation of the evaluation process will depend on the authorization of the Chancellor or President, as may be the case. The Chancellor will have the authority to determine if the relationship does not represent a conflict of interest for the operations of the campus, prior to authorizing hiring. When the application is for a position in Presidency, this decision will fall to the President. If the family relationship, as defined above, is with the Chancellor, it will also fall to the President to make the determination. If the relationship is with the President, the Board of Trustees will determine if the family relationship represents a conflict of interest for the University.

Conflicts of interest are defined as potential contradictions between private interests and the official responsibilities of a University employee.

In any case, to assure that the family relation does not influence judgment in relation to the quality of work or decisions relating to hiring, promotion, termination, or employment conditions, no person should supervise directly another with whom there exists a family relationship as defined in this Manual.

An employee that does not comply with this policy will be subject to the corresponding disciplinary process which may include suspension of employment and pay, and immediate termination.

#### **4.14. Outside employment**



During the application process, all applicants must make known any volunteer or remunerated commitment of a professional nature with agencies or entities outside the University.

Employees are required to notify in writing the existence or intention of involvement in volunteer or remunerated professional activities outside the University. If it is determined that such activity constitutes a conflict of interest or interferes with the performance of their duties or ability to fully comply with all requirements the position, the employee may be requested to end such employment, or volunteer or remunerated professional activity, if he wishes to continue his employment at Albizu University.

#### **4.15. Request for change of work schedule, amount of working hours or department**

Any employee may request in writing a change of schedule, amount of working hours or department where employed.

The employee's request must be in writing and directly submitted to Human Resources. The request must specify: a) the requested change; b) the reason for the request; c) the effective date; and d) the duration of the change. Once the request is submitted, the Department of Human Resources will respond in writing in or before twenty (20) calendar days starting from the day it was received. If the Department of Human Resources has met with the employee, the response may be notified within fourteen (14) calendar days after the meeting.

In the response the Institution may grant or deny the employee's request. If the request is granted, it will contain the conditions or requirements which must be complied with, and the duration of the change, among other conditions.

The Institution reserves the right to deny the submitted request. If such is the case, the response will contain the reasons on which the decision was based, and any alternative to the employee's request. When a request for change of work schedule, amount of working hours or department is submitted, the University will give priority to the requests made by head(s) of families, who possess sole parental authority or custody over his/their underage children.

Such requests are only available for employees who regularly work thirty (30) hours or more a week and have worked for at least one (1) year in the Institution.

Employees may not submit a request within a six (6) month period after receiving the decision in writing from the Employer or the granting of the change, whichever came first.

## **5. INSTITUTIONAL POLICIES**

### **5.1. Equal employment opportunity**

Our Institution offers equal employment opportunity and does not discriminate against any employee or applicant on the basis of race, color, political or religious ideas, age, gender, national origin, social condition, marital status, physical or mental disability, morbid obesity, veteran's status, or having been or perceived to have been the victim of domestic violence, aggression, or stalking, sexual orientation or identity, or any other category protected by law. Employment decisions are made exclusively on the basis of work-related criteria and in accordance with local and federal laws prohibiting employment discrimination.

This policy is related to the work environment, including, but not limited to, recruitment, selection, training, compensation, benefits, transfers, promotions, disciplinary procedures, termination, and activities for Albizu University employees. If an employee considers that the University has not complied with this equal employment policy, should contact the Human Resources Director or, in his absence, the Chancellor. The Institution will investigate all allegations of discrimination, when duly justified, and take the appropriate action in each case. Any person violating this policy is subject to disciplinary action that may result in termination of employment.

## **5.2. Non-discrimination policy**

Albizu University supports equal employment opportunity and does not discriminate on the basis of race, color, gender, social or national origin, social condition, political or religious ideas, physical or mental disability, military performance, veteran's status, sexual orientation and gender identity and/or any other category protected local and federal law. This policy includes any person having been or perceived to have been the victim of domestic violence, aggression, or stalking.

Albizu University prohibits any discrimination at the workplace against persons with disabilities or any physical impediment who are able to perform their work, with or without reasonable accommodation. This prohibition against discrimination also includes candidates for employment, hiring, discharge, compensation, professional development, promotions and other work conditions. The Institution will provide reasonable accommodation to those employees, students or visitors with physical or mental disabilities who need access to our facilities, in accordance with all applicable laws and regulations

Employees who have any questions or doubts may bring them to the attention of their immediate supervisor or the Office of Human Resources. Any employee who feels has been discriminated against should submit a complaint in writing to Human Resources. Any employee who violates this policy will be subject to disciplinary actions, which may result in disciplinary sanctions including termination of employment.

## **5.3. Compliance with immigration laws and regulations**

Albizu University has the obligation to comply with all federal laws and regulations, including those of the United States Immigration Department. Consequently, any new employee as part of the conditions for his employment must complete the Employment Eligibility Verification Form (Form I-9) and submit documentation proving his identity and employment eligibility.

Any person who was previously employed by Albizu University and reapplies for employment must complete this form in the following cases: if he did not complete the form three (3) years prior to the current employment application; if the I-9 form he completed is no longer valid; or if it is missing in his inactive file.

#### **5.4. Policy on sexual harassment**

It is the University policy to reject all types of harassment in any of its discriminatory modalities. Sexual harassment is not limited to the physical site of the University or work hours. It extends as well to social activities where employees gather or activities where employees spend time with personnel, agents, directors, or students of the University. This policy requires of all employees that they behave with respect, consideration, and cordiality towards their fellow members of the academic community. Their behavior at no time should create a hostile environment through verbal or physical expressions or gestures, including the following, for example: sexually-based flirting, improper proposals, suggestions for obscene behavior, degrading expressions, insulting or obscene writing or pictures, sexually suggestive or graphic notes or comments, and publications, writing or emails designed to incite sexual feelings.

Sexual harassment is constituted by any unwelcome sexual conduct occurring in employee and student relationships, and adversely affects the work or study environment. Two modalities of sexual harassment are recognized:

1. **Quid pro quo** – This involves sexual favors as a condition or requirement for obtaining employment benefits.
2. **Hostile environment** – This activity, although it may not have an economic impact, creates a sexually motivated hostile or offensive work environment. This may, among other things, include expressions with the intent or effect of ridiculing, intimidating, insulting, or offending others. These expressions are severe enough to disrupt working conditions and create a humiliating environment. This hostile environment may be regarded as such even if it consists of one incident, depending on its severity.

Sexual harassment in the workplace consists of any type of unwelcome approach, requirement for sexual favors, and/or any other verbal or physical conduct of a sexual nature when one or more of the following circumstances occurs:

1. When submitting to such behavior becomes implicitly or explicitly a term or condition of employment of the individual.
2. When consent to or rejection of such conduct by the person subjected to it becomes the basis for an employment decision affecting that person.
3. When such conduct has the purpose of interfering unreasonably with the performance of the employment or when creating an intimidating, hostile or offensive work environment. Hostile environment is a condition of the work environment which causes the employee to reduce the quality or quantity of work, or to feel the need to resign, or adversely affects his work performance in any form.

An employee considering to be the victim of sexual harassment or discrimination should report it to his immediate supervisor, the Human Resources Director, or the Chancellor. If reported to the supervisor, should immediately report it in writing to the Office of Human Resources. Failure to do so will be considered a serious violation of institutional policy subject to disciplinary sanctions.

Sexual harassment prohibited by this policy includes that which comes from a supervisor or coworker that is in the same or lesser hierarchy than the person harassed, or from one supervisor to another, whether or not the affected person is of the opposite sex or the same sex. It is understood that the supervisor is any person in a position of power, or someone who exerts control and whose recommendation is taken into account to determine the terms and conditions of employment of the harassed person. This policy also extends to prohibiting all kinds of sexual harassment to applicants for employment, regardless of whether or not the University will employ them.

Some phrases of affection or comments on the physical attributes or the attractiveness of an employee, gestures or body language with a sexual content may be misinterpreted, provoke resentment on the part of the recipient of said comments or expressions, or be taken as evidence of an inclination to commit harassment, even when not done with malice. Therefore, such conduct is strictly prohibited, and, if practiced, may lead to disciplinary sanctions including termination of employment, whether or not it is considered an act of sexual harassment and or a complaint is filed in this regard. Every supervisor is responsible for making this policy known and respected and for notifying, by means of a complaint, any discriminatory or harassing actions on the part of employees, visitors or agents who are not employees of the University.

The internal procedures for complaints for employees who believe that they have been victims of sexual harassment are detailed in the following section.

#### **5.4.1. Procedures to file complaints**

1. Any employee who believes that he has been the victim of sexual harassment or discrimination in the workplace or study center has the right to submit a complaint before the Dean of Students, Professors, Academic Program Directors, the Chancellor and Academic Advisors, or the Office of Human Resources, as applicable.
2. An initial interview will be done to gather information on the incident reported by the complainant, who will be provided with a confidentiality document.
3. If the sexual harassment victim submits his complaint to an administrative official other than the above-mentioned ones, said official will notify the Dean of Students or Human Resources Office, as applicable.
4. The complaint should be submitted in writing; however, if it submitted verbally it will also be attended to.
5. If the complainant is a minor, the PCI will quickly notify his parents, guardian or the person who has the custody of the minor.

#### **5.4.2. Scope of the policy**

Albizu University prohibits sexual harassment or discrimination by supervisors, employees, students and contractors. Any person who infringes this policy will be subject

to disciplinary sanctions which may include termination, suspension or expulsion from any academic programs, institutional discharge or contract cancellation, as applicable.

## **5.5. Policy on violence against women**

The University prohibits all forms of violence against women, whether they be faculty, non-teaching personnel, students, contractors, or visitors. For the purposes of this policy, it is understood that violent actions against women includes any conduct that constitutes rape, domestic violence, partner violence, sexual harassment and aggression, as defined by state and federal penal laws.

## **5.6. Policy on domestic violence**

### **5.6.1. Purpose**

Albizu University is committed to promoting health, well-being, and safety on behalf of its employees, making a significant difference in this regard. The Institution continues to struggle to eradicate stalking and domestic violence in our society. Since the University is aware that stalking and domestic violence are a social problem, both being defined as offences, this policy is adopted to discourage such behavior and actions which constitute stalking and/or domestic violence at the workplace.

Domestic violence at the workplace causes economic losses for the employers due to absences, low productivity, increase in the costs of healthcare, and constant replacement of employees. There is no way in which domestic violence situations can be totally avoided at the workplace. The solution to the incidents which may arise is to have educated personnel who are prepared to take preventive and remedial measures to handle domestic violence situations.

This policy shows the responsibility assumed by Albizu University as an employer to guarantee the well-being of its employees, especially those who are subject to stalking and/or domestic violence. Albizu University is committed to taking specific affirmative actions against stalking and domestic violence. As part of this policy, a Protocol has been added to assure consistency to the measures and procedures taken when an employee becomes a victim of stalking and/or domestic violence at or outside the workplace. The Protocol provisions will apply whether or not a court of law has issued a protection order on behalf of a victim of stalking and /or a survivor of domestic violence.

### **5.6.2. Definitions**

**Stalking** – Conduct by which someone conducts surveillance over someone, sends unwanted verbal messages or written communications, makes written, verbal, or implicit threats, repeatedly harasses by means of words, gestures, or actions designed to intimidate, threaten, or pursue the victim or members of his family.

**Aggressor, intimidator, victimizer, abuser** – Person who commits acts which constitute stalking, domestic violence, sexual abuse, or family violence.

**Employees** – All persons employed by the University, whether full or part-time, temporary, adjunct faculty, or of whatever classification, volunteer, contractors, professional services person, consultants, and any person who provides services to Albizu University.

**Workplace** – All campuses and their physical facilities, including the parking area, extending to any University property and all offices and their dependencies outside of the immediate premises of the University.

**Intimidation** – Any actions or words which, when expressed in recurring form, have the effect of exerting emotional pressure on a person leading to action against his will because of fear for possible direct physical or emotional harm to him/her or harm to his/her property or to another's property.

**Pursuit** – Keeping a person under constant or frequent surveillance with an obtrusive presence in the immediate or near vicinity of the victim's home, residence, school, work, or vehicle where the victim is present in a manner that would inspire fear in a prudent and reasonable person.

**Program of intervention with employees who exhibit stalking, intimidating, victimizing, or abusive behaviors in the workplace** – A program directed at eliminating violent or offensive behavior that any employee may exhibit in the workplace, such as stalking, intimidating, victimization, or abuse in an intimate relationship.

**Couple relationship** – A relationship between spouses, ex-spouses, couples who are or have cohabited, current or past intimate consensual partners, couples who have had a child together, or who have dated, whether of the opposite or same sex.

**Survivor or victim** – Any person who has been the object of stalking, domestic violence, sexual abuse, or family violence.

**Domestic violence** – A constant pattern of behavior using physical or psychological violence, intimidation, or persecution of one person against another who are spouses or have been spouses, are cohabiting or have cohabited or have or have had a consensual couple's relationship, or a person with whom a child or children has been engendered, and has the intention of causing the victim physical harm or harm to his or another's property or inflicting severe emotional harm.

**Psychological violence** – A pattern of conduct intended to dishonor, discredit, or belittle a person's value; or impose unreasonable limitation of access or use of common goods. This conduct may also include blackmail; constant surveillance; isolation; depriving the victim of access to food or rest; threats of depriving the victim of custody of their children; or destruction of objects valued by the victim, except those which are the exclusive property of the offender.

### **5.6.3. Help for victims of stalking and/or domestic violence**

Albizu University is committed to providing help to its employees who are or may be victims of stalking and/or domestic violence. This commitment is made within the following framing principles:

1. Stalking and/or domestic violence in the workplace is repudiated and will not be tolerated.
2. Guidelines, protocols, or regulations will be adopted as deemed necessary to implement this policy.
3. Albizu University reaffirms its commitment to maintaining a safe workplace for all personnel.
4. The University affirms its commitment to all personnel facing the consequences of stalking and/or domestic violence of its support and aid in finding the resources and remedies needed.
5. Employees are encouraged to report any situation or incident as quickly as possible.
6. Training will be provided regarding specific examples of behavior that may constitute stalking or domestic violence, such as harassment, intimidation, or threats in the workplace by e-mail, fax, telephone, or personal contact, pursuit, physical aggression prior to entering the workplace, in the workplace, or upon leaving the workplace.
7. The effects of particular situations will be taken into account in the performance evaluation of an employee, so he will not be adversely affected.
8. The response will be made with confidentiality and sensitivity in cases of stalking and/or domestic violence in the workplace.

#### **5.6.4. Confidentiality**

In any case of stalking and/or domestic violence, Albizu University will respect the confidentiality and autonomy of the employee and, if necessary, will only share the information with other persons who need the information in order to activate the Protocol or Safety Plan, with the purpose of providing a safe environment in conformity with applicable laws and regulations.

#### **5.6.5. Training**

The Office of Human Resources will offer training and workshops to directors, supervisors, administrative personnel, and the faculty regarding this policy, as deemed necessary. Copies of the policy will be placed in prominent places, visible to all personnel; in addition, it will be given to all personnel, including new employees at the time of hiring.

#### **5.6.6. Early intervention and educational strategies for prevention**

It is the policy of Albizu University to establish preventive strategies to avoid or minimize these kinds of events and reduce the impact of stalking and domestic violence in the workplace:

1. Albizu University will place information on the policy in prominent places of its campuses and external help centers available to survivors of stalking and domestic violence.

2. The University will promote among its employees support and volunteer services for the prevention of stalking and domestic violence through the external programs of public agencies and private organizations.

**5.6.7. Designation of personnel in charge of matters relating to stalking and domestic violence**

The Office of Human Resources will have trained personnel to attend any matter related to stalking or domestic violence that arises in the University and, together with the Office of Administration, will be responsible for implementing the established protocol to that end. According to the particulars of the case, the victim(s) of domestic violence or stalking and their supervisors will be oriented and a need assessment will be carried out to design a safety plan.

**5.6.8. Leave options for employees who are victims of domestic violence**

1. The Office of Human Resources and the Supervisor or Department Director may come to an agreement with the employee on the possible alternative dates when the employee may be absent from work to attend this particular situation without affecting the normal good functioning of the University
2. The Office of Human Resources and the Supervisor or Department Director may make arrangements with the employee for adjustments to the work schedule so that the normal good functioning of the University is not affected.
3. The Office of Human Resources and the Supervisor or Department Director may work out an arrangement with the employee regarding the possible use of available types of leave (short-time) to attend situations related to the effect of stalking and/or domestic violence so that the normal good functioning of the University is not affected.

**5.6.9. Disciplinary procedures for employees who stalk and/or commit acts of domestic violence in the workplace**

Any employee convicted of the crime of stalking or domestic violence will be subject to disciplinary action, including involuntary separation from his position, when the effects of his action impair his performance or the normal good functioning of the organization.

**5.6.10. Protocol for handling situations of stalking and domestic violence at Albizu University**

Employees of Albizu University are responsible for following the established policy in this matter. To that effect, the Office of Human Resources and the Administration Department will designate one or more employees to attend and manage situations of stalking and domestic violence in the workplace so that their intervention, along with that of the supervisors involved, will reduce the risks that these persons face:

- A. Responsibilities of personnel in charge of matters relating to stalking and domestic violence



1. Security personnel or those who work in the reception area should be especially trained to prevent and identify incidents of stalking and domestic violence in the workplace. They should inform their supervisor as well as the Office of Human Resources of any incident of this type, while maintaining control over access to University building and grounds.
2. The Human Resources and Administration Offices will place one or more individuals in charge of compliance with this policy, who will be responsible for the following:
  - a. Preparing a Safety Plan in conjunction with the supervisor and the employee affected by stalking and domestic violence. The affected individual should be treated with respect, confidentiality should be kept, and should be listened to without prejudging.
  - b. Identifying a place that provides safety for the victim and taking all necessary security measures for other employees in the workplace.
  - c. Call the police (911 to request support services.
  - d. Accompany the victim and give the employee moral support.
  - e. Make sure that the victim receives any necessary medical attention.

Supervisors of employees who are victims of stalking and domestic violence are responsible for attending in a preliminary way matters related to stalking and domestic violence reported by any employee affected by this situation. This also includes dealing with victims that may not be under their supervision. They should document all aspects of the incident.

### **5.7. Policy on sexual orientation discrimination**

The University does not discriminate against any employee on grounds of gender identity or sexual orientation. Prohibited discriminatory practices include, but are not limited to, the following:

1. Avoid recruiting, selecting, promoting or retaining candidates for any position or employment based on sexual orientation or gender identity;
2. Taking into account sexual orientation and gender identity in the evaluation of workers in relation to any aspect of employment;
3. Suspending, disciplining, transferring or affecting wages, salaries, compensation, terms, categories, working conditions or privileges of a person because of his sexual orientation or gender identity;
4. Depriving a person of or denying employment opportunities or affecting an employee, because of his sexual orientation or gender identity;
5. Preventing or hindering access to learning programs or training or re-training on grounds of sexual orientation or gender identity;
6. Publishing, circulating or permitting to be published or circulated advertisements, notices or any other broadcast source that denies employment opportunities, directly or indirectly, to persons because of their sexual orientation or gender identity;
7. Participating in or permitting verbal or physical harassment or creating a hostile environment in employment on grounds of sexual orientation or gender identity, whether caused by supervisors, employees, volunteers or visitors to the workplace.

## **5.8. Policy on retaliation**

The University will not discharge, threaten or discriminate against an employee with respect to the terms, conditions, compensation, location, benefits or privileges of employment because the employee offers or attempts to provide, orally or in writing, any testimony, expression or information at a legislative, administrative or judicial forum in Puerto Rico, as well as testimony, expression or information that is offered or intends to be offered on the internal procedures established by the University, when such expressions are not defamatory or constitute disclosure of privileged information in accordance to the law.

When an employee alleges to have been retaliated against, the employee must prove his claim of violation of this policy to the university authorities by presenting direct or circumstantial evidence.

## **5.9. Policy on drugs and alcohol**

The University will provide to all employees and all other personnel a safe and drug-free environment, in a setting conducive to rendering high quality care and services. The purpose of this policy is to create awareness in the University community on the harmful effects of illegal use of drugs and alcohol abuse, and clearly define the University's position regarding these issues so that its officials can effectively handle cases of illicit drug use and alcohol abuse.

The University is vitally interested in maintaining safe, adequate, and efficient work and study conditions for employees and students. Individuals under the influence of drugs, alcohol, and other controlled substances can represent a great risk to security and health, not only in regards to themselves, but also to others with whom they interact, so let it be clearly understood that the University strictly prohibits the use of drugs, alcohol, and illegal trafficking of non-controlled substances by its employees and contractors. The illegal use, sale or possession of narcotics, drugs or controlled substances by any employee is contrary to the institutional norms of behavior, in and outside University premises. Non-compliance with these norms will suffice to take disciplinary measures, including dismissal or termination of contract.

Alcohol abuse is not acceptable for employees or contractors who are rendering services or for any personnel who are working in activities promoted by the Institution. Consequently, no one should come to work under the influence of drugs or alcohol, or having used any kind of controlled substances, even drugs or medications which have been legally prescribed that negatively affect their work performance.

Employees who are under medication, whether they have been legally prescribed or not, which may adversely affect their work performance, should immediately notify their supervisor. Failing to notify this situation, may be cause for disciplinary measures. Employees whose work performance has worsened and constitute a potential danger to themselves or to other employees and personnel due to their use of alcohol and other controlled substances will be removed from work and disciplined according to the severity of the situation.

The University recognizes that the success of its endeavors depends on the physical and psychological health of its employees and students. Consequently, it is the University's right, obligation and intention to take reasonable actions to ensure that alcohol, legal drugs used in an unlawful way, and controlled substances do not put at risk the success of our Institution or affect its employees and students. Taking into consideration these fundamental objectives, the Institution has adopted this policy on alcohol, drugs and controlled substances. This policy applies to all the University and clinics' employees, students and contractors. All employees and students will be provided with a copy of this policy, which will also be available in the Intranet.

#### **5.10. Non-smoking policy**

The University forbids smoking inside the premises of its physical facilities and in areas classified as non-smoking, as well as in meeting, work, and access areas of the Institution. This prohibition applies to employees, students and visitors. All persons desiring to smoke may do so outside the physical facilities of the Institution.

#### **5.11. Policy on conflicts of interest**

This policy has been designed for several purposes: (a) to prevent Institutional or personal interests of any member of Albizu University from interfering with the discharge of his functions, (b) to prevent the use of an institutional position for personal benefit, that of his family or business or for professional advancement, (c) to protect the federal and Puerto Rico tax exempt status of the University, and (d) to ensure the disclosure of any real or potential conflict of interest and that any interested party refrains from participating in, and voting on, any such conflict.

Certifications and Disclosure Forms by non-teaching personnel and faculty will be handled by the University's Executive Director of Human Resources.

#### **5.12. Administrative procedure for handling complaints and solving conflicts**

Albizu University is committed to maintaining and promoting a harmonious, friendly and respectful work environment where teamwork prevails. The University recognizes the importance of handling personal and work conflicts as soon as they arise. Any controversy between employees should be managed according to the guidelines set forth in this Manual. It is the obligation of all employees to exhaust all administrative remedies contained in this Manual before resorting to a higher authority. This way the procedure to solve conflicts is channeled in a timely, ordered and appropriate manner providing the parties involved the opportunity of working out their issues without the premature intervention of a higher authority. Not following the guidelines established here below will be considered as undue pressure is to prevent the corresponding authority from solving the controversy. The corresponding authority should be given the opportunity to deal with the conflict situation in a reasonable period of time.

##### **5.12.1. Informal method**

Whenever a controversy or disagreement arises among or between employees, they should first seek to resolve the situation by means of dialogue without the intervention of outside

parties. In the event no informal solution can be reached between the parties involved in the conflict, the controversy will be taken to a higher level.

### **5.12.2. Formal method**

#### *First Phase—Immediate Supervisor*

If it is not possible to resolve the conflict using the informal method, the parties involved should communicate the conflict in writing to their immediate supervisor and/or the head of the office or department, who should evaluate the situation and listen to all sides in order to attempt to resolve the situation. In such cases, the employee should use the following guidelines in preparing the written communication:

1. Be concise, accurate, and specific in describing the facts, the controversy, and the remedy sought.
2. Direct the written communication to the supervisors of all involved, with a copy to all employees involved in the situation. In no case should other levels of authority intervene until the immediate supervisor(s) has/had an opportunity to examine the situation.

#### *Second Phase—Human Resources*

In case the immediate supervisor and/or head of the office(s) or department(s) are not able to resolve the situation by means of dialogue or mediation, the supervisor, after evaluating the situation, should submit a detailed written report to the Director of Human Resources, who will evaluate the facts and intervene as a mediator. If it is still not possible to resolve the situation, the Director of Human Resources will submit a written report to the Chancellor with the facts, the nature of the controversy, the results of attempts at intervention, and his recommendations.

#### *Third Phase—Chancellor*

The Chancellor will review the report made by the Director of Human Resources and, if he deems it necessary, he may hold a meeting between all parties involved. The Chancellor may resolve the conflict based on the Human Resources report.

If the employees themselves, the intervention of the supervisor and the mediation of Human Resources, are unable to resolve the dispute, the Chancellor will make a decision based on the report received, or may refer the matter to a third party who, as an examining official, will listen to the parties, analyze the evidence they submit, and, if he deems it necessary, will order the holding of an administrative hearing. If the controversy is referred to an examining official, he must submit a written report with his recommendations to the Chancellor, who is empowered to accept it partially or completely, or reject it completely. In any event, the Chancellor is responsible for notifying the employees of his decision in writing.

#### *Appeal Phase—President of the University*

The employees affected by the decision of the Chancellor have twenty (20) calendar days, counting from the date of the notification, to appeal the decision to the President of Albizu University. The President will review the file of the case sent by the Chancellor with the evidence examined and the efforts and steps taken by previous authorities. If he determines

that the Chancellor's decision is not vitiated by error, arbitrariness, or caprice, the President will confirm the decision. If otherwise, the President will revoke the decision under appeal and may order the measure deemed necessary. The President may refer the matter to an attorney that will act as an examining officer, and as such, listen to the parties, examine the evidence from both sides and, if deemed necessary, order the holding of an administrative hearing. In case of referring the dispute to an examiner, he shall submit a written report with his recommendations to the President, who shall be empowered to accept it, in whole or in part, or reject it in its entirety. In any case, the President shall be responsible to notify the decision in writing to the employee.

At all times confidentiality of the processes and results of the investigation will be maintained to the extent possible. In cases related to alleged discrimination or sexual harassment, the pertinent provisions contained in this Manual for this type of controversy will be applied. The Chancellor and the President have complete authority to adopt the substantive, procedural, interlocutory and precautionary measures deemed necessary to manage controversies among employees in the quickest and fairest manner possible.

These provisions should be applied and interpreted in harmony with any other regulations or regulatory provision that exist on these issues at Albizu University, or that may be approved in the future. In any of the phases of the conflict's resolution stated in this section, the University may take any measures to enforce the objectives of this policy.

### **5.13. Policy on the appropriate use of information resources, the Internet and electronic communication**

#### **5.13.1. Introduction**

Respect for the rights of information, intellectual creation, privacy, diversity of opinion, free dissemination and accessibility of information for our faculty, students and staff is an integral part of what a university is. This respect is not only deserved by our faculty, students and staff, but it also extends to any author, regardless of the means of publication and distribution, including electronic media. Violations of these rights, including plagiarism, invasion of privacy, unauthorized access and copyright, constitute a serious offense which can result in severe penalties for those who violate these laws and rights.

This policy aims to establish what is considered responsible and acceptable use of the information resources of Albizu University. These include but are not necessarily limited to, computing, telecommunications, audiovisuals, and software equipment and resources owned or leased or whose infrastructures are used by the University. The policy supplements state and federal laws and regulations, agreements, the University's regulations and policies governing and regulating these areas, and serves as a guide for the university community. It does not intend to restrict academic freedom of the faculty or other rights of university staff. Computing resources are provided to support research, academic work and the academic and administrative objectives of the University. These resources are for the exclusive use of teachers and other staff, students and authorized users, and can only be used for legitimate, authorized purposes, consistent with the objectives and mission of the University.

Violations of this policy constitute an inappropriate use of the resources of the University. For that reason, all suspicious or inappropriate activity related to the use of information technology should be reported to the immediate supervisor or the Director of the Information Technology Department. Violators of this policy will be subject to disciplinary action and may be sanctioned by the University authorities, including loss of computer privileges and immediate termination. Furthermore, they may be subject to legal action by federal or state government agencies.

The mere use of any information resource of the University implies acceptance of the policies and the regulations that govern their use.

### **5.13.2 Responsibilities of users**

The responsibilities and/or regulations for equipment users and information resources of the University are the following:

1. Maintain and/or protect confidentiality regarding the information contained in the information systems, especially in relation to students, staff, and other users protected by law, regulations or contract provisions.
2. Print only the information necessary to execute the task.
3. Destroy documents with confidential information once you have finished your job, retaining only a single official copy, according to the standards of each office.
4. Enter, input or add accurate information in the administrative systems. Under no pretext or circumstance should data that is known to be inaccurate, incorrect, or false, in whole or in part, be entered or provided for entry, nor must any data necessary for the correct functioning of these programs be retained or omitted.
5. Passwords, access codes, and personal identification numbers provided to the user are personal and therefore each person is responsible for their use. The user must protect the confidentiality of his passwords, access codes, and personal identification numbers, and under no circumstance permit their use by someone else.
6. All activity generated through the information resource system of Albizu University must be for legitimate use and of an official nature.
7. The user and custodian of computer equipment is also responsible for its content. For that reason, he should take reasonable measures to avoid unauthorized access to the equipment and its content, the installation of illegal programs, and storage of information and work not related to the official activities of the University or any of its departments and offices.
8. Any improper use or suspicious or illegal activity concerning the security of accounts or information resources must be reported immediately to the corresponding supervisor and/or the Office of the Information Technology Director.

### **5.13.3 Prohibited conduct**

The following conducts are prohibited and may result in disciplinary action:

1. Altering information systems or the configuration of computer or communication equipment.
2. Interrupting or interfering with the communications or computer resources.

3. Accessing information, accounts, files, or emails of other users without prior authorization.
4. Misrepresenting or usurping the identity of another user in communications or computer use.
5. Installing, copying, distributing, or using programs in any Albizu University system in violation of state and federal laws [See the section “Use of Computer Programs (Software).”]
6. Using information resources for personal commercial purposes.
7. Using the account of another user for which one is not registered, even with the authorization of the account holder.
8. Permitting or facilitating access to information resources by unauthorized users.
9. Failing to follow the rules, protocols or policies of individual communication and computer use in labs, departments or offices.
10. Using information resources to interfere with the use of shared resources and legitimate activities of other users, including activities for teaching, study, research, or administration.
11. Creating, forwarding, collecting, or distributing chain emails of any kind.
12. Using information resources for illegal or prohibited activities under applicable laws, regulations or policies. These activities include, but are not necessarily limited to, unauthorized access, disclosure or distribution of pornographic material, threats, harassment, defamation, identity or property theft, illegally copying or distributing programs, among others.
13. Using institutional resources for copying, distributing, sending, or receiving music files, video, photos, animations, sounds or other multimedia except those which are strictly related to the academic or administrative work of the employee.
14. Using programs or employing methods to evade or neutralize security systems and controls to access institutional systems. These controls include antivirus programs, navigation security systems, and password protection, among others.
15. Using data-coding systems (encryption/ciphering) not authorized by the University to protect or limit access to any information in Albizu University systems.
16. Using devices or means for storing data such as personal portable hard drives or pen drives to copy, carry, or move data belonging to the University.
17. Sending institutional files to personal email accounts or by using Internet file transfer systems, unless it is a part of an official act of the employee and duly authorized.
18. Any other conduct prohibited by the civil or penal code.

#### **5.13.4 Use of computer programs (software)**

The use of programs available to the University community by electronic means and computers carries responsibilities, including respecting intellectual property rights, which condition their acquisition, copying, and use. Computer programs fall into one of four categories based on the nature of the intellectual property rights inherent in them:

1. *Commercial software* – The majority of software commercially available in stores, by mail, or through other distribution systems falls into this category. In general, purchasing such a program conveys permission to use the program but does not confer ownership of the program as such. The conditions and restrictions on this type of

program vary greatly, and are normally stipulated in the license accompanying the program.

2. *Shareware* – This type of program is the same as commercial programs except for the form of marketing and distribution. Distribution and licensing of shareware is governed by a decision of the creator, who may permit its use for a stipulated time period prior to purchase. After the trial period, if the program is purchased, the buyer pays the price required by the seller; if not, it must be uninstalled.
3. *Freeware* – These programs are also protected by copyright laws, but the conditions for their use vary widely. Generally copyright rights are stipulated, but user may be authorized and even encouraged to modify the original program.
4. *Public domain software* – Intellectual property rights must clearly state that it is in the public domain. Before March 1, 1989, Copyright Laws established that work must carry the copyright symbol to be protected. After the United States joined the Bern Convention, all original work was considered protected unless the author established otherwise. In this type of software the author relinquishes all rights, including those of derived programs created for personal benefit.

In general, the rules for using programs are determined by what the license states. When acquiring a program, one should read carefully the license which governs its use. Not knowing the regulations that govern the use of the software does not exempt the user from penalties for misuse.

Programs used on the University's equipment will be the University's property, whether acquired by lease or purchase with institutional funds, or funds from state or federal funded projects.

### **5.13.5 Software and information resources management**

The maintenance and operation of the security system of the means of communication and computers require responsible oversight of these resources by the technical personnel of the Information Technology Department. The confidentiality of data and information is an important, even indispensable requisite in a democratic society. For that reason, Albizu University gives the highest priority to the preservation of the privacy of system users and data.

### **5.13.6 Audits**

As a general rule, only the technical staff of the Information Technology Department are authorized to undertake investigations on the information technology resources. It is the prerogative of the Chancellor or President, as the case may be, to authorize the intervention of other persons in an investigation of this nature. Once the investigation is concluded, a detailed report will be submitted to the Chancellor or President; if it is discovered that violations to applicable regulations, laws, and policies according to institutional disciplinary procedures were committed. All audits or reviews require the authorization of the department director, the IT Director, the Chancellor, or the President. The report of the audit or review will include the day, time, system, person requesting the audit or review, the reason for the request, and the results. The technician undertaking the audit must make



a report certifying the findings and steps taken to preserve the integrity of the evidence (if any).

All participants in the audit process, the preparation of the report, the custody of evidence, and presentation of findings have to maintain the highest level of confidentiality regarding any information related to the audit.

The University may audit or review any equipment belonging to the Institution at any time in order to review the programs installed in compliance with copyright laws and licenses of the programs installed. The Information Technology Department may review any equipment at any time for security purposes, or in order to provide maintenance, do repairs, conduct a technical checkup, or verify proper functioning.

The University may review and audit any equipment installed on its premises being used to process, access, or store institutional data, and that of its operations including file systems, web browsers, and institutional email accounts

#### **5.13.7. Equipment and software registration**

Employees who use the system cannot have expectation of privacy regarding stored information. The information developed, transmitted, or stored in the system is also the property of the University and will be available to personnel authorized by the Information Technology Department. The University is not responsible for any damage to or loss of equipment which is installed in its premises and is not institutional property. Every piece of equipment will be registered in an electronic file where all pertinent information is filed, including general data on the equipment, a record of programs installed on it and program transfers and changes of custody.

All programs used at the University will be registered with the Information Technology Department, and the following information will be included:

1. Name of the program/software
2. Version
3. License and serial number (as applicable)
4. Manufacturer
5. Number of licenses acquired
6. Software license certificate
7. Software category (e.g., commercial, shareware, public domain.)
8. Purchase order number
9. Office/Department acquiring the program
10. Source of funds for its purchase
11. Software custodian (name of person in charge)
12. Equipment on which it was installed

All technological equipment belonging to the University (printers, desktops, laptops, scanners, etc.) must be registered with the Information Technology Department.

#### **5.13.8. Purchasing of equipment**

To regulate the orderly acquisition of technological equipment and software for administrative use, consultation with and endorsement by the IT Department is required. All purchase orders for technological equipment must be accompanied by a purchase order for required basic software (e.g., operating system and applications). If software will not be acquired at the time of purchase because it will be transferred from another piece of equipment previously acquired or donated, documentation of this must accompany the purchase order. Purchase orders that do not comply with these requirements will not be processed.

The Information Technology Department will receive all software and technological equipment acquired by the University. Computers and other equipment must be certified as correct by this office, in accordance with the purchase order. Personnel designated by the Information Technology Department will work in coordination with the Administration Department to obtain the appropriate signatures for receipt of the equipment.

All equipment that uses the physical, communication or software resources of the University, including those that were not acquired with institutional funds, may be audited by the University without prior notice. As a general rule, the University may audit all equipment located on its premises.

As recommended by the Business Software Alliance and other agencies that regulate the use of electronic systems, Albizu University has assigned a person to control the management, handling, coordination, registration, installation, and distribution of software. These tasks are carried out by the systems administrator of the Information Technology Department, and include the following responsibilities:

1. Approve the acquisition of software by the offices and academic departments of the University, including software for projects using external funds for which the software to be purchased is specified. This will ensure that they meet all the compatibility requirements of our systems.
2. Receive all software acquired by the University, including those acquired using external funds, in order to have an accurate inventory of all purchased software and keep the originals in a safe place.
3. Coordinate the installation of the programs, except for the software for dependencies that are allowed to store their software.
4. Maintain a registry of hardware and software.
5. Coordinate the internal audits of all equipment on the premises of the University.
6. Keep and safeguard the software installation media (CD-ROMs, disks, tapes, etc.) with the following exceptions:
  - a. Software requiring the installation media to function; in these cases the software will be left with the user.
  - b. Programs for the library computer resources. The director of the library or his designee will be responsible.

- c. Software for federal-funded projects. The project director will designate the person in charge. Upon the conclusion of the grant, the software will be transferred to the Systems Administrator of the University Information Technology Department.

#### **5.13.9. User accounts**

Different types of accounts are available for users of electronic equipment. An authorization form needs to be completed for activation of each type of account. University employees may have an email account provided by the University through which they may receive general information related to their area, documents, memoranda, letters, etc. These accounts are individual in nature and may be used only by the employee to which they are assigned, and for which the user is responsible. It is understood that these accounts are for the exclusive use of official documents.

It is the duty of every user to manage his access and passwords correctly. If a user believes his password has been compromised, the employee must immediately notify it to change it. Passwords should not be shared with any other user, including supervisors or IT staff.

It is the duty of every employee to report any suspected or known unauthorized access to institutional information systems. The Information Technology Department will conduct an investigation and make a detailed report of the circumstances, compromised data, and recommendations to management to address the situation.

#### **5.13.10.Account types and duration**

There are three types of accounts:

1. *Employees with regular appointments* – The duration of the account will be throughout their employment at the University.
2. *Employees with temporary appointment* – The duration of the account will be for a fiscal year or the duration of the contract, whichever ends first.
3. *Contract employees* – The duration of the account is for one semester or the duration of the contract, whichever ends first.

When an employee is hired by the University, the Office of Human Resources creates an account for the employee in the University's information system; it is the responsibility of this Office to issue a service order to the Information Technology Department so that the employee is granted all the account privileges. Said order should indicate the employee's name, position, department, and type of account. No access account will be created without a service order. It is the responsibility of the department director to specify any other secondary systems to which the employee should have access.

When an employee ends his employment with the University, his account will be closed the day following his last official workday. It will be the responsibility of the Office of Human Resources to immediately notify the Information Technology Department when an employee ends his relationship with the University so that his access can be canceled.

#### **5.13.11.Internet and Intranet web pages**

The University has an official public Internet website at the following address: <http://www.albizu.edu>. All necessary information is available there to the general public about who we are, what we do and all the academic offerings of the University. It also has an internal centralized portal at: <http://sunportal.albizu.edu>, providing students, faculty and administrative staff with all the necessary materials for college life and where they can share information through institutional intranet. They will have access to announcements, events, their managing email accounts, official documents of the University, and access to all applications and free trainings.

1. Do not include material that makes reference to ways of carrying out illegal activities or that contain pornography, threats, harassment, discrimination, defamation, or instructions for copying or distributing programs or illegal links to any of these.
2. All institutional material on its web pages should be free of grammatical, spelling, and punctuation errors.
3. Do not use the page for publicizing, events, activities, or business that are not strictly related to the academic activity of the University or one of its offices
4. Do not advertise events, activities, or personal business unrelated to academic activity, to your office or University.
5. Departments, programs, and offices should obtain written authorization from their director and the Chancellor or President to publish information or an official page of their area.
6. The University reserves the right to remove, eliminate, or reject any page or content published on the University web site.

Any published page is exposed to access and use by any person using the Internet, and neither the Information Technology Department nor the University can be held responsible for the use made of this material.

#### *Use of the institutional network and access to the Internet*

Albizu University provides telecommunications services and Internet access to support academic and administrative activities of the University. This access is not guaranteed to any individual and is subject to availability and compliance with the institutional policies relating to access, described herein.

Internet access resources are shared by all the members of the university community; therefore, the University must monitor them and ensure their proper use. To guarantee the availability of these resources for academic and administrative purposes the following is prohibited.

1. Downloading movies, videos, files, programs, photographs, games, or any other file not directly related to the tasks or functions of the employee.
2. Watching, transmitting, or receiving live (streaming) programs for radio, music, television, videos (YouTube), or any other file not directly related to the tasks or functions of the employee.
3. Navigating to or using personal commercial sites such as PayPal or EBay, unless their use is related to an institutional activity.

4. Accessing sites with sexual, violent, or entertainment (show business news) content unless it is for an academic purpose or directly related to the administrative tasks of the employee.
5. Accessing torrent sites or using peer-to-peer file-sharing software (P2P).
6. Intentionally downloading files containing viruses, malware or commercial advertising programs (adware) in institutional systems. This includes free programs like toolbars, email decorations, or desktop background images.
7. Using programs designed to hide or deactivate the University's access and security systems and controls such as programs that make the author/sender anonymous in order to hide or disguise Internet navigation activity, or programs which disguise the connection or access by creating a proxy. The use of any of these tools used for such purpose constitutes a serious security violation and may lead to immediate termination.

It is the duty of every employee to immediately report such inappropriate use or violation of this policy.

*Administration of the institutional communications network and Internet access*

As part of its responsibility for safeguarding data in institutional systems, the University constantly monitors the connections, access, and activities on all its telecommunication networks, including data networks, wireless networks, and Internet access.

Access to information systems, including communication networks, email, and Internet access is not guaranteed and is subject to availability. The University may, in administering these systems, rescind access to any system, temporarily or permanently, to any user at any time, without prior notice or justification.

**5.13.12. Email use**

Email is a formal method of communication within the University. Therefore, every employee should use professional language, either in English or in Spanish, observe good manners, decorum, modesty and courtesy in all electronic communication. Email should not be used for personal matters.

**5.13.13. Electronic messages etiquette**

1. Before sending electronic messages, first determine if the message should be given verbally.
2. Written messages must maintain a respectful and professional tone (avoid rudeness).
3. Observe common courtesy (greetings and closing).
4. Do not use discriminatory, offensive or mocking language in your texts since these may be considered evidence of harassment.
5. Do not try to resolve sensitive or confidential issues using electronic communications as this can affect working relations; such matters should be addressed personally.
6. Answering messages within 24 hours is recommended.
7. Messages should be brief and specific, not exceeding 25 lines.
8. Do not communicate in an informal or casual manner, unless the person you are communicating with wishes it so. Traditional business communication etiquette should be used in email communication.

9. Do not write messages in capital letters.
10. When writing, use short paragraphs and leave a space between paragraphs. The format should be block style.
11. Use bold, underline and italics sparingly.
12. Copy all persons in the message to be sent directly involved or who have an interest in the information being sent.
13. Avoid inappropriate use of blind copies.
14. Communications intended for distribution to the institutional community must be properly written, preferably in Word format.

#### **5.13.14. Telephone system**

In compliance with state and federal laws relating to telephone communications, the University does not monitor, intercept, or record telephone conversations of any kind, whether internal or external.

Use of the telephone system for internal and external calls should be limited to what is necessary. Albizu University campuses are connected by the Internet through their switchboards using the Voice over IP protocol. All calls made from San Juan campus to Miami and vice versa must be done through direct extensions; this will save the University the cost of long distance calls. Long distance calls to other destinations and international calls must be previously authorized.

The institutional telephone system may not be used for the following:

1. Calls that incur cost without prior authorization, including numbers with 900 to 999 area codes, or long distance calls
2. False calls to 911 or any other public service agency
3. Offensive, threatening, harassing, or inappropriate calls, including prank calls
4. Long personal calls (over 10 minutes)
5. Personal calls for commercial or profit purposes
6. Recording internal or external conversations through any means

All employees are requested to use professional language, whether in English or Spanish. They should display good manners and courtesy at all times, moderating their voice, not yelling, or using vulgar or foul language. Institutional protocol must be used when answering telephone calls.

It is the duty of every employee to immediately report any inappropriate use of the University telephone system.

#### **5.13.15. Disclaimer**

Services available through the information resources of the University, especially via the Internet, include a large number of lectures, bulletin boards, and varying kinds of information. The University disclaims responsibility for the content, accuracy or veracity of any information not obtained from sources not supported, authorized, affiliated to, edited, or reviewed by the University. Any source that is supported, authorized, affiliated to, edited, or reviewed by the University will be identified to that effect.

A large number of persons, including students, employees, and professors, use the computer resources and laboratories of the University on a daily basis. The officials in charge of these equipment and facilities periodically review the content of the equipment to ensure that the information and programs are authorized and appropriate. It may occur, at any given moment, especially between reviews, that programs, information, or images which do not conform to the University's established rules are installed or copied without authorization. Users relieve the University of responsibility for any damages resulting from this kind of actions. Nevertheless, the University will proceed to remove the offensive or illegal material identified in the equipment as soon as it has knowledge of such.

The technological resources of Albizu University are used as working tools. For that reason, their improper use may lead to disciplinary action and sanctions, including separation from employment.

#### **5.13.16. Policy on electronic surveillance through recording cameras**

The University, in harmony with its mission and vision, promotes the exchange of knowledge by the use of electronic media to stimulate the spiritual and intellectual growth of humankind, its values, and ethical behavior in all study contents. Notwithstanding the resources available and assigned to guarantee the correct use of these systems, it is necessary to establish mechanisms to protect the physical equipment and its availability to access sources of information.

Electronic surveillance using recording cameras is designed to safeguard the safety of employees, visitors, students, and parents so that if an out of the ordinary event occurs such as an assault, a fire, act of vandalism, an accident, any criminal act, or access by unauthorized personnel, among others, the University can take the necessary measures to ensure the safety of everyone inside the University and of its property. Taking this objective into account, the University has adopted this Policy on Electronic Surveillance through Recording Cameras. By implementing this system, the University seeks to protect its technological equipment and the information contained in them, recognizing both elements as necessary components of the administrative and academic process.

This plan includes the installation of surveillance cameras in common areas, such as hallways, entrances, parking lots, among others, to optimize the well-being and safety offered by the Institution. These recordings, if need be, may be used for quality purposes, performance evaluations, disciplinary actions, legal purposes or any other objective or goal contained in this policy. Surveillance through security cameras is maintained twenty-four (24) hours a day, seven (7) days a week. All recordings are kept for thirty (30) days, after which the videos may be recycled.

Albizu University expressly recognizes the right of all persons to their dignity, privacy, and personal integrity. It also guarantees the right to a workplace free of known risks to their physical and personal security that may endanger their personal integrity. Any person who feels that he has been affected by the above described surveillance system, or

perceives that a controversy, dispute, or conflict arises from the application or interpretation of this Policy or its related procedures may submit a complaint in writing to the Department of Human Resources, detailing the nature and the grounds for the complaint. Through this process he may request to view the specific part of the recording where he appears.

This policy is applicable to the entire University community, including participants in externally funded projects, collaborative projects, special students, visitors, administrative personnel, faculty, and all users of the information technology and telecommunication resources of the University. Any question or doubts related to this policy or its procedures should be addressed to the Administration.

## **6. STANDARDS OF CONDUCT**

### **6.1. General guidelines**

With the purpose of ensuring orderly operations and the best possible working environment, Albizu University expects its employees to follow the rules of conduct that protect the interests and the safety of everyone and of the organization.

Each employee is responsible for following the safety rules established for the performance of his duties and taking preventive measures to protect his life, others' lives and property. Any employee who has knowledge of and observes any irregularity in compliance with safety rules, which could jeopardize his own wellbeing or that of his peers, is responsible for reporting it immediately to his supervisor.

Any employee who violates the norms and standards of security and safety, injuring himself/herself or others or placing the safety of anyone or of property at risk, will be disciplined. All employee accidents occurring during work hours at the University or while carrying out official tasks outside the University, whether duly authorized or not, should be immediately reported to the Office of Human Resources.

Although it is impossible to list all forms of unacceptable workplace behavior, the following list, even if it is not exhaustive, provides examples of infractions to the general rules of conduct which may result in disciplinary action and even termination of employment:

1. Abandoning work and leaving the Institution and its facilities without the supervisor's authorization
2. Disorderly activities in the workplace
3. Being arrested, indicted or convicted of any crime related to or affecting his work functions or which adversely and significantly affects the legitimate interests of the Institution
4. Unauthorized absence from one's work station
5. Absence for three or more days without notification, implying abandonment of work
6. Absences from work alleging being sick untruthfully, or giving false excuses to justify an absence
7. Excessive absences or absences without appropriate notification and/or justification



8. Hostile behavior or disrespecting fellow employees, supervisors, or clients
9. Thoughtless, disrespectful or impolite behavior towards students, student relatives, general public, coworkers or supervisors
10. Actions constituting plagiarism
11. Disorderly conduct, horseplay, inappropriate, obscene, lewd and/or offensive language on University grounds causing work disruption
12. Illegal or immoral behavior inside or outside the University premises which adversely affects the image of Albizu University
13. Being convicted of any crime in accordance with state or federal laws
14. Lack of cleanliness and poor physical appearance which affects the University's image
15. Negligence or carelessness in the performance of work duties
16. Unauthorized disclosure of confidential information
17. Sleeping during work hours
18. Unsatisfactory performance or behavior
19. Numerous reprimands for diverse causes
20. Falsifying credentials
21. Smoking in the workplace
22. Making false or fraudulent statements in employment application or work file
23. Sexual harassment or any other illegal or discriminatory harassment
24. Theft, robbery, removal, illegal appropriation, or improper possession of property
25. Non-compliance with any state or federal law or regulation applicable to higher education institutions through action or omission
26. Incurring in disorderly conduct which disrupts the peace, tranquility, respect and order that must prevail in a proper work environment
27. Incurring in inappropriate conduct which contravenes the regulations of institutional standards without violating the law, committing illegal or immoral acts, or actions and omissions which affect adversely and significantly the legitimate interests of the University or the well-being of others, in a premeditated, intentional manner, demonstrating indifference to their harmful consequences
28. Insubordination towards the supervisor
29. Introducing, possessing or bearing arms or explosives on institutional grounds
30. Spreading rumors and gossip which may harm or deteriorate the image of the University or of its contributors
31. Refusing to work overtime when needed
32. Negligent or inappropriate behavior resulting in damage to University property, personnel, students, and/or visitors
33. Negligence or carelessness in the performance of duties which result in working overtime
34. Not submitting a medical certificate as required for absences due to illness
35. Use of foul language
36. Attending official activities such as sports events, clinics, or marketing promotions in a state of intoxication; falsifying attendance records of another employee at arrival or departure times or meal breaks, through electronic means or in a written document
37. Systematic absences before or after holidays, days off and weekends
38. Fighting, aggression, provoking fights or violence in the workplace or acting in a threatening manner against coworkers, supervisors, students, visitors or any person who is on institutional premises

39. Possession, distribution, consumption, sale, transfer, or use of alcohol or illegal or not authorized controlled substances, in or outside the University grounds or at the workplace, while working, or during the operation of vehicles or equipment belonging to Albizu University
40. Coming to work under the influence of drugs or alcohol, or using, distributing and possessing controlled substances in violation of the institutional policy on drugs and alcohol
41. Inputting false or incorrect information on files or official documents knowingly
42. Excessive absences
43. Excessive or unauthorized use of personal or institutional cell phones or the use of institutional email or Internet for personal purposes
44. Improper use of computer or telecommunication equipment for non-academic purposes, or for those not related to administrative activities
45. Improper use of bulletin boards
46. Violating health and safety rules
47. Violation of University norms and policies
48. Violation of federal, state, and municipal laws, or not being able to come to work due to conviction or incarceration
49. Any other behavior which the University considers to affect the proper functioning of the organization

Employment may be terminated for other reasons not mentioned above taking into account the totality of specific circumstances in each case and applicable laws.

## **6.2. Policy on violence at the workplace**

In compliance with Section 3101 of the Occupational Safety and Health Act (OSHA), the University will adopt a complainant policy for specific risks aimed at providing the employee a work environment free from known risks which may cause him/her harm.

Moreover, all employees, including professors, students, part-time employees and personnel under contract should be treated with courtesy and respect at all times. Fighting, rude and offensive language or any conduct that may be harmful should be avoided. Threatening, intimidating conduct or stalking against any employee, visitor or any personnel in our University will not be tolerated. This prohibition includes any kind of harassment based on gender, race, age or any other category protected by local and federal laws.

Any act or threat of violence, direct or indirect, should be reported to the Department of Human Resources as soon as possible.

## **6.3. Confidentiality**

Protecting the confidentiality of information of clients, parents, students, teaching and non-teaching employees, executives, and any other information considered confidential, is vital for the interests and success of Albizu University. This information includes, but is not limited to, the following examples:

1. Contracts
2. Operating costs
3. Any other information considered confidential by the administration or by applicable legislation or regulation
4. Benefits information
5. Compensation information
6. Students data
7. Fiscal information
8. Accounts payable and accounts receivable information
9. Parent, student, or supplier lists
10. Development projects
11. Employee salary information is personal confidential

Any employee who uses or gives out confidential information will be subject to disciplinary action which may result in termination of employment and/or legal action. The University will maintain restricted access to these data and any other information on events or facts that it deems necessary.

#### **6.4. Dress code**

Standards for dress and personal care contribute to the morale of all employees and affect the image of Albizu University. Clothing should project an image of formality, seriousness, and professionalism.

During work hours, it is expected that employees will have a professional appearance and will dress as required by their positions. Supervisors are responsible for ensuring that employees comply with these institutional guidelines. Some examples of clothing that are not considered appropriate attire are following:

1. Miniskirts
2. Halter tops
3. Sleeveless blouses
4. Flip-flops
5. Shorts
6. Leggings
7. Jeans\*
8. T-shirts\*
9. Sports footwear\*

Employees who come inappropriately dressed to work will be requested to leave and return properly dressed. The employee will not be compensated for the time away from work.

*\*Administrative employees who work in conservation and maintenance areas are exempt from this restriction. Employees may wear jeans on Fridays and on special occasions when authorized by supervisors.*

### **6.5. Use of institutional cell phones**

Any employee requiring the use of his personal cell phone, or one provided by the University for official business is prohibited from using it while driving. Any employee responsible for a violation due to inappropriate use of a cell phone is subject to disciplinary sanction. Such use automatically relieves the University of liability for any damage caused as a result of violating this norm. The employee to whom an institutional cell phone is provided should not have any expectation of privacy regarding the content stored in this phone and is well aware that the University will have unrestricted access to its content.

### **6.6. Use of personal cell phone**

When using the personal cell phone during working hours or in working areas, employees should watch the time and tone of their conversations, so that official tasks under their responsibility or the work environment in general are not affected. Use of personal cell phones during working hours should be avoided.

### **6.7. Gifts**

Albizu University prohibits any employee who has relations with a business or contractual relations with third parties, which may constitute a conflict of interest as defined in the manual, from accepting any kind of gifts from suppliers or potential suppliers valued above \$50. The gifts or services exceeding this value must be approved in writing by the Chancellor, or by the President if the Chancellor or employees working in the President's office are the recipients, since it must be determined if such gifts may be accepted or disposed of in any other way. This policy must be strictly followed to avoid a possible conflict of interest, or its appearance, that may affect the image of the University in the way it conducts business.

### **6.8. Donations**

All donations to the University must be received and processed by the Finance Department.

### **6.9. Promotions, sales, and collection of money**

In an effort to ensure a productive and harmonious workplace, Albizu University prohibits promotions, sales, and collection of money by third persons on the University premises during work hours.

Albizu University recognizes that its employees may be interested in events and organizations outside the workplace. Nevertheless, soliciting and distribution of literature not related to the University during working hours is not permitted. Working hours include the time in which all involved employees are performing their work tasks. Work hours do not include breaks or other such periods during the working day. Furthermore, if any employee observes such activities contravening institutional norms on the University premises, he is required to report them to the Administration Department.

An employee who wishes to post information on an institutional bulletin board must receive authorization from the Chancellor or from the President if the Chancellor or employees working in the President's office are participating.

#### **6.10. Client relations**

Albizu University strives to offer a service of excellence and recognizes its students and visitors to the Clinic as its clients. It is expected that even those employees who occasionally come into contact with University clients treat them professionally and promptly, with courtesy and in a friendly manner, with a genuine desire to help them.

It is important for all employees to familiarize themselves with the various departments of the University and the services they provide. By solving problems, taking initiatives, following up on decisions, directing efforts effectively and being flexible, the University shows its clients how much they care about them. In this way we will be better prepared to orient students and the general public in the best way to help them. Failure to comply with this work standard and institutional commitment to clients may result in disciplinary measures.

#### **6.11. Disciplinary sanctions**

The disciplinary sanctions that could be applied to employees who engage in violation of this Manual or any other regulation of Albizu University will be the following:

1. Verbal reprimand
2. Written reprimand with a copy to the employee file
3. Suspension without pay for a term not to exceed three (3) months
4. Termination of employment

### **7. EMPLOYEE BENEFITS**

#### **7.1. Summary of benefits and eligibility**

For eligible employees, Albizu University offers a wide variety of benefits. All employees are eligible for some programs such as Social Security, State Insurance Fund, Unemployment Insurance Program, and the Non-Occupational Disability Program, in accordance to applicable state and federal laws. The University reserves the right to amend or eliminate any of these or other benefits at any time, subject to the limitations and restrictions imposed by applicable laws and regulations.

#### **7.2. Vacations**

All employees who have worked one hundred twenty (120) hours or more in a month will accumulate the equivalent of 10.38 hours of vacations for each worked month. Contract employee benefits are determined by the contract. Effective date for this policy will be the date of approval of this Manual.

Employees under contract for a probationary period will not accumulate vacation time until they have satisfactorily completed said period. Once they have successfully completed their probationary period, they will accumulate the vacation time earned retroactively to the starting date of their initial employment.

Vacations will be enjoyed on a yearly basis, after the employees have accumulated their vacation time. Before officially requesting authorization to use vacation time, the employee should request his vacation balance statement from the Office of Human Resources. A request for vacation time should be submitted at least fifteen (15) days prior to the intended departure date for approval by his supervisor. The request will be evaluated by the supervisor, who will recommend the approval or not, depending on the needs of the University and the employee. Afterwards, the employee will submit the request to the Office of Human Resources in the manner established by that office. In no case will a vacation request be authorized past the requested date or dates.

For all regular full time employees, vacation time will be deducted for institutional recesses except the holidays which fall on these recesses. The employee must sign a vacation leave form for the days pertaining to a recess. Employees working during the vacation recess must be authorized by their immediate supervisor, who will have a work plan to be carried out during the recess.

It is important that each employee make use of his vacation time annually; however, the unused vacation time may accumulate up to a maximum of two (2) years, at which time the employee will be required to use his vacation time to reduce the amount accumulated. In this case the employee must take a minimum of forty (40) consecutive hours of vacation time. The vacation pay is calculated according to the current payroll period. However, an employee may request that the disbursement of his vacation pay be made on the last working day prior to the start of his vacation time.

In the case of a separation from employment, the employee will be paid for the unused vacation time accumulated up to the last day of employment.

### **7.3. Sick Leave**

All full time employees are entitled to sick leave, which will accumulate at a rate of 10.38 hours of sick leave for each month worked, one hundred twenty (120) hours or more up to a yearly maximum of accumulated sick leave of eighteen (18) days. In the event of absence due to sickness, the employee must complete an Absence Report so that his absence may be credited to the sick leave. The Office of Human Resources must certify the available sick balance, and once supervisor approves and signs the Absence Report, it will be submitted to the Office of Human Resources.

An employee who accumulates thirty-six (36) days or two hundred seventy (270) hours of sick leave will cease to accumulate sick leave until the balance falls below the maximum level.

Sick leave will be paid at the current salary rate of the employee counted from the start of the sick leave period.

An employee absent for two (2) consecutive days or more for illness or injury must submit a medical certificate to the Office of Human Resources. The certificate must include the physician information, the date of the visit, and the medical recommendation.

Albizu University reserves the right to require at any time a medical verification of illness or injury for the purposes of paying sick leave time.

The sick leave benefit is intended exclusively for providing income security in the case of illness or injury, and may not be used to cover any other type of absence, except for the care and supervision of ill or injured children or parents. Unused sick leave will not be paid to an employee while working for the University or upon separation from employment.

An eligible employee may use up to five (5) days of absence due to sickness, sickness of any of his underage children or spouse requires care and supervision of parents or spouse. To make use of this sick leave, the employee must have a minimum balance of five (5) accumulated days. In addition, the employee may use sick leave time due to the sickness of the employee's parent(s) if he is directly responsible for them.

If an employee is absent for three (3) consecutive days or more due to the sickness of a child or parent, he should bring a medical certificate and submit it to the Office of Human Resources. The medical certificate should have the physician information, the date of the visit, and the medical recommendation.

#### **7.4. Bereavement Leave**

When the death of an immediate family member of an employee occurs, the employee may be absent with pay for three (3) working days. To this end, the employee must complete the Absence Report. The University defines as "immediate family" spouses, parents, grandparents, parents-in-law, sons and daughters, stepchildren, and siblings.

Teaching and non-teaching employees are eligible for a bereavement leave when there is a death in the family. Payment for the leave period will be calculated using the basic salary at the time of the absence and will not include any special compensation. Saturdays and Sundays are not considered working days regarding this benefit, except for those employees who regularly work on weekends.

#### **7.5. Health Insurance**

All regular full time employees, teaching or non-teaching, are eligible to participate in the group health plan sponsored by Albizu University within ninety (90) calendar days as a regular full time employee. The Office of Human Resources will notify the employee the terms and conditions of this plan and the date on which benefits will commence.

##### *San Juan Campus and Mayaguez University Center*

The institutional health plan is designed to cover a portion of the premium of the group health plan for employees. If the annual premium exceeds the amount offered by the University, the difference

will be deducted from the employee's pay on a bi-weekly basis, subject to the employee's authorization.

Employees who were hired beginning August 1, 2017 are entitled to join the group medical plan offered by the Institution.

Active employees before August 1, 2017 are eligible for the benefit reimbursement method offered by another plan ("grandfather clause"). These employees should submit monthly evidence on or before the renewal date of the medical plan selected by the University to receive the \$1,100 yearly benefit. Employees who have joined the University group plan are not eligible for the reimbursement method since this benefit is not available for them.

#### *Miami Campus*

The Medical Plan benefit is applicable as established by the State of Florida.

### **7.6. Extension of health insurance coverage**

The federal law known as COBRA (*Consolidated Omnibus Budget Reconciliation Act*), as amended, provides the employee and his qualified beneficiaries the opportunity to continue his health insurance coverage through the institutional group plan when a qualifying event would normally result in the loss of eligibility.

In the case of a dependent child older than 18, the employee must submit evidence that the dependent is a student (copy of tuition payment receipt) to retain medical coverage for the dependent. If the child continues his studies or exceeds the age limit established by the medical plan for a dependent, the dependent may continue under the plan under the provisions of COBRA. When an employee is separated from employment and becomes eligible for COBRA, as amended, his dependents may enjoy this protection even if the former employee does not wish to continue to be covered by the plan.

This extension may be for a period of 18 to 36 months, depending on the situation. If the employee was not participating in the group health plan, he is not eligible for coverage under COBRA. The employer is exclusively responsible for notifying the employee about COBRA and its provisions.

Specific details about COBRA are available at the Office of Human Resources.

### **7.7. State Insurance Fund**

The University provides employees at the San Juan campus and the Mayaguez University Center compensation insurance free of charge through the State Insurance Fund Corporation (CFSE in Spanish). This insurance covers injuries, temporary or permanent illnesses or loss of life, that have occurred during the working hours, including medical treatment, surgery and hospitalization. Employee compensation insurance, which is subject to applicable legal requirements, provides benefits. If the employee is hospitalized the benefit will be immediately made available.



The employee who is injured or becomes sick for work-related causes should notify his immediate supervisor without delay. Regardless of the seriousness of the injury, it should be reported within five (5) working days following the occurrence. Otherwise, the employee may forfeit the benefit.

Personnel receiving treatment under the State Insurance Fund Corporation should keep their supervisors informed on absences from work due to his treatment. To this end, he should submit all documents from the State Insurance Fund Corporation certifying his absences.

This benefit covers the injured employee if the following requirements are met:

1. The employee must request work reinstatement within a period not exceeding fifteen (15) calendar days after he has been discharged by the Corporation, provided such request has not exceeded a period of twelve (12) months.
2. The employee should be mentally and physically able to hold his position when he requests his reinstatement
3. His position is still available at the moment of requesting reinstatement.

#### **7.8. Non-occupational temporary disability insurance**

Albizu University complies with the legal requirement to contribute the employer's share for Non-Occupational Temporary Disability Insurance (SINOT, in Spanish) for its employees at San Juan Campus and the Mayaguez University Center, and Workers' Compensation for its employees at the Miami Campus. In Puerto Rico this insurance pays a certain percentage of the salary of a person disabled by illness or accident for reasons not related to work. Once this benefit is requested, the employee will begin to receive it after he has used up his sick leave for a maximum of twenty-six (26) weeks from the date on which the employee was disabled. If the disability continues, the employee will receive up to 26 additional weeks without pay. In this case, there will be a maximum of 365 days for employee reinstatement.

For the employee to be reinstated, the following conditions must be met:

1. The position exists at the time of the requested reinstatement.
2. The employee notifies within 15 days of his release from care his intention to return.
3. The employee is mentally and physically capable of resuming his responsibilities.

For employees in Florida, this benefit is established as stipulated by the Workers' Compensation regulations.

#### **7.9. Long-term disability insurance**

Regular full time employees are eligible for benefits under this program, which has a 90-day waiting period and covers up to 66.66 % of the annual salary of the employee, once he has exhausted the benefits of Non-Occupational Temporary Disability Insurance. The specifics of the exceptions, benefits, and eligibility for this insurance are available at the Office of Human Resources.

The University reserves the right to make any changes in such contributions, according to the availability of resources or fiscal viability of disbursement.

#### **7.10. Chauffeur insurance**

The University complies with the requirements of the law to pay the amount corresponding to Chauffeur Insurance. The law provides an insurance plan for chauffeurs and other employees who, as part of their functions, operate motor vehicles. This insurance pays benefits in case of illness or total and permanent disability.

This benefit only applies to hourly employees. Employees under this license are entitled to a minimum of up to 365 days of employment insurance. Upon release from medical care, the chauffeur has up to 30 days to request reinstatement to his employment upon presentation of evidence that he is mentally and physically capacitated to return to work, provided the position for which he requests reinstatement is still available.

Only employees of the San Juan campus and the Mayaguez University Center are eligible for this benefit.

#### **7.11 Institutional retirement plan**

Albizu University's Institutional Retirement Plan has been qualified in Puerto Rico by its Internal Revenue Code for a New Puerto Rico, Law Number 1, 2011, and in the United States by the Federal Internal Revenue Service. This benefit is provided to all Albizu University full time regular employees. The Office of Human Resources will notify the employee his eligibility date for this benefit. To be eligible for this plan, the employee must have worked ninety (90) calendar days at Albizu University as a regular full-time employee. After meeting the eligibility criteria, the employee will start enjoying this benefit the following month. The contributions of Employer and Employee will be in the following manner:

##### *Employer's contribution:*

1. The employer will contribute up to 5% of the employee's basic annual salary.
2. The University reserves the right to make any change in its contribution depending on fiscal viability.

##### *Employee's contribution:*

1. The employee may contribute from base salary allowed by law.
2. The employee may terminate his contribution to the Plan at any time.
3. The employee may differ up to the maximum allowed by law.

##### *Vested rights:*

1. One hundred percent (100%) from the date the employer begins to contribute.

For additional information and details, employees should visit the Office of Human Resources

## **7.12. Family medical leave (FMLA)**

Albizu University offers unpaid medical leave to all eligible employees who find themselves temporarily disabled for work owing to poor health. For purposes of this policy, the health conditions include hospitalization, care in a hospice or residential medical facility, and temporary disability associated with these and other medical conditions.

This license will also be available when the employee is going to adopt a child; or when having the need to take care of the spouse, father, mother, son or daughter because some of these people have a serious health condition or have been mobilized to serve in the armed forces of the United States.

All regular full time employees are eligible to request this benefit if they have completed twelve (12) months of employment and have worked for at least one thousand two hundred and fifty (1,250) hours during the year preceding the period of the requested leave.

Eligible employees should submit in writing a request for sick leave to their supervisor at least thirty (30) days prior to situations that can be anticipated and as soon as possible for unanticipated situations. The request should include the date and employee's signature, and should explain the reasons, circumstances, duration, and localization of the employee during the leave. This leave is automatically concurrent with any other leave granted by law, the current manual or institutional policies. The employee should maintain regular communication with his/her supervisor while on this leave to keep him/her informed of his/her health status. The supervisor will submit the recommendation for approval and endorsement by the Chancellor. The request for leave will then be submitted to the Office of Human Resources.

A declaration must be submitted on the part of the health service provider to the effect of certifying the need for the medical leave, its commencement and anticipated date of conclusion. Any change in the information or conditions that regulate the period of the license must be notified immediately to the Office of Human Resources.

To those employees eligible, a leave may be authorized for the whole period of the disability up to a maximum of twelve (12) weeks in a 12-month period. Any combination of unpaid medical leave and unpaid family leave should not exceed the limit of twelve (12) months. If the original leave period proves insufficient, an extension may be considered. In that eventuality, the employee will be required to use first any annual paid leave before requesting an unpaid medical leave.

An employee who finds himself/herself obligated to request a medical leave due to a work-related injury will be covered during the period of disability, in accordance with the laws governing occupational injury.

Albizu University will continue to provide the benefits of health insurance during a family leave subject to the terms, conditions, and limitations of the plan. Albizu University will continue providing the maximum annual employer's contribution, and it will be the responsibility of the employee to remit to the Finance Office any additional cost for the premium that is normally deducted from the paycheck.

Accumulated benefits such as vacations, sick leave, and the benefits for holidays and recesses will be suspended during the period of this leave and will commence again when the employee returns to work.

For the purpose of coordinating the return to work of an employee who has been on medical leave, Albizu University requires that the employee notify the intention to return at least two weeks prior to the date for reinstatement. At the conclusion of the medical leave, the employee will be reinstated in the same or an equivalent position for which he is qualified.

It will be considered a voluntary resignation if an employee does not return to work as soon as the leave concludes, or requests and receives the benefits of unemployment insurance while enjoying a leave.

Accumulated benefits such as vacations and sick leave, and benefits for holidays and recesses will be suspended during the leave period and will be renewed when the employee returns to work.

### **7.13. Maternity and lactation leave**

#### *San Juan Campus and Mayaguez University Center*

Albizu University, in conformance with the Law for Working Mothers of Puerto Rico, will grant maternity leave to all qualified employees, consisting of eight (8) weeks (56 calendar days) at full pay. If the employee is disabled during her pregnancy, at the end of the maternity leave period she will be eligible for Non-Occupational Temporary Disability Insurance benefits, if applicable. A pregnant employee may remain at work until a week before the date indicated for delivery. To this end, she should present a medical certificate indicating that she is able to continue working until the specified time. In such cases, the time for pre-natal rest will be added to the four-week post-partum period she is entitled to.

If the employee desires, she may return to work two weeks after delivery if medical evidence is presented that she is able to do so. In this case it is understood that the employee renounces her right to the additional maternal leave the law allows.

If, as a consequence of the delivery, there is a complication that impairs her ability to work for a period that exceeds the eight (8) weeks of maternity leave, the employee has the right to a special unpaid leave for up to twelve additional weeks. In this situation she may exhaust her sick leave if available and then take advantage of the benefits of Non-Occupational Temporary Disability Insurance, if she satisfies the conditions for this program.

In the case of a miscarriage, if the physician certifies that this has the same consequences of a natural delivery, the number of weeks that the physician indicates are needed for her recovery will be paid in their totality (100%) by the employer up to a maximum of eight weeks (56 calendar days), as if it were a regular delivery.

### *Miami Campus*

Maternal leave is paid in the period in which the pre-natal rest period begins. A total of 20 working days (4 weeks) are paid. To take advantage of maternity leave, the employee must submit a medical certificate at least forty-five (45) days before the expected delivery date to the Office of Human Resources.

Any employee who adopts a pre-school-age child (i.e., younger than five (5) years old) who is not matriculated in any school will have the right to the same benefits a mother enjoys for maternity leave. In this case, the leave will commence on the date the child is received into the nuclear family. To claim this right, the employee must provide notification no less than thirty (30) days prior to the anticipated adoption, specifying desire to take advantage of maternity leave and providing specific plans for returning to work. In addition, the employee will submit credible evidence of the adoption plans. During a maternity leave the employee will not accumulate either vacation time or sick leave.

### *Lactation*

All employees who work full time will be granted one hour per day, with pay, if the mother wants to breastfeed the baby or express breast milk during working hours. This period can be divided into two periods of thirty (30) minutes or three (3) periods of twenty (20) minutes. To qualify for nursing, the employee must present a medical certificate during the fourth and eighth month of the infant certifying that she continues nursing the baby, and that breastfeeding or expressing milk will last a maximum of twelve (12) months counted from the day of her return to work.

If the employee is working part-time, and the working hours exceed four (4) hours, the time granted will be thirty (30) minutes for each four (4) consecutive working hours.

An employee who does not return to work as soon as her maternity leave expires will be considered to have resigned voluntarily unless there is a justified cause.

## **7.14. Jury duty leave**

The University authorizes any regular full time employee to serve on a jury as required by a court order. The employee should present to the supervisor the court order as soon as it is received to be able to make the necessary arrangements during the period of absence. It is expected that the employee will present himself/herself for work to the extent that jury duty permits.

During the period of service as a jury member, the employee will receive regular compensation up to a maximum of fifteen (15) working days. Albizu University reserves the right to request a dispensation from jury duty if it believes that the employee's absence would cause serious operational difficulties. All employee benefits will remain in effect during service as a juror.

## **7.15. Leave for witnesses in criminal cases**

The University authorizes any regular full time employee to serve as a witness in a criminal case as stipulated by an order or citation of the court. The employee should present to the supervisor

the citation as soon as it is received, and at the latest two (2) days after notification to appear, in order to make the necessary arrangements for the absence. The time involved in the required appearance will be considered as time worked.

The employee should complete the appropriate Absence Report and accompany it with a copy of the citation. He should also submit the certification issued by the Court Secretary that contains the time spent in the appearance, listing days and hours. The supervisor will submit a request to the Chancellor who will forward it to the Office of Human Resources.

#### **7.16. Educational leave**

Albizu University offers educational leaves without pay to eligible employees who desire time off to complete employment-related academic work to obtain a degree.

All full time regular employees who have completed twelve (12) consecutive months of employment at Albizu University may request in writing an educational leave without pay to their supervisor no less than thirty (30) working days prior to the commencement of the requested leave. The request should be dated and signed, and include the reasons, circumstances, duration, and localization of the employee during the leave. The supervisor will submit the recommendation to the Chancellor who, in turn, will submit the recommendation to the President via the Office of Human Resources.

All requests for educational leave will be evaluated individually, taking into consideration the work responsibilities of the employee, pending assignments and projects, and current and future institutional needs. An employee who is granted a full time educational leave must maintain up-to-date all financial contributions for those benefits enjoyed before the beginning of the leave.

Holidays will not be paid while the employee is on an educational leave.

#### **7.17. Sports leave**

Albizu University offers an unpaid sports leave to eligible regular full time employees who wish time off to participate in major sports events representing Puerto Rico, such as the Olympics, Pan American Games, Central American Games, and Regional or World Championships. A sports leave may be granted for a maximum of one (1) year with rights for renewal, subject to the approval of the Board for the Development of Full Time High Performance Puerto Rican Athlete. In addition, the athlete must notify Albizu University in writing at least thirty (30) days prior to the commencement of the leave or its expiry (in the case of a request for renewal). The employee may request pay from accumulated balance of vacation time.

The request for this license must be dated and signed and explain the reasons, circumstances, duration, and localization of the employee during the leave. The employee will submit the request to the Office of Human Resources, which will forward it to the Chancellor for the recommendation and forwarding to the President via the Office of Human Resources.

An employee receiving a full-time sports leave will be responsible for maintaining up-to-date all financial contributions for those benefits to be enjoyed before the beginning of the leave period.

Holidays will not be paid while the employee is on a sports leave.

#### **7.18. Military leave (U.S. Armed Forces, Reserve, and National Guard)**

Albizu University's institutional policy is not to discriminate for reasons of military service. In accordance with the Military Code of the United States and Puerto Rico and the stipulations of applicable laws and regulations, Albizu University offers military leave without pay to all employees in active military service for a maximum of five (5) years. Albizu University will reserve the employee's position while the leave period is in effect.

During the leave, the employee may request that to be paid any accumulated vacation time or any other paid leaves. In addition, the employee may request the COBRA benefit and continue paying for his/her medical plan for eighteen (18) months.

To receive this leave, the employee should submit a notification in writing to his/her supervisor at least twenty (20) working days prior to the commencement of the requested leave, if possible. The request for this leave must be dated and signed, and explain the reasons, circumstances, duration, and localization (if permitted by military regulations) of the employee during the requested leave period. The supervisor will submit the recommendation to the Chancellor who will submit the recommendation to the President through the Office of Human Resources.

An employee receiving a full time military leave will be responsible for being up-to-date in all financial contributions for those benefits he enjoyed before the leave period.

Holidays will not be paid while the employee is on a military leave.

#### **7.19. Policy on study benefits**

Albizu University recognizes that the skills and knowledge of its employees constitute essential elements for the organization's success. The program for educational assistance promotes personal and professional development through formal educational so that employees can maintain and improve the skills and knowledge related to their work. The Policy on Study Benefits for employees has two categories:

1. Stipends for employee professional development
2. University study benefits for employees, children, and spouses

This benefit is subject to the availability of resources or fiscal viability of the University.

##### **7.19.1 Assistance for professional development**

Albizu University will provide educational assistance to regular full time employees who have completed twelve (12) months of consecutive service. This benefit does not apply to employees of the Clinic or to Albizu University's faculty. An interested employee may

request from the Office of Human Resources one of the following types of academic assistance:

1. A stipend of up to one hundred dollars (\$100) to attend professional development seminars related to the skills required in area of responsibility
2. A stipend of one hundred dollars (\$100) per semester for an employee matriculated in a program leading to a degree in a local academic university. To receive this stipend for each semester, the employee must be seeking his/her first post-secondary degree or a degree higher to the degree previously obtained. His/her program of study must be directly related to the functions that he performs at the University.

A copy of the receipt for tuition or fees must be submitted with the request to the Office of Human Resources. This benefit is subject to the availability of resources or fiscal viability of the University.

### **7.19.2 Study benefits at Albizu University**

Albizu University will offer educational assistance to regular full time employees who have completed one year of service at the University. For the purpose of taking full advantage of this benefit, the following norms will govern it:

1. Eligible employees are those members of the faculty with a full time contract and non-teaching employees who hold a regular full time position. They must have completed at least twelve (12) (one year) consecutive months of work at the University.
2. Study benefits for employees of Albizu University are subject to the program of studies being directly related to the employee's functions at the University. Determination of eligibility will depend on the recommendation of the immediate supervisor and approval by the Chancellor of the corresponding campus. Those employees who are enjoying this benefit prior to the effective date of the revision of this manual are exempt from this requirement.
3. Employees who enjoy this fringe benefit must comply with the University's admissions requirements and all norms related to the academic performance index and satisfactory academic progress.
4. This benefit is available only once for each academic degree obtained. The employee may not request this benefit for obtaining another degree at the same academic level.
5. The student must pass each course with a grade of B or higher; this benefit only covers the first time the student takes the course. If the student receives a grade of C or lower and/or drops the course, then the employee will be responsible for paying for the course. No assistance will be provided for repeating courses.
6. Scholarships will complement the financial aid that the student receives, not including student loans. Eligible employees should request the benefits granted by the State and Federal Financial Aid Programs in which the University participates. This study benefit, added to all other financial aid benefits granted, if applicable, covers 50% of the cost of academic credits up to six (6) credits per semester. Financial aid will never exceed the cost of studies as budgeted by the University. An eligible employee does not have the right to reimbursement of costs incurred except in the case of student loans.
7. Global fees, laboratory costs, and other fees and incidental costs are not covered by this benefit.



8. An employee participating in the program must agree that if the participation results in a potential conflict of interest with his/her dual role (e.g., in Academic Programs and operational functions), the consent and approval of the supervisor will be necessary.
9. If an employee ceases to be employed by the University before finishing the semester in which he is studying, he must reimburse the total benefit received for that semester.
10. An employee who receives this benefit and completes an academic degree must work at Albizu University for two (2) years after the degree is completed or reimburse the University the amount received for the study benefit.
11. If an employee does not complete the studies or resigns or is terminated prior to the completion of the degree, he must reimburse the University the amount received for the study benefit. The employee is exempt from this requirement if he continued working for two (2) years after completing the academic degree or after the last date on which he completed a study period.
12. The granting of this benefit is subject to availability of funds in the University's budget in each fiscal year.
13. This benefit is subject to the University's availability of resources or fiscal viability, as well as the employee's compliance with the following:
  - a. At the end of each study period, the employee should submit his/her grade report to the Office of Human Resources. Employees who do not comply with the benefit requirements will receive a bill from the Finance Office in the amount of the financial exemption originally granted.
  - b. The employee should obtain a satisfactory evaluation on his/her work performance by the immediate supervisor to be able to maintain this benefit.

### **7.19.3. Right to Tuition Payment Exemption for Spouses and Children at the Undergraduate Level.**

1. Dependent children of regular employees, under the age of 25, have the right to a 50% tuition exemption at the undergraduate level, after they have been granted financial aid up to a maximum of twelve (12) credits. This does not include laboratory costs, global fees or any other fee.
2. The tuition exemption benefit for graduate studies does not apply to children or spouses.
3. The scholarship holder (sons and daughters) must maintain a cumulative GPA higher than 2.50 and maintain the satisfactory Academic Progress Rate established by Albizu University.
4. The eligibility of children and spouses to participate in the study program must be confirmed by a birth certificate and in the case of spouses, by a marriage certificate.
5. If the spouse and dependent children fail to meet the academic requirements of the University for continuing studies or if they drop out without adequate justification, all tuition costs must be reimbursed.
6. This benefit is subject to the availability of resources and fiscal viability of the University.

### **7.20. Stipends for catastrophic conditions**

Albizu University has established a fund for catastrophic conditions to assist personnel from the Miami and San Juan campuses and the Mayaguez University Center who incur extraordinary medical expenses related to debilitating illness, surgery, medical conditions, accidents, financial crises, or other exceptional situations. The following conditions must be met to qualify for stipend under this program:

1. The University will announce the availability of the stipend for catastrophic conditions. The stipend is subject to the fiscal viability of the University, which can determine whether it can be offered or not.
2. To be eligible, an individual must be a regular full time employee who has completed one year of work at Albizu University.
3. The employee must submit a request in writing to the Chancellor's office with the necessary supporting documentation to justify the request.
4. The Chancellor will evaluate the case and circumstances, consult with his/her counterpart in the other campus and recommend what action should be taken to the President, who will approve or not the recommendation and notify his/her decision to the employee. The amount granted to the employee will depend on the availability of funds in the Catastrophic Fund account and the fiscal viability of the University.
5. The stipend will be granted on a first come first served basis. However, if there is more than one request in the same academic session, the President will evaluate all cases on their merits and will grant funds using his /her discretion and best judgment.
6. Once the funds have been exhausted, additional requests that may arise will be placed on a waiting list to be attended in the next academic session when funds become available
7. An employee may request a stipend under this program twice, but not in the same year.
8. This benefit is subject to the availability of resources or fiscal viability of the University.

#### **7.20.1 Eligible circumstances**

1. *Health Conditions* – Debilitating illness, surgical procedures or treatment of medical conditions requiring extraordinary costs and needing a recovery period of more than twenty (20) work days
2. *Accidents* – Accidents causing extraordinary expenses not covered by insurance policies
3. *Unexpected causes* – Personal misfortunes such as a fire, robbery, assault, mugging, damages due to storms, hurricanes, earthquakes, etc. which cause extraordinary expenses not covered by insurance policies

#### **7.20.2. Exclusions**

The following conditions do not meet the requirements for eligibility for this program:

1. Any expenditure resulting from the purchase of appliances such as refrigerators, stoves, washing machines, entertainment or stereo systems, video players, cell phones, computers, security systems, alarms, among others
2. Late payment fees or payment of loans, mortgage, bills or recurring expenses such as cable TV, telephone service, credit card accounts, or appliances, among others
3. Automobile rental or purchase or purchase of any parts or accessories, auto maintenance or repairs

4. Purchase of household or personal goods such as furniture, beds, clothes, or shoes, among others
5. Payment or reimbursement for esthetic surgery
6. Payment or reimbursement related to personal or family travel for necessity or pleasure
7. Expenses due to or payments for an automobile, a house, an apartment, insurance, mortgage, credit cards, parties, or celebrations, among others
8. Payment for the cost of child care or the care of adults or pets
9. Costs associated with books, tuition, school, university fees related to sons and daughters, adolescents and adults
10. Costs associated with lawyer's fees in cases of divorce, child custody, or inheritance, among others

**7.21. Law Number 148, June 30, 1969, the Christmas Bonus Act of Puerto Rico, as amended**

(It will only apply to the San Juan campus and the Mayaguez University Center as well as any other Albizu University facility in the jurisdiction of Puerto Rico.)

*For employees hired before January 26, 2017 the above law will be applied as follows:*

Employees who have worked seven hundred (700) hours or more in a twelve (12) month period from October 1<sup>st</sup> of any year to September 30<sup>th</sup> of the following calendar year will receive a bonus equivalent to 6% of their salary up to a total maximum salary of ten thousand dollars (\$10,000) earned by the employees in that period of time.

*For employees hired after January 26<sup>th</sup>, 2017 the above law will be applied as follows:*

Regular employees who have worked one thousand three hundred fifty (1350) hours or more in a twelve (12) month period from October 1<sup>st</sup> of any year to September 30<sup>th</sup> of the following calendar year will receive a bonus equivalent of 2% of their salary up to a maximum salary of ten thousand dollars (\$10,000) earned by the employees in that period of time up to a maximum of six hundred dollars (\$600).

- During the first year of employment, the Christmas bonus will be two percent (2%) of the salary earned up to a maximum of three hundred dollars (\$300).

The University may credit against the payment of the Christmas bonus any other bonus previously paid for whatever reason to the employee during the year, provided the employee was notified in writing of the intention to credit any such prior bonus against the payment of the Christmas bonus required by law.

The granting of the Christmas bonus is required by law.

At its discretion the University may increase the amount of the bonus to the employees who are working at the time the bonus is granted, up to a maximum of 5% of their basic salary not to exceed one thousand five hundred dollars (\$1,500), depending on the Institution's fiscal viability.

## **8. TERMINATION/RESIGNATION OF EMPLOYMENT**

### **8.1. Separation from employment**

*Layoff* – It is separation from employment of a worker or group of workers for reasons other than suspension or dismissal.

#### *Resignation*

Resignation is a voluntary act initiated by the employee for separation from employment. Albizu University requires notification in writing at least 2 weeks in advance of the date of separation or as stipulated in the employment contract, for non-exempt and regular exempt personnel who are not under contract and who do not hold faculty or academic director positions. For contract employees, the terms are specified in their contract.

If a person resigns they may request continuing coverage under the group medical plan by paying the premium if the resignation qualifies under the provision of the federal law COBRA (*Consolidated Omnibus Budget Reconciliation Act*), or any other applicable legislation or regulation. If the former employee does not pay the premiums, a notification will be sent the first month; if payment is not forthcoming, coverage will be discontinued.

#### *Dismissal for Just Cause*

The dismissal is not motivated by unfairness or legally prohibited reasons. It is understood that to be dismissed for a just cause implies a behavior that affects the effective and normal operation of the Institution, including an inappropriate and disorderly pattern of conduct, deficient, faulty, unsatisfactory, poor and negligent performance at work, tardiness, non-compliance with security and quality norms and standards, low productivity, lack of competence or skill to carry out duties at a reasonable level, complaints by patients, visitors or coworkers, recurrent violations of these rules and/or any other regulations established by the Institution to accomplish its functions, among others. It is evident that this list is not exhaustive since it includes reasons established by law, regulations contained in this Manual, and those kinds of behavior which occasionally are identified as creating situations which affect the correct and effective operation of the University.

*Death, or disability of the employee* – beyond the job reserve period of time established by law

#### *Abandonment*

Not presenting oneself for work, voluntarily or involuntarily, for three (3) consecutive days, without notifying one's supervisor and/or the Office of Human Resources.

*Dismissal* – Involuntary separation from employment initiated by the University.

### **8.2. Exit interviews**

The University's Compensation and Benefits Specialist will coordinate an exit interview in the Office of Human Resources to discuss with the employee the reasons for the resignation and its effect on the employee benefits.

### **8.3. Management of child support (ASUME)**

In the San Juan campus and the Mayaguez University Center all sums owed to the employee will be delivered to the employee after verifying that there is no pending debt under ASUME. If there is a pending debt, the amount owed will be sent to ASUME and the remainder will be delivered to the employee.

### **8.4. Returning University property**

Upon separation, the employee is responsible for any article received from the University during the employment, or in possession or under the control, such as the following:

1. Computer, printer, fax, laptop, memory stick, or any other peripheral
2. Any other institutional property
3. Equipment
4. Tools
5. Books
6. Keys
7. Manuals
8. Written materials
9. Security passes
10. Credit cards
11. ID badge
12. Telephones, organizers, and cell phones
13. Uniforms

The employee separated from the position must settle all pending debts with the Library, Finance Department, and Administration Department. The employee should also return all Albizu University property in possession as soon as it is requested or at the actual time of separation.

After the employee's last working day, all vacation time accrued will be paid as part of the final paycheck which will be processed in the next payroll and received on the pay day established on the University calendar. In accordance with the applicable legislation and regulation, the employee will not be paid for unused sick leave at the time of separation. The employee will be notified in writing regarding any benefits that may continue after separation as well as the terms, conditions, and limitations of such extension.

## **9. VALIDITY AND AMENDMENTS**

### **9.1. Severability**

If as a result of an administrative or judicial procedure, a court ruling or a decision of a competent government agency, an article, clause or section of this Employee Manual should be declared void or found unconstitutional, or in conflict with relevant laws, these judgments will not invalidate the rest of the manual, which will remain in force with the exception of the affected clauses or sections.

## **9.2. Validity**

This manual will be in force thirty (30) days after its approval by the Board of Trustees and renders void any other prior disposition contrary to what is contained herein.

## **9.3. Amendments**

This Employee Manual may be amended by the Board of Trustees from time to time at the recommendation of the President or by their own initiative.