BOSTON UNIVERSITY

EMPLOYEE HANDBOOK

Policies For Non-Represented, Non-Faculty Personnel

Human Resources
25 Buick Street
Boston MA 02215

(Revised June 2012)

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PREFACE

The revised Employee Handbook incorporates the changes that have been made by the University, as well as changes that have been made in response to recent laws enacted by the Commonwealth of Massachusetts and the federal government. These revisions supersede previous versions of this Handbook.

The policy statements contained in this Handbook apply to regular employees who are not covered by a collective bargaining agreement and who are not members of the faculty. In specific terms, only regular, full- and part-time employees (those with assignment durations of nine months or more) are covered by the policy statements, including exempt administrative staff, exempt research staff, non-exempt administrative support staff, non-exempt research support staff, teachers, and non-faculty instructors.

The policies in this Handbook are to be administered in a consistent manner by supervisory personnel. If the employee works on the Charles River Campus, questions regarding the policies should be directed to the Human Resources Consultant responsible for the employee's department. Medical Campus employees with questions regarding these policies, or related matters, should contact Medical Campus Human Resources. Certain policies and procedures contained in this Handbook do not apply to teachers at the Boston University Academy and the exempt staff of the Sargent College Clinic.

THIS HANDBOOK IS NOT AN EMPLOYMENT CONTRACT AND DOES NOT ALTER THE AT-WILL STATUS OF ANY EMPLOYEE

The provisions of the Employee Handbook are informational and do not constitute an employment contract. Further, the provisions of this Employee Handbook are not conditions of employment and may be modified, revoked, or changed at any time by the University with or without notice. Questions regarding the policies should be directed to the Human Resources Consultant responsible for the employee's department. Medical Campus employees with questions regarding these policies, or related matters, should contact Medical Campus Human Resources. Certain policies and procedures contained in this handbook do not apply to teachers at the Boston University Academy and the exempt staff of the Sargent College Clinic.

Nothing contained in this Employee Handbook alters the term (duration) of employment of any employee. Unless covered by a specific employment agreement in writing approved by the appropriate Dean, Vice President, or higher level University official, all employees of the University are at-will employees, without a specific guaranteed term of employment, whose employment may be terminated at any time with or without cause and with or without notice. No written or oral representations to the contrary by hiring or supervisory personnel can alter the employee's status as an at-will employee, and any term of employment greater than one month's duration and any promise of renewal of employment must be in writing approved by the appropriate Dean, Vice President, or higher level University official.

SUBJECT: EMPLOYMENT POLICIES

EMPLOYMENT POLICIES

Boston University's employment policies govern the processes and activities that lead to the University's employment of the best qualified individuals. They establish the University's commitment to equal opportunity, affirmative action, non-discrimination, and reasonable accommodations and are consistent with applicable federal and state laws and regulations. The policies are listed below and the specific provisions are presented in the individual policy statements.

101 Equal Opportunity Policies

102 Recruitment, Interviewing, and Hiring

103 Employment of Aliens, Minors, Relatives, and Students

104 Employee Orientation

SUBJECT: EQUAL OPPORTUNITY POLICIES

101 EQUAL OPPORTUNITY POLICIES

101.1 Equal Opportunity Policy

http://www.bu.edu/eoo/policies-procedures/equal-opportunity/

101.2 Complaint Procedures for Cases of Alleged Unlawful Discrimination or Harassment

http://www.bu.edu/eoo/policies-procedures/complaint/

101.3 Reasonable Accommodation for Individuals with Disabilities

http://www.bu.edu/eoo/policies-procedures/disabilities/

101.4 Sexual Harassment Policy

http://www.bu.edu/eoo/policies-procedures/sexual-harassment/

101.5 Self-Identification of Disabled or Veteran Status

http://www.bu.edu/eoo/policies-procedures/disabled-veteran/

SUBJECT: RECRUITING, INTERVIEWING, AND HIRING

102 RECRUITING, INTERVIEWING, AND HIRING

Boston University's recruiting, interviewing, and hiring activities are conducted to ensure the employment of the best qualified individuals. These activities must be carried out in a manner consistent with the University's commitment to the principles of affirmative action and to ensure that minority group members, veterans, disabled individuals, and women are given equal opportunity for employment and promotion.

102.1 Recruiting

All recruiting efforts are coordinated by Human Resources. Only Human Resources is authorized to place recruitment advertisements or register position openings with employment agencies or search firms. Department Heads may not establish contractual arrangements with employment agencies or search firms. Any such arrangement must be approved and made by Human Resources.

All positions covered by this Handbook must be posted in the University's Job Opportunities listing for at least five (5) working days before an offer of employment can be extended, provided, however, that under certain special circumstances this requirement may be waived with the approval of the Chief Human Resources Officer of Human Resources or his designee.

All applicants must apply through Human Resources. This includes current employees applying for promotions or transfers within the University.

All applicants must fill out and sign a Boston University employment application.

102.2 Interviewing and Pre-employment Testing

Applicants who are interviewed by a hiring department may also be interviewed by Human Resources. This includes current employees applying for promotions or transfers within the University.

A current employee must inform his or her supervisor of his or her application for another position within the University at the time the employee schedules an interview in the hiring department.

Only Human Resources is authorized to administer employment tests.

102.3 Background Checks

To ensure a safe and productive workplace, Boston University conducts background checks on candidates being considered for employment in certain designated positions with the University. The background checks will include but are not limited to: a criminal history records check; Sexual Offender Registry Information (SORI) check; and verification of academic credentials, prior employment and the applicant’s social security number. If required or applicable for the position for which the applicant has applied, additional background checks may include: a Massachusetts Criminal Offender Record Information (CORI) check; credit history; verification of professional license and/or certification; driver’s license and record; healthcare fraud; professional references and fingerprinting.

Applicants for a position at Boston University will be asked to provide written authorization to allow for these background checks. The applicant will need to supply accurate information regarding his or her current and former places of residence. The applicant is entitled to see the results of all background checks and will be provided the opportunity to correct any inaccurate information contained therein. A background check is initiated only if significant interest

exists in an applicant's candidacy for the position to which the candidate has applied. All information is for employment purposes only. It is kept in strict confidence by Human Resources and is shared only on a need-to-know basis with the hiring supervisor.

102.4 Hiring

Employment references are to be obtained and reviewed before a final employment decision is made. Hiring departments are responsible for coordinating these activities with Human Resources. For an internal promotion or transfer to an exempt position, the hiring department must obtain a written reference from the candidate's current Boston University supervisor prior to an offer of employment being made by Human Resources.

The final decision on which candidate to hire is made by the hiring department in consultation with Human Resources.

Hiring departments are not authorized to extend either written or verbal offers of employment. Only Human Resources is authorized to extend an offer of employment.

Former Boston University employees may not be rehired without written authorization from the Chief Human Resources Officer of Human Resources.

102.5 Immigration Reform and Control Act (IRCA)

All new hires (employees hired after November 6, 1986) are required to produce proof of their identity and employment eligibility to their hiring managers as a condition of employment and in compliance with the Immigration Reform and Control Act (IRCA). This includes all full- and part-time, regular employees and all casual and temporary employees. The Employment Eligibility Verification Form (I-9 Form) must be completed for all new employees within three working days of the first day of work.

SUBJECT: FOREIGN NATIONALS, MINORS, RELATIVES, STUDENTS AND VOLUNTEERS AND VOLUNTEEERS

103 EMPLOYMENT OF FOREIGN NATIONALS, MINORS, RELATIVES, STUDENTS AND VOLUNTEERS

103.1 Employment of FOREIGN NATIONALS

Boston University's employment of foreign nationals is restricted to those who are authorized under law to accept employment in the United States.

As part of the employment process at Boston University**,** all employees including foreign nationals are required to complete the federal United States Citizen and Immigration Service Form I-9 (Employment Eligibility Verification Form). This form should be completed at the International Students and Scholars Office**,** no later than the end of the third day of employment.

103.2 Employment of Minors

No person under the age of fourteen (14) may be employed by Boston University.

Minors between fourteen (14) and sixteen (16) years of age must submit an employment permit issued by a local school authority to Human Resources at the time they apply for employment at the University.

Human Resources is responsible for ensuring compliance with federal and state laws concerning hours and conditions of employment for individuals between fourteen (14) and eighteen (18) years of age. Departments employing such individuals must consult with Human Resources when considering changes in hours of work and conditions of employment for such individuals.

103.3 Employment of Relatives

Boston University employees may refer friends and relatives to Human Resources for possible employment by the University. Such referrals are processed in accordance with the regular procedures used for all applicants. The employment of relatives who are qualified for employment at Boston University is subject to the following policy provisions.

Close relatives and members of the same household cannot be employed in positions where one has supervisory responsibility for the other or makes employment decisions pertaining to the other. Close relatives are defined as the employee's spouse, parents, parents-in-law, grandparents, brothers, sisters, brothers- or sisters-in-law, sons- or daughters-in law, uncles, aunts, nieces, nephews, children, or grandchildren.

In situations where two employees become close relatives by marriage and one has supervisory responsibility for the other or makes employment decisions pertaining to the other, one of the individuals will be required to effect a transfer or termination within ninety (90) days of the marriage.

Requests for exceptions to this policy must be approved by the Provost or the appropriate Vice President and submitted with written justification to the Chief Human Resources Officer of Human Resources before an offer of employment is extended.

An offer of full-time employment to a member of the immediate family of a trustee or officer or other selected employee or other representative is subject to prior review and approval by the President of the University.

103.4 Employment of Boston University Students

Boston University students who are enrolled as full-time students cannot be employed by the University in a regular, full-time position.

Boston University students who seek employment at the University must do so through the Student Employment Office.

103.5 Use of Volunteers

Boston University welcomes the assistance of volunteers who wish to help the University conduct its academic research, cultural, and athletic activities. However, use of volunteers must occur within the requirements imposed by the federal and state laws regulating employment and immigration and must be consistent with the University's risk management objectives.

A volunteer is an individual who willingly performs unpaid service for the University for civic, charitable or humanitarian reasons or to gain practical work experience. Volunteers must perform such services without promise, expectation or receipt of compensation, including future employment, deferred payment, or any other tangible benefit. Such services must be offered freely and without pressure or coercion, direct or implied from the University. Employees may not volunteer in units that employ them or in capacities that are substantially similar to their work roles. Volunteers may not be used to substitute for tasks normally performed by Boston University employees or in a way that would displace University employees. Volunteers may not be used to circumvent the University's hiring processes or requirements that govern to work authorization for foreign nationals. All volunteers must be supervised at all times to protect the University's interest and ensure a successful experience.

Any department wishing to utilize a volunteer must submit a Volunteer Request Form to Human Resources for approval. This form lists the specific tasks to be performed, all training requirements, and states the institutional representative responsible for supervising the volunteer. Human Resources will determine whether it is permissible to hire a volunteer for the particular task in question and whether the volunteer will be subject to a background check prior to volunteering. If the volunteer is a foreign national, Human Resources, with the assistance of the International Students and Scholars Office, will determine whether volunteering is consistent with the volunteer's immigration status.

After approval, the form must be countersigned by the volunteer and maintained in the department.

SUBJECT: EMPLOYEE ORIENTATION

104 EMPLOYEE ORIENTATION

Human Resources conducts Employee Orientation meetings to provide new employees with information on the University's history, facilities, programs, benefit plans, safety programs, and personnel policies and procedures. At these meetings, new employees are given an opportunity to enroll in employee benefit plans, obtain an employee University identification card or badge, and review the University Patent Policy and Agreement.

104.1 Attendance and Scheduling

All new employees are required to attend an Employee Orientation meeting within thirty (30) days of employment. Employees are to be afforded time away from work to attend their scheduled orientation meeting. Delays in attending an orientation may also delay the date that benefit plan coverage can be established for a new employee.

Human Resources, via the University's Employment offer letter, notifies each new employee and his or her supervisor of the date, time, and place of the employee's orientation meeting. In the event that the employee cannot attend that meeting, the supervisor is responsible for contacting Human Resources to reschedule the employee for attendance at the next orientation meeting.

104.2 University Identification

Boston University employees are required to carry or wear University identification while on University premises. A University identification card or badge is required for gaining access to University facilities and services, and obtaining certain discounts at the University bookstore and some area merchants.

University identification cards are issued to all employees by Human Resources on both campuses during the employee’s orientation meeting. While there is no charge for an employee's initial University identification card or badge, a fee is charged for replacements.

Employees are required to return their University identification card or badge upon termination of employment with Boston University.

104.3 Tuberculin Test

Boston University requires all new employees who are employed as health care workers and who provide services to patients to report to Boston University’s Occupational Health Center for tuberculin skin testing or screening with ten (10) days of hire.

104.4 Departmental Orientation

In addition to the orientation conducted by Human Resources, new employees are provided further orientation at the departmental level. In part, supervisors are responsible for assuring that each new employee is familiar with the role that the department plays in the functioning of the University and how his or her position contributes to the functioning of the department. In addition, it is expected that supervisors will review the following subjects with each new employee:

- the employee’s job duties and responsibilities;
- the operational policies and procedures of the department (e.g., lunch hours and reporting of absences including the use of sick and vacation time);

- the functions and activities of the department;
- the quality of services that the department is expected to provide to its clients (students, parents, visitors, and the public);
- the physical layout of the office, the building and immediate vicinity, and all other relevant work areas;
- the University Information Security Policy and Guidelines;
- environmental health and safety training; and
- other applicable departmental policies.

JOB-RELATED POLICIES

Boston University has eight (8) personnel policies that, for the purposes of this Handbook, are categorized as Job-Related Policies. They govern hours of work, attendance, promotions and transfers, employee grievance process, and several other job-related matters. The policies are listed below and the specific provisions are presented in the individual policy statements.

201 Hours of Work

202 Attendance

203 Promotions and Transfers

204 Termination Notices

205 Reduction in Workforce

206 Employee Grievance Process

207 Length of Service

208 Health and Safety

209 Performance Evaluation Program

201 HOURS OF WORK

201.1 Workweek

The regular workweek at Boston University may be thirty-five (35) hours, thirty-seven-and-one-half (37 1/2) hours, or forty (40) hours as established by the individual department. For the purpose of computing payroll, a workweek consists of seven (7) consecutive twenty-four (24) hour periods beginning at 12:01 a.m. on Monday and continuing through midnight the following Sunday.

During the employment process, applicants are informed of the number of hours in the regular workweek and anticipated variations caused by cyclical workloads in the hiring department. For exempt employees, the regular workweek represents the minimum hours that an employee is expected to work.

As part of the employee's job responsibilities, exempt staff may be required to work at special University/departmental events including but not limited to Commencement ceremonies**.**

Non-exempt staff who volunteer to work at special University/departmental events including but not limited to Commencement ceremonies will be paid the employee's regular hourly rate for all hours actually worked at the event. In addition, they will be paid one and one-half (1-1/2) times their regular hourly rate for all hours actually worked in excess of forty (40) hours during that workweek.

201.2 Meal Periods

Meal Periods are scheduled by supervisors to ensure proper staff coverage during the workday. For non-exempt employees, meal periods must be at least thirty (30) minutes long and employees must be completely relieved of all work duties during the period. Meal periods may not be scheduled during the first or last hours of a workday or combined with rest periods except with prior approval of the supervisor.

Meal periods for non-exempt employees are unpaid and not considered as time worked. However, if a non-exempt employee is required to work ten (10) or more hours on any given shift, the University will provide both a one-half (1/2) hour paid meal period and one (1) meal. The meal may be provided in kind or by giving the employee a reasonable cash meal allowance.

Boston University will not require an employee to work more than six (6) hours without an interval of at least thirty (30) minutes for a meal.

201.3 Rest Periods

Supervisors are expected to schedule non-exempt staff members for one (1) rest period of fifteen (15) minutes during each three-and-one-half (3 1/2) hour or four (4) hour period of work. Rest periods are paid time, counted as time worked and are non-cumulative. They may not be scheduled or taken during the first or last hours of a workday and may not be combined with meal periods except with prior approval of the supervisor.

201.4 Variations in Work Schedules

This policy provision applies to instances in which an individual's work schedule may be changed on either a temporary or ongoing basis. Such a change may result from workload variations in the employee's department or an employee's request for a change in work schedule for personal reasons. A change to an employee's work schedule must be authorized by the employee's Department Head.

Anticipated cyclical workload variations that will require a Department Head to change work schedules at specific times of the year should be communicated to job applicants during the departmental employment interview.

Employees whose work schedules must be changed on a temporary or ongoing basis for unanticipated reasons will be notified as far in advance as is practical under the conditions that resulted in the change. If an employee is unable or unwilling to make the change in work schedule, reasonable effort will be made to find the employee another position at Boston University.

Employees who desire a change in their work schedule for personal reasons must submit a written request to their supervisor. Supervisors are responsible for obtaining departmental approval of appropriate requests. Requests may be denied on the basis of departmental needs and other reasonable considerations. The departmental decision is communicated in writing to the employee.

Supervisors must notify Human Resources in writing of any approved change in work schedule.

201.5 Overtime

Non-exempt employees are compensated for hours worked in accordance with the provisions of the Fair Labor Standards Act. Employees are paid their regular hourly rate for all hours actually worked up to and including forty (40) hours during the workweek. Employees are also paid one-and-one-half (1-1/2) times their regular hourly rate for all hours actually worked in excess of forty (40) hours during the workweek. If an employee does not work on the day of an observed holiday but is paid for that day, his or her scheduled hours of work on the day of the observed holiday are counted as hours worked for the purpose of computing overtime payments. Paid Vacation, Sick, Personal Days and Intersession Days not worked are not counted as hours worked for the purpose of computing overtime.

As a condition of employment, employees are expected to work overtime as required by the operational needs of the University.

Overtime must be approved in advance by the employee’s supervisor.

Exempt employees are not subject to the overtime provisions of the Fair Labor Standards Act. Exempt employees are not entitled to overtime pay.

201.6 Salary Basis Requirement for Exempt Employees

To qualify as an exempt employee (i.e. meaning that the employee is exempt from the overtime provisions of the Fair Labor Standards Act) an employee generally must be paid at not less than $455 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees should be paid at least $455 on a salary basis or on an hourly basis at a rate not less than $27.63 an hour.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions set forth in the Fair Labor Standards Act, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If an employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If an exempt employee is ready, willing and able to work, deductions may not be made for time when work is not available.

It is policy of the University to prohibit improper deductions from the salary of exempt employees. Exempt employees who believe that they have been subject to an improper deduction should immediately inform their supervisor who shall take appropriate steps to investigate and resolve the complaint. Should the University determine that an improper deduction was made; the University will promptly reimburse the employee in the amount of the improper deduction.

201.7 Other Provisions

Supervisors are required by law to maintain complete and accurate records of the hours worked each day by the non-exempt employees they supervise. They are also responsible for ensuring that employees are properly compensated for all hours worked, including any overtime.

Supervisors must also maintain accurate attendance records for the exempt employees they supervise.

SUBJECT: ATTENDANCE

202 ATTENDANCE

Employees are required to report for work at their scheduled times and places unless they are on a scheduled absence from work or an emergency situation causes an unscheduled absence or tardiness.

202.1 Absences from Work

Section 300 of this Handbook defines authorized absences from work. In part, it establishes the request and approval processes for scheduled absences and the notification requirements for approved unscheduled absences such as Sick Leave. For an unscheduled absence, employees are required to personally notify their immediate supervisor as soon as possible of the absence but not less than one-half (1/2) hour after the start of the workday.

If an employee is absent from work for three (3) consecutive scheduled workdays and has not notified his or her supervisor of the unscheduled absence, the employee will be considered to have resigned voluntarily from the University.

Employees failing to return to work by the expected return date after an approved absence will be considered to have resigned voluntarily as of the date of the expected return. (See 312.7, 313.6, 314.7, 315.6)

202.2 Reporting for Work

Employees are expected to begin work on time and to return on time from meal and rest periods.

If an employee's arrival to work is to be delayed, the employee is expected to notify his or her immediate supervisor of the delay and the anticipated arrival time as soon as practicable.

202.3 Other Provisions

An employee whose attendance demonstrates either a consistent pattern of unscheduled absences (or tardiness) or excessive unscheduled absences (or tardiness) will be subject to disciplinary action.

Supervisors are responsible for maintaining complete and accurate employee attendance and tardiness records.

SUBJECT: PROMOTIONS AND TRANSFERS

203 PROMOTIONS AND TRANSFERS

Boston University encourages qualified employees to apply for open positions at Boston University that would advance their professional careers or broaden the scope of their work experience.

When an employee moves to another position at the University, the move is classified as either a promotion or a transfer. A promotion occurs when an employee moves to a position that is at a higher salary grade. A transfer occurs when an employee moves to a position that is at the same or lower salary grade.

203.1 Eligibility

Boston University employees who have successfully completed six (6) months of continuous service are eligible to apply for open positions. An employee who has worked in his/her current position for less than six (6) months may apply for open positions only with the written approval of his/her Department Head.

203.2 Special Provisions

Internal job applicants must apply for open positions through Human Resources and inform their supervisor of such action when an interview is scheduled with a hiring department (see Policy 102, Recruiting, Interviewing, and Hiring). Employees applying for non-exempt/hourly paid positions must submit a completed Promotion and Transfer Application to Human Resources. Employees applying for exempt positions must submit a recent résumé and letter of application to Human Resources.

A hiring department must obtain a written reference from the internal candidate's current supervisor before Human Resources may extend an offer of employment.

In general, if a qualified internal candidate and one (1) or more external candidates are relatively equal with respect to their qualifications, hiring preference will be given to the internal candidate provided that such action is consistent with the University's commitment to affirmative action.

A hiring department is expected to establish the effective date for an internal promotion or transfer in consultation with the employee's current supervisor.

203.3 Background Checks for Certain Promotions

Boston University seeks to have the best qualified employee in each position at the University. To ensure a safe and productive workplace, Boston University has adopted a set of procedures for conducting background checks on employees being considered for promotions to certain designated positions within the University. When these positions are posted, this requirement will be clearly delineated among the qualifications for the position. The background checks include but are not limited to a criminal history records check; Sexual Offender Registry Information (SORI) check; and verification of the academic credentials, prior employment and the employee’s social security number. If required or applicable for the position for which an employee is applying, additional searches may include: a Massachusetts Criminal Offender Record Information (CORI) check; credit history; verification of professional license and/or certification; driver’s license and record; healthcare fraud, professional references and fingerprinting.

Background checks are conducted with the employee’s written authorization and will require that the employee supply accurate information regarding his or her current and former places of residence. All information is kept in confidence by Human Resources and will be shared only on a need-to-know-basis with the

hiring supervisor. The employee is entitled to see the results of all background checks and will be provided the opportunity to correct any inaccurate information contained therein.

203.4 Salary Adjustments

Salary adjustments for promotions and transfers are made in accordance with the University's wage and salary guidelines. In general, an employee who is promoted to a position at a higher salary grade is eligible for a salary increase. An employee who transfers to a position at the same or lower salary grade is not eligible for a salary increase. When a transfer is to a position at a lower salary grade, the employee's salary rate may decrease.

203.5 Related Policy

102 Recruiting, Interviewing, and Hiring

SUBJECT: TERMINATION NOTICES

204 TERMINATION NOTICES

Since employment at Boston University is based upon mutual consent, the employment is at-will and either the employee or the employer is privileged to terminate employment at any time for any reason.

204.1 Employee Resignations

It is important for Boston University to have adequate advance knowledge of an employee's desire to terminate. An employee who decides to resign his or her employment with Boston University is required to notify his or her supervisor in writing of that decision and the effective date of that termination. All exempt employees are expected to provide notice at least one (1) month in advance of the effective date of the termination. All non-exempt employees are expected to provide notice at least two (2) weeks in advance of the effective date of the termination. The University may, at its sole discretion, accept or reject an employee's request to rescind or modify a letter of resignation.

204.2 Notification of Layoff

If it is necessary for Boston University to lay off an employee, the employee will be notified of the effective date of the layoff as far in advance as is practical under the prevailing circumstances. Such notice will normally be given at least one (1) month in advance of the effective date of the layoff.

204.3 Expiration of Grant and/or Contract Funded Position

Upon hire, Boston University employees whose positions are of limited duration (because they are funded from grants and/or contracts awarded to the University) are informed of that fact. Principal Investigators (grant or contract administrators) are responsible for informing employees of changes in funding that affect their employment at Boston University.

204.4 Related Considerations

Terminating employees are required to make arrangements to settle all outstanding University accounts prior to their last day of work. In addition, all terminating employees are required to return to the University all University property in their possession, including but not limited to their University identification card, University parking sticker, and all other University property (keys, books, tools, computers, computer software, etc.).

Employees who do not comply with the provisions of this policy jeopardize their good standing and may be subject to legal action by the University.

SUBJECT: REDUCTION IN WORKFORCE

205 REDUCTION IN WORKFORCE

In the event that it becomes necessary for Boston University to eliminate positions, the University will, whenever practical, eliminate open positions that result from employee turnover (attrition). Should the University find it necessary to reduce its workforce by eliminating filled positions, affected employees will be laid off in accordance with the provisions of this policy.

205.1 Notification of Layoff

If it is necessary for Boston University to lay off an employee, the employee will be notified of the effective date of the layoff as far in advance as is practical. Such notice will normally be given at least one (1) month in advance of the effective date of the layoff.

Employees are encouraged to use the notification period to explore other employment opportunities at Boston University. Special job placement assistance is provided by Human Resources to employees whose positions are designated for elimination.

205.2 Layoff and Recall

An employee who is designated for layoff and has not obtained another position at Boston University must choose between the following options prior to the layoff date: (a) layoff with the right to be recalled to the same job if it is reestablished within twelve (12) months of the date of layoff; and (b) severance with severance pay (if eligible) that completes the employee's separation from University employment. Employees who do not notify their Human Resources Consultant of the option they have selected by the required date will be presumed to have selected layoff.

An employee who has been laid off (retaining the above right to be recalled) may, if his or her position is reestablished during the twelve (12) month period, either return to the position or elect severance with severance pay. The selection of severance pay may affect the employee's eligibility for Unemployment Compensation.

An employee who has been laid off (retaining the right to be recalled) may elect severance with severance pay at any time during the twelve (12) month period provided that his or her position has not been reestablished.

205.3 Severance Pay

Employees whose positions have been eliminated and who have completed three months of continuous service are eligible for severance pay subject to 205.2 above. Severance pay is based on the employee's most recent date of hire and is pro-rated for a partial year. Severance pay is calculated at the rate of one (1) week's pay for each full year of continuous service at Boston University.

205.4 Related Provisions

Employees who have been notified of layoff may elect to continue participation in the University's group health care plans for up to eighteen months (or a period as provided by law) from the date of layoff by arranging to pay 102 percent of the cost of the coverage. Employees must contact the Benefits Section of Human Resources to make arrangements for continuation of health plan coverage. (Please refer to the *Faculty and Staff Benefits Handbook*.)

If an employee is laid off by the University and re-employed within one (1) calendar year, the University will credit the employee with whatever Continuous Service the employee had accumulated on the date of layoff. Credit for Continuous Service will not be given for time spent on layoff.

Employees who resign prior to the effective date of layoff may not be eligible for the provisions of the Reduction in Workforce policy.

SUBJECT: EMPLOYEE GRIEVANCE PROCESS

206 EMPLOYEE GRIEVANCE PROCESS

The employee grievance process is available to all employees who are subject to the provisions of this Handbook. However, this grievance process does not apply to and should not be used for complaints alleging unlawful discrimination or harassment, including sexual harassment. Boston University prohibits discrimination and harassment on the basis of race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, marital status, parental status, or veteran status. Any employee who believes that he or she has been subjected to unlawful discrimination or harassment should refer to *Complaint Procedures in Cases of Alleged Unlawful Discrimination or Harassment,* section 101.4.

Boston University is a large and complex institution whose most important asset is its employees. As such, Boston University supports essential lines of communication between employees and supervisors. It promotes prompt consideration of employee problems, misunderstandings, and complaints while providing sufficient time for fact-finding clarification. Through its employee grievance process, Boston University strives to ensure consistently fair and equal treatment of employee grievances.

206.1 Communications Between Supervisor and Employee (Step 1)

Boston University urges all employees to discuss openly and frankly their employment concerns, problems, or questions with their immediate supervisor. Supervisors are expected to foster and establish effective two-way communication with the employees they supervise. Effective communication between employees and their supervisors serves the best interests of both the employee and the University.

Most employment-related problems of an employee can be resolved through discussions between the supervisor and the employee. Therefore, supervisors are expected to provide employees with opportunities to fully and fairly discuss their problems. In resolving these problems, supervisors have to consider a variety of needs, including those of the University as a whole, the individual department, and the supervisor's own organizational area of responsibility. Under these considerations, there will be occasions when a supervisor cannot resolve a problem to the satisfaction of the employee. In such cases, the employee may appeal the matter to his or her Department Head. This would constitute the first of three (3) successively higher levels of administrative appeal that are available to employees under the following provisions.

206.2 Appeal to an Employee's Department Head (Step 2)

If an employee feels that the discussions with his or her supervisor have been inadequate or resulted in an unsatisfactory solution to the problem, the employee may initiate an appeal to his or her Department Head.

The employee begins the process by preparing a written statement that describes the problem, the supervisor's response to the problem, and the reason(s) for the employee's dissatisfaction with the supervisor's response. The written statement is sent by the employee to his or her Department Head with a copy to the supervisor and the appropriate Human Resources Consultant or the Director of Human Resources on the Boston University Medical Campus.

The employee's Department Head will promptly review the written statement and arrange a meeting with the employee to determine what action, if any, is advisable or required. Under normal conditions, the Department Head will make a decision and communicate that decision in writing to the employee within five (5) working days of the meeting.

Information regarding the appeal of the Step 2 decision may be obtained from the Human Resources Consultant in Human Resources.

206.3 Appeal to Academic Dean or Vice President (Step 3)

If the Department Head's decision does not resolve the problem to the satisfaction of the employee, the employee may appeal the matter to a higher level administrator within his or her organizational hierarchy. Employees in academic departments would appeal to the Dean of the college, while employees in administrative departments would appeal to an administrator (usually a Vice President) who is responsible for the unit in which their department is organizationally located.

This step in the University's grievance process requires the employee to prepare a written statement that describes the reason(s) for his or her dissatisfaction with the Department Head's decision. The statement is to include (as attachments) a copy of both the written statement that the employee previously sent to the Department Head and the Department Head's written response. The employee sends this material to the appropriate Dean or Vice President, with a copy to the Human Resources Consultant.

The Dean or Vice President to whom the appeal is sent will promptly review the written statement, investigate the issue, and arrange a meeting with the employee to determine what action, if any, is advisable or required. An employee may bring to this meeting a person of his or her choice to assist the employee in presenting his or her position. Under normal conditions, the Dean or Vice President will render a written decision to the employee within ten (10) working days of the meeting.

Information regarding the appeal of the Step 3 decision may be obtained from the Human Resources Consultant in Human Resources or the Director of Human Resources on the Boston University Medical Campus.

206.4 Appeal to a Review Board (Step 4)

If the decision of the Dean or Vice President does not resolve the problem to the satisfaction of the employee, the employee may choose to appeal the matter to a Review Board. The Review Board will consist of three (3) members of the University's administration, selected by the Provost or Executive Vice President. In addition, the Chief Human Resources Officer and, when appropriate, the Director of Equal Opportunity are ex-officio members of the Review Board.

An employee initiates this step with a written request to the Chief Human Resources Officer. The request should specify the reason(s) for the employee's dissatisfaction with the decision of the Dean or Vice President. It should include (as attachments) a copy of both the written statement that was previously sent to the Dean or Vice President and the written decision of the Dean or Vice President.

The Review Board will be established promptly, and arrangements will be made for the employee to meet with the board. The employee may bring to this meeting a person of his or her choice to assist the employee in expressing his or her position. The findings and recommendations of the Board will be subject to review by the President of the University. Under normal conditions, the written decision of the Board will be transmitted to the employee within ten (10) working days of the meeting.

The decision of the Review Board is final.

206.5 Related Provisions

The provisions of this policy are applicable to disputes involving the interpretation or application of Boston University personnel policies. The substantive provisions of the University's personnel policies are not subject to grievance under this grievance process policy.

Employees are paid at their base rate of pay for time spent actually participating in the grievance process proceedings held during their regularly scheduled work period.

All supervisory and non-supervisory employees are encouraged to contact their Human Resources Consultant if assistance is needed in resolving personnel problems. Human Resources will provide employees with information regarding the University's employee grievance process.

SUBJECT: LENGTH OF SERVICE

207 LENGTH OF SERVICE

Human Resources is responsible for determining the length of an employee's Continuous Service with Boston University and the length of his or her Total Service with the University or its affiliates. Continuous Service is based on the employee's most recent date of hire, while Total Service includes prior service as a regular full-time or regular part-time employee with the University. Continuous Service and Total Service are both measured in terms of months of service with the University.

207.1 Continuous Service

Continuous Service represents the number of months of service that an employee has completed since his or her most recent date of hire. It is the service criterion that applies to all policies except Service Recognition Awards.

Continuous Service with Boston University is not interrupted by an approved Leave of Absence. If an employee is laid off by the University and re-employed within one (1) calendar year, the University will credit the employee with whatever Continuous Service the employee had accumulated as of the date of layoff. Credit for Continuous Service will not be given for time spent on layoff.

Continuous Service with Boston University is interrupted by voluntary or involuntary terminations. However, an employee who voluntarily terminates employment with the University and is re-employed within one (1) calendar month may, with approval from Human Resources, be reinstated without interruption in his or her Continuous Service.

207.2 Total Service

Total Service represents the number of months of service that an employee has completed as a regular full-time or regular part-time employee with Boston University irrespective of service interruptions. It is used solely to determine eligibility for Service Recognition Awards.

207.3 Related Considerations

The Employee's official personnel record maintained by Human Resources is the source of the data used by Human Resources to perform length of service calculations.

Other service criteria may be used in the administration of Boston University's employee benefit plans. Employees should refer to the Faculty and Staff Benefits Handbook for the applicable length of service requirements and other eligibility requirements.

SUBJECT: HEALTH AND SAFETY

208 HEALTH AND SAFETY

Boston University endeavors to provide a safe and healthful environment for its employees, students, visitors, and other personnel while on University premises.

208.1 General Responsibilities

Supervisors are responsible for establishing procedures, practices, and programs that minimize the risk of personal injury to the employees that they supervise, as well as students, visitors, and other personnel who use University facilities and/or equipment under their control or jurisdiction. Supervisors are also expected to report immediately any potentially unsafe or hazardous condition to the Office of Environmental Health and Safety.

Employees are required to follow the procedures and practices that have been established for their safety and the safety of others. This includes but is not limited to the use of safety and environmental protection devices when required and adherence to procedures outlined in the Boston University Safety Emergency Instructions. Employees are expected to report immediately any potentially unsafe or hazardous condition to their supervisor.

208.2 Injury Sustained in the Course of Employment

Supervisors of employees injured in the course of employment are required to report immediately each such occurrence to the Office of Risk Management.

The forms that must be completed, reviewed, and returned to the Office of Risk Management can be found at the Risk Management website or them directly at bu.edu/risk.

The Office of Risk Management will review and monitor all reports of work-related injuries and will be responsible for obtaining any required medical documentation.

Employees who are injured in the course of employment and who are absent from work for such reasons are subject to and paid in accordance with the provisions of the Massachusetts Workers' Compensation Law. Employee absence during statutory waiting periods for Workers' Compensation may be charged to an employee's accrued Sick Leave. Employees will be paid under the Massachusetts Workers' Compensation Law for absences that occur after the statutory waiting periods have been satisfied. Employees may elect to use accrued Sick Leave to supplement their weekly Workers' Compensation benefits to the extent that the employee's total compensation does not exceed his or her regular pay (see Policy 302, Sick Leave).

Employees who are injured in the course of employment must be evaluated at the University's Occupational Health Center, located at 930 Commonwealth Avenue for employees at the Charles River Campus, or at Occupational Emergency Medicine located at 850 Harrison Avenue for employees at the Medical Campus. If the injury requires emergency treatment at a hospital, or if the injury occurs when the Occupational Health Center is closed, the employee must call the center within twenty-four (24) hours to schedule an appointment at the center.

Employees who witness a personal injury or an accident on University premises or at a University activity are expected to report promptly the incident to the Office of Risk Management. Employees who receive any form of communication, correspondence, or inquiry from any source concerning an observed injury or accident are expected to notify immediately the Office of Risk Management. Employees should not provide any oral or written statements or reports concerning an observed injury or accident to any attorney, investigator or other party without first contacting the Office of Risk Management.

208.3 Returning to Work Following a Work-Related Injury

Employees who are injured on the job may be provided with temporary job modifications to allow them to resume employment. The job modifications must be based on medical restrictions that are directly attributable to the injury. Most job modifications will be temporary in nature and can be made within the employee's own department.

Each request for a job modification will be handled on its own merits. Any modifications made will be monitored periodically with the goal of assisting the employee to resume his or her regular assignment as soon as medically possible.

208.4 Security and Crime Prevention

Personal safety and physical security are the shared responsibilities of every employee at Boston University. All supervisors and employees should be alert to security procedures, such as the care and custody of keys, the placement of valuables in areas where they could easily be stolen, the use of alarm systems, and the reporting of suspicious persons and activities. Employees should not approach suspicious persons; rather they should report all suspicious persons and incidents as soon as possible to the Boston University Police Department at 353-2121 on the Charles River Campus and 638-5000 on the Boston University Medical Campus.

The Boston University Police Department has a full-time Crime Prevention Unit available to assist departments in developing programs for personal safety and departmental security. The Crime Prevention Unit conducts security audits of facilities; presents educational programs in the area of personal safety, physical security, and crime prevention; and provides information and recommendations for promoting a safe environment. The Crime Prevention Unit at the Charles River Campus can be contacted at Boston University Police Headquarters, 617-353-2121. The Crime Prevention and Investigations Unit at the Boston University Medical Campus can be contacted at 617-638-6880.

In accordance with federal regulations, a copy of the Boston University Annual Security Report, which provides information about campus security programs and policies and relevant campus statistics for the past year, is available on the Boston University Police website.

208.5 Related Considerations

Supervisors are encouraged to contact the Office of Environmental Health and Safety and/or Human Resources for assistance in improving safety procedures, practices, and programs.

Employees with questions concerning any financial, legal, or other aspect of an occupational injury should direct such questions to the Office of Risk Management.

Supervisors and employees are encouraged to contact the Occupational Health Center for assistance with the prevention of occupational injuries and with treatment of occupational injuries when they occur.

Employees who are unable to report to work should be placed on Family and Medical Leave in accordance with the FMLA Policy

SUBJECT: PERFORMANCE EVALUATION PROGRAM

209

All vice presidents, deans, directors, department heads, managers, supervisors, administrators and support staff will receive a written performance evaluation from their immediate supervisors at least once a year.

A department or school may select to use the University's standardized performance evaluation program or utilize their own performance review process if the performance review form and procedures have been reviewed and approved by Human Resources.

A written performance evaluation form will be completed for each employee and on file prior to the executive approval of the annual salary review recommendations.

Written performance evaluation forms will be maintained in the employee's University personnel file.

An employee who would like to add comments to his or her written performance evaluation form may submit these comments in writing to his/her supervisor. These comments will become part of the employee's University personnel file.

AUTHORIZED ABSENCE FROM WORK

The sixteen (16) policies that constitute Boston University's authorized absences from work are listed below. Individual statements are provided for each policy. These statements define employee eligibility requirements, length of absence, compensation during the absence, and request and approval responsibilities. When applicable, the statements also define accrual rates, conditions of re-employment and other provisions of the policy. Each statement concludes by listing the other policy statements (related policies) that were cited in its text.

With the exception of those authorized deductions from pay permitted under the Fair Labor Standards Act, exempt employees will receive their full salary for any week in which they perform work for the University, and it is the policy of the University to prohibit improper deductions from the salary of exempt employees. Exempt employees who believe that they have been subject to an improper deduction should immediately inform their supervisor who shall take appropriate steps to investigate and resolve the complaint. Should the University determine that an improper deduction was made, the employee will be reimbursed in the amount of the improper deduction.

PAID ABSENCES*

301 Vacation Leave
302 Sick Leave
303 Personal Days
304 Maternity Leave
305 Sympathy Leave
306 Jury Duty Leave
307 Military Leave
308 Holidays
309 Compensatory Time Off
310 Intersession Closing
311 Emergency University Closing

UNPAID ABSENCES

312 Family and Medical Leave (FMLA)
313 Unpaid Time Off
314 Leave of Absence—Medical
315 Leave of Absence—Personal
316 Religious Holidays

*Paid absence over three days for qualifying events will be considered as Family and Medical Leave. Refer to Policy #312, Family and Medical Leave (FMLA)

SUBJECT: VACATION LEAVE

301 VACATION LEAVE

301.1 Definition

Vacation Leave is an authorized paid absence from work that employees accrue as a result of their employment at Boston University.

301.2 Eligibility

All regular, full-time employees and regular, part-time employees scheduled to work at least 50 percent of the regularly scheduled workweek are eligible upon hire to accrue and use Vacation Leave in accordance with the provisions of this policy.

301.3 Accrual

Eligible employees accrue Vacation Leave for each full calendar month of service completed at Boston University. Accruals are credited to employees on the first day of the month following each full calendar month of completed service. The following accrual rates are based on a regular, full-time workweek and a twelve-month assignment duration. They apply on a pro-rata basis to regular, part-time employees and other assignment durations.

		Vacation Days Accrued	
		Per Year	Per Month
1.	Full-Time, Non-Exempt Employees (paid weekly)		
	a. First twenty-four (24) months of service	10	5/6
	b. Beginning third (3rd) year – ninth (9th) year	15	1 1/4
	c. Beginning tenth (10th) year	20	1 2/3
2.	Full-Time, Exempt Employees (Paid Monthly) in Salary Grades 51 and 52, and 71 and 72.		
	a. First twenty-four (24) months of service	15	1 1/4
	b. Beginning third (3rd) year – fourteenth (14th) year	20	1 2/3
	c. Beginning fifteenth (15th) year	25	2 1/12
3.	Full-Time, Exempt Employees (Paid Monthly) in Salary Grades 53 through 60, and 73 and above.		
	a. First year – fourteenth (14th) year	20	1 2/3
	b. Beginning fifteenth (15th) year	25	2 1/12
4.	Regular, part-time employees accrue Vacation Leave as their full-time counterparts (see above) but on a pro-rata basis in accordance with their scheduled workweek and assignment duration.		

Eligible employees hired on or before the fifteenth (15th) of the month will be credited with a full month of service on the first day of the following month. Employees hired on or after the sixteenth (16th) of the month are not credited with a full month of service for that month and will not accrue a vacation day for that month as vacation accruals will begin the following month.

Eligible employees whose employment with the University is terminating must work through the fifteenth (15th) day of the month to be credited with a full month of service for that month.

Employees may accrue Vacation Leave to a maximum of the number of days that they would earn over a two (2) year period of employment at their current accrual rate. For example, an employee who is eligible to accrue 25 vacation days per year may not ever accrue more than 50 vacation days.

No Department or supervisor may allow accrual beyond this maximum under any circumstances.

Employees maintain their accrued Vacation Leave when they transfer from one position within the University to another.

Employees who terminate from the University with less than three (3) months of service are not eligible to receive payment for any unused accrued vacation.

301.4 Usage

Employees are eligible to use their accrued Vacation Leave after completing three (3) months of continuous service.

Employees are entitled to use Vacation Leave up to the number of Vacation Leave days that they have accrued. Vacation Leave may not be taken in advance of accrual.

301.5 Compensation

Employees maintain their regular pay and benefits while absent from work on approved Vacation Leave.

Employees who have no outstanding obligations to the University will be compensated for unused Vacation Leave at the time their employment with Boston University terminates, up to a maximum of the number of days that they would accrue over a two (2) year period. Terminating employees who have completed three (3) months or more of continuous service will be paid for their unused Vacation Leave. Payment will be computed using the employee's base rate of pay at the time of termination.

301.6 Requests and Approvals

Employees must submit a written request to their immediate supervisor at least two (2) weeks in advance of the desired Vacation Leave. The two (2) week requirement may be shortened in unusual situations.

Supervisors are responsible for obtaining departmental decisions and communicating them in writing to the employees. Approvals must clearly define the duration of the absence and the date the employee is expected to return to work. Department Heads are authorized to approve requests for Vacation Leave.

The University is exclusively vested with the right to make the ultimate determination as to when Vacation Leave will be scheduled and taken.

301.7 Other Provisions

If an observed holiday occurs during an employee's scheduled vacation, the day of observance is taken as Holiday Leave.

Supervisors are responsible for maintaining complete and accurate records of the Vacation Leave accruals for each employee under his or her supervision. Supervisors are also responsible for accurately reporting Vacation Leave usage on all documents submitted to the Payroll Office.

Upon request, employees are entitled to a written statement of their Vacation Leave accrual and usage. Such requests should be made to the employee's immediate supervisor, who is responsible for responding to the requests.

An employee who becomes ill while on an approved Vacation Leave may not apply Sick Leave to that period of illness.

301.8 Related Policies

302 Sick Leave
304 Maternity Leave
305 Sympathy Leave
312 Family and Medical Leave (FMLA)
313 Unpaid Time Off
314 Leave of Absence—Medical
315 Leave of Absence—Personal

SUBJECT: SICK LEAVE

302 SICK LEAVE

302.1 Definition

Sick Leave provides employees with an authorized paid absence from work for medical care, personal illness or injury, or the care of an ill member of the employee's immediate family. Immediate family members are the employee's spouse, parents, parents-in-law, grandparents, brothers, sisters, and children.

302.2 Eligibility

All regular, full-time employees and regular, part-time employees scheduled to work at least 50% of the regularly scheduled workweek are eligible upon hire to accrue and use Sick Leave in accordance with the provisions of this policy.

302.3 Accrual

Eligible employees accrue Sick Leave for each full month of service completed at Boston University. Accruals are credited to employees on the first day of the month following each full month of completed service.

The following accrual rates are based on a regular full-time workweek and twelve-month assignment duration. They apply on a pro-rata basis to regular, part-time employees.

1. Regular, full-time, non-exempt employees (paid weekly) accrue Sick Leave, upon hire, at the rate of one (1) day for each full month of service cumulative to 130 workdays (6 calendar months).

2. Regular, full-time exempt employees (paid monthly) in Salary Grades 51 and 52 and 71 and 72 accrue Sick Leave, upon hire, at the rate of one (1) day for each full month of service cumulative to 130 workdays (6 calendar months).

3. Regular, full-time exempt employees (paid monthly) in Salary Grades 53 through 60, and 73 and above, are granted 22 workdays (1 calendar month) of Sick Leave, upon hire, and accrue Sick Leave at the rate of 1.75 workdays for each full month of service cumulative to 130 workdays (6 calendar months). Employees who are promoted into Salary Grades 53 through 60, and 73 and above, who have less than 22 days of accrued sick leave will have their sick leave balance supplemented up to a maximum of 22 days. Employees who are promoted into these salary grades and who have 22 days or more of accrued sick leave will not be supplemented any additional days.

4. Regular, part-time employees scheduled to work at least 50 percent of the regularly scheduled work week accrue Sick Leave as their full-time counterparts (see above) but on a pro-rata basis.

Eligible employees hired on or before the fifteenth (15th) of the month will be credited with a full month of service on the first day of the following month. Employees hired on or after the sixteenth (16th) of the month are not credited with a full month of service for that month.

Employees maintain their accrued Sick Leave when they transfer from one position within the University to another.

No department or supervisor may authorize sick leave accrual beyond the amount allowed under this section.

302.4 Additional Sick Leave Awards

All employees, except those in Salary Grades 53 through 60, and 73 and above, who are eligible to accrue Sick Leave are also eligible to earn additional hours of Sick Leave by sufficiently conserving their Sick Leave usage over a complete calendar year. Additional hours earned over a complete calendar year will be credited to the employee's Sick Leave accrual on January 1 of the following calendar year.

The additional hours of Sick Leave that will be awarded to eligible employees based on their Sick Leave usage over a complete calendar year are listed below. The figures are based on a regular, full-time workweek for a twelve-month calendar year and apply on a pro-rata basis to regular, part-time employees.

Number of Sick Leave Days Taken in Calendar Year	Additional Sick Leave Hours Awarded
None	14 hours
1 day	10 hours
2 days	7 hours
3 days	5 hours
4 days	3 hours
5 days	1 hour
6 days or more days	0 hours

Employees may accrue a maximum of 130 workdays of Sick Leave. This represents the combined total of both the employee's regular monthly accruals and any additional hours of Sick Leave that may be awarded based upon the employee's Sick Leave usage.

302.5 Medical Evidence of Illness

At any time, the University has the right to require an employee to submit objective medical evidence that either establishes illness or establishes its expected duration and/or require a medical examination by a physician chosen by the University.

302.6 Usage

Employees are eligible to use their accrued Sick Leave after completing three (3) months of continuous service. During an employee's first three (3) months of service, time off that would normally be taken as Sick Leave will be taken as Unpaid Time Off. Non-exempt employees eligible for Personal Day absences may convert up to two (2) days of accrued Sick Leave to Personal Days each calendar year.

Employees are entitled to use Sick Leave up to the number of Sick Leave days that they have accrued. For non-exempt employees, Sick Leave converted to Personal Days will be counted as Sick Leave used. Employees who exhaust their accrued Sick Leave may request that additional absences that would normally be taken as Sick Leave be charged to their accrued Vacation Leave, available Personal Days or available Compensatory Time Off. Employees who exhaust their accrued Sick Leave, Vacation Leave, available Personal Days, and available Compensatory Time Off may request Unpaid Time Off or a leave of absence for additional absences that would normally be taken as Sick Leave.

302.7 Compensation and Benefits

Employees maintain their regular pay and benefits while absent from work on approved paid Sick Leave.

Employees are not compensated for unused Sick Leave at the time their employment with Boston University terminates.

Employees who are absent from work due to illness or injury sustained in the course of employment are subject to and paid in accordance with the provisions of the Massachusetts Worker's Compensation Law. Employee absences during statutory waiting periods for Worker's Compensation may be charged to an employee's accrued Sick Leave. Employees will be paid under the Massachusetts Worker's Compensation Law for absences that occur after the statutory waiting periods have been satisfied. Employees may elect to use accrued Sick Leave to supplement their weekly Worker's Compensation benefits to the extent that the employee's total compensation does not exceed their regular pay.

Non-exempt employees and exempt employees in salary grades 51, 52, 71, and 72 who remain medically incapacitated beyond 60 calendar days, and have exhausted their accrued Sick Leave, should consult Boston University's Short-Term Disability Plan to determine their eligibility under the plan.

302.8 Requests and Approval

Employees who are unable to report to work due to illness must personally notify their immediate supervisor as soon as possible not less than one-half (1/2) hour after the start of the workday. Employees who are absent for more than one (1) day must notify their supervisor on each day or at intervals requested by the supervisor.

Employees must request time off for scheduled medical or dental appointments, in writing, from their immediate supervisor at least three (3) workdays in advance of the desired time off. Time off for medical or dental appointments shall be charged to the employee's accrued Sick Leave. The three-day requirement may be shortened in emergency situations. Employees are generally expected to schedule medical and dental appointments for non-work hours. Supervisors are authorized to approve these requests and are responsible for communicating their decisions in writing to the employees.

302.9 Other Provisions

Supervisors are responsible for maintaining complete and accurate records of the Sick Leave accruals and usage for each employee under his or her supervision. Supervisors are also responsible for accurately reporting Sick Leave usage on all documents submitted to the Payroll Office.

Upon request, employees are entitled to a written statement of their Sick Leave accrual and usage. Such requests should be made to the employee's immediate supervisor, who is responsible for responding to such requests.

302.10 Related Policies

301 Vacation Leave
302 Personal days
309 Compensatory Time Off
312 Family and Medical Leave (FMLA)
313 Unpaid Time Off
314 Leave of Absence—Medical

SUBJECT: PERSONAL DAYS

303 PERSONAL DAYS

303.1 Definition

Personal Days provide employees with authorized paid absences from work for the purpose of attending to personal business and emergency situations.

303.2 Eligibility

All regular, full-time, non-exempt employees and regular, part-time, non-exempt employees scheduled to work at least 50 percent of the regularly scheduled workweek are eligible for Personal Day absences after completing three (3) months of continuous service.

Exempt employees are not eligible for Personal Days.

303.3 Number of Personal Days

Eligible employees are granted two Personal Days on January 1 of each calendar year. Personal Days do not carry forward or accumulate from one calendar year to the next. Eligible employees may also convert up to two (2) days of accrued Sick Leave to Personal Days each calendar year.

303.4 Compensation

Employees maintain their regular pay and benefits while absent from work on approved Personal Day absences.

303.5 Length of Leave

One-half (1/2) day is the minimum amount of time off that can be taken and charged to Personal Day absences.

303.6 Requests and Approval

Employees must submit a written request for Personal Day absences to their immediate supervisor at least 24 hours in advance of the desired time off. Supervisors are responsible for obtaining departmental decisions and communicating them in writing to the employees. All approvals must clearly define the duration of the absence and the date and time the employee is expected to return to work. Department Heads are authorized to approve requests for Personal Day absences.

303.7 Other Provisions

Unused Personal Days shall not be paid to an employee terminating, either voluntarily or involuntarily, from the University.

303.8 Related Policies

302 Sick Leave

SUBJECT: MATERNITY LEAVE

304 MATERNITY LEAVE

304.1 Definition

Maternity Leave provides eligible female employees with an authorized absence from work for pregnancy and/or childbirth or for the purpose of adopting a child under the age of 18 or under age 23 if the child is mentally or physically disabled.

304.2 Eligibility

All females who are regular, full-time employees or regular, part-time employees scheduled to work at least 50 percent of the regularly scheduled workweek are eligible for Maternity Leave after completing three (3) months of continuous service.

304.3 Length of Leave

Eligible females are entitled to a Maternity Leave of eight (8) weeks. If, in the case of pregnancy and/or childbirth, medical incapacitation extends beyond the eight (8) week period, an employee may request an extension of her Maternity Leave. In such cases, the total unpaid Maternity Leave period will not exceed six (6) months.

Employees who are not still medically incapacitated upon completing an eight (8) week Maternity Leave, but wish to take additional leave, are not eligible for a Maternity Leave extension. The additional time off must be requested in accordance with the policies on Vacation Leave, Personal Days, Unpaid Time Off, or Leave of Absence—Personal or Family and Medical Leave.

304.4 Evidence of Medical Incapacitation

At any time, the University has the right to require an employee to submit objective medical evidence that establishes either illness or its expected duration; and/or require a medical examination by a physician chosen by the University.

304.5 Compensation and Benefits

Employees on Maternity Leave for the purpose of adoption of a child under three years of age, must apply their available paid absences (accrued Vacation Leave, available Personal Days or available Compensatory Time Off) to an approved Maternity Leave period. The balance of the leave period will be taken as an unpaid absence.

Employees on Maternity Leave as a result of pregnancy and/or childbirth must apply their accrued Sick Leave to an approved Maternity Leave period. If an employee exhausts her Sick Leave before the end of the Maternity Leave period, she must apply her available paid absences (accrued Vacation Leave, available Personal Days or available Compensatory Time Off) to the balance of the Maternity Leave period. In the event that an employee uses all available paid absences before completing the Maternity Leave, the balance of the leave period will be taken as an unpaid absence. Non-exempt employees and exempt employees in salary grades 51, 52, 71, and 72 who remain medically incapacitated beyond 60 calendar days and have exhausted their accrued Sick Leave should consult Boston University's Short-Term Disability Plan to determine their eligibility for benefits under the plan.

Employees maintain their normal pay and benefits during all portions of a Maternity Leave that are taken as paid absences, i.e., charged to Sick Leave, Vacation Leave, Personal Days, or Compensatory Time Off.

While on an unpaid Maternity Leave or Short-Term Disability, employees are eligible to participate in the benefit programs as outlined in the Faculty and Staff Benefits Handbook: These programs include Health Plans, Disability Benefits, Survivor Benefits, Retirement Plans, and the Tuition Remission Program.

Vacation and Sick Leave Accruals—Employees do not accrue Vacation Leave or Sick Leave while on an unpaid Maternity Leave.

Holidays—Employees on an unpaid Maternity Leave are not eligible for holiday benefits when a holiday falls within the period of the leave.

Intersession—Employees on an unpaid Maternity Leave are not eligible for compensation during Intersession if an Intersession closing is declared and falls within the period of the leave.

304.6 Requests and Approvals

Maternity Leave (up to eight (8) weeks)—Employees must submit a written request for Maternity Leave to their immediate supervisor at least one (1) month in advance of the desired time off. The one (1) month requirement may be shortened in emergency situations. Employee requests must specify the requested start and end dates of the leave period. Employees requesting Maternity Leave for the purpose of adopting a child under three years of age, must provide appropriate documentation from the adoption agency.

An employee is responsible for submitting a completed Boston University Staff Request for Leave of Absence or Intermittent Leave form to his/her immediate supervisor. Copies of this form are available on the Human Resources website. Human Resources will be responsible for approving the leave and for notifying the employee in writing regarding the conditions and terms of the leave.

Maternity Leave Extensions—An employee on an approved Maternity Leave who wishes to extend the Maternity Leave beyond the eight (8) week period for reasons of medical incapacitation must submit a written request to her supervisor at least two (2) weeks in advance of the end date of the approved leave. Objective medical evidence that establishes continued medical incapacitation and its expected duration must be submitted with the employee's request for extended Maternity Leave.

Supervisors are responsible for forwarding requests for Maternity Leave extensions to the Department Head for the initial approval decision. Employees are to be informed in writing of requests that are not approved at the Department Head level. The final decision must be communicated in writing to the employee. The Director of Human Resources or designee is to be sent a copy of all final decisions at the time the employee is notified.

Other—Employees on an approved Maternity Leave who wish additional time off beyond the eight (8) week period but will not be medically incapacitated must submit a written request to their supervisor at least two weeks in advance of the end of the approved leave. The additional time off must be requested as and charged to the employee's available paid absences (accrued Vacation Leave or available Personal Days). If the employee has no available paid absences, the additional time off must be taken as Unpaid Time Off or a Leave of Absence for personal reasons.

Supervisors are responsible for forwarding such requests to the Department Head for the initial decision. Employees are to be informed in writing of requests that are not approved at the Department Head level. Human Resources will be responsible for approving the leave and for notifying the employee in writing regarding the conditions and terms of the leave.

304.7 Conditions of Re-employment

An employee who concludes her Maternity Leave within eight (8) weeks* is entitled to return to the same or similar position without loss of the employment benefits for which she was eligible on the date her leave commenced. An employee who is on an unpaid Maternity Leave for a period of between eight (8)* weeks and six (6) months shall receive every reasonable consideration by the University in returning to her original position or to a position of like responsibility and pay; however, the University cannot guarantee re-employment.

*Under certain circumstances, an employee may be eligible for a maternity leave of absence of up to twelve weeks. (Refer to Section 312, Family and Medical Leave.)

An employee who is on approved Maternity Leave is expected to give her supervisor written notification of intent to return to work. Notification must be received at least two (2) weeks in advance of the expected return date.

An employee who fails to return to work by the expected return date will be considered to have resigned voluntarily from the University.

304.8 Related Policies

301 Vacation Leave
302 Sick Leave
303 Personal Days
309 Compensatory Time Off
312 Family and Medical Leave (FMLA)
313 Unpaid Time Off
315 Leave of Absence—Personal

SUBJECT: SYMPATHY LEAVE

305 SYMPATHY LEAVE

305.1 Definition

Sympathy Leave is an authorized paid absence from work granted when a death occurs in an employee's immediate family. Immediate family members are the employee's spouse, parents, parents-in-law, sons-in-law, daughters-in-law, grandparents, grandchildren, brothers, sisters, children, and members of the same household.

305.2 Eligibility

All regular, full-time employees and regular, part-time employees are eligible upon hire for Sympathy Leave.

305.3 Length of Leave

Eligible employees may be granted up to three (3) days of Sympathy Leave for the death of an immediate family member.

305.4 Compensation and Benefits

Employees maintain their regular pay and benefits while absent from work on an approved Sympathy Leave.

305.5 Requests and Approvals

Employees should request Sympathy Leave from their immediate supervisor by informing him or her of the death and the number of days requested.

Supervisors are responsible for obtaining departmental decisions and communicating them in writing to the employees. Approvals must clearly define the duration of the absence and the date the employee is expected to return to work. Department Heads are authorized to approve requests for Sympathy Leave.

305.6 Other Provisions

Under special circumstances, an employee may require more than the three-day Sympathy Leave period. An employee may request additional time off from his or her supervisor. The additional time off must be charged to accrued Vacation Leave, available Personal Days, available Compensatory Time Off, or taken as Unpaid Time Off.

An absence from work in the event of the death of a person who is not an immediate family member will be charged to the employee's accrued Vacation Leave, available Personal Days, or taken as Unpaid Time Off. Employees must request such absences from their immediate supervisor. Supervisors are responsible for obtaining the departmental decisions and communicating them in writing to the employees.

305.7 Related Policies

301 Vacation Leave
303 Personal Days
309 Compensatory Time Off
313 Unpaid Time Off

SUBJECT: JURY DUTY LEAVE

306 JURY DUTY LEAVE

306.1 Definition

Jury Duty Leave is an authorized paid absence from work that enables University employees to complete compulsory jury duty service in an established federal or state court without sustaining financial loss.

Boston University encourages its employees to fulfill their civic responsibilities.

306.2 Eligibility

All regular, full-time employees and regular, part-time employees are eligible upon hire for Jury Duty Leave.

306.3 Length of Leave

Jury Duty Leave covers the full amount of time that an employee spends on compulsory jury duty.

306.4 Compensation and Benefits

While on an approved Jury Duty Leave, employees will be paid the difference between their regular pay and the amount paid by the court for jury duty, exclusive of any travel allowance. Employees are not eligible for payment if their jury duty pay exceeds their regular pay for the period of the leave. Employees maintain their regular benefits while absent from work on approved Jury Duty Leave.

306.5 Requests and Approval

Employees must submit a written request for Jury Duty Leave to their immediate supervisor at the time the notice is received from the court. A copy of the official notice of the court must be submitted with the request.

Supervisors are responsible for obtaining departmental decisions and communicating them in writing to the employees. Department Heads are authorized to approve requests for Jury Duty Leave.

306.6 Other Provisions

Upon completion of an approved Jury Duty Leave, an employee must submit to his or her supervisor the statement from the Clerk of the Court that confirms the jury duty service and details the employee's reimbursement from the court.

306.7 Related Policies

None

SUBJECT: MILITARY LEAVE

307 MILITARY LEAVE

307.1 Definition

Military Leave is an authorized absence from work that enables employees to fulfill military obligations as members of the United States Armed Forces (including National or State Guard) in accordance with the provisions of applicable federal and state laws.

307.2 Eligibility

All regular, full-time employees and regular, part-time employees who must fulfill military obligations in the United States Armed Forces are eligible upon hire for Military Leave.

307.3 Length of Leave

The length of a Military Leave is determined by the employee's military obligation. Military Leave will be granted for the period of time required under the provisions of applicable federal and state laws. This includes military reserve unit obligations of up to fifteen (15) calendar days in any one year.

307.4 Compensation and Benefits

Eligible employees will be paid the difference between their regular pay and the amount of military pay received from the government (exclusive of travel pay) for a maximum of eleven (11) workdays in a calendar year. Employees are not eligible for payment if their military pay exceeds their regular pay for the number of workdays involved in the leave.

Employees who are required to take more than eleven (11) workdays in a calendar year to fulfill their military obligations must charge the additional time off to Unpaid Time Off, or Leave of Absence—Personal. In such cases, employees are subject to the provisions of the individual policy statements to which the time is charged.

Reservists who are on active military duty will receive the difference between their regular pay and the amount of military pay received from the government (exclusive of travel pay) for a maximum of four (4) weeks for hourly paid employees and one (1) month for monthly paid employees.

Employees on approved absences to fulfill military obligations maintain their regular benefits provided that the absence is not taken as an unpaid leave of absence for personal reasons (see Leave of Absence—Personal). This applies to employees who are on "Unpaid Time Off" (less than ten consecutive workdays.

307.5 Requests and Approvals

Employees must submit a written request for Military Leave to their immediate supervisor at least two (2) weeks in advance of the requested time off. The two (2) week requirement may be shortened in unusual situations. Requests should contain a copy of the employee's official orders that define the purpose and dates of the military obligation.

Supervisors are responsible for obtaining departmental decisions and communicating them in writing to the employees. Approvals must clearly define the duration of the absence and the date the employee is expected to return to work. Department Heads are authorized to approve requests for Military Leave.

307.6 Other Provisions

Requests for military leaves of absence beyond fifteen days must be reviewed and approved by the Chief Human Resources Officer or designee.

Upon completion of an approved Military Leave, an employee must submit to his or her supervisor official evidence of military pay that details the employee's payment from the government.

Applicable federal and state laws govern Boston University's policy and conduct regarding military leaves.

307.7 Related Policies

301 Vacation Leave
303 Personal Days
309 Compensatory Time Off
312 Family and Medical Leave
313 Unpaid Time Off
315 Leave of Absence—Personal

SUBJECT HOLIDAYS

308 HOLIDAYS

308.1 Definition

Holiday Leave provides employees with authorized paid absences from work for the purpose of observing designated holidays. Boston University observes the following twelve (12) holidays:

1. New Year's Day
2. Martin Luther King Jr. Day
3. Presidents' Day
4. Patriots' Day
5. Memorial Day
6. Independence Day
7. Labor Day
8. Columbus Day
9. Veterans Day
10. Thanksgiving Day
11. Friday after Thanksgiving
12. Christmas Day

The specific dates on which the holidays will be observed are published each year in the University's official Schedule of Holidays and Intersession Days.

308.2 Eligibility

All regular, full-time employees and regular, part-time employees are eligible upon hire for Holiday Leave.

308.3 Compensation and Benefits

When a holiday observance falls on an employee's regularly scheduled workday and the employee does not work on that day, eligible employees will be paid for the holiday at the employee's regular rate of pay. Employees will not be paid when a holiday observance falls on the employee's scheduled day off and they do not work on that day.

Employees must work both the last scheduled workday preceding a holiday observance and the first scheduled workday following the holiday observance to be eligible for Holiday Leave unless they are on an authorized paid absence for those days.

Employees who are on an authorized paid absence (e.g., Sick Leave and Vacation Leave) for the last scheduled workday preceding a holiday observance and first scheduled workday following the holiday observance will be eligible for Holiday Leave on the day of the observance.

Employees who are on an unpaid absence from the University are not eligible for Holiday Leave.

Non-exempt employees who are required to work on a regularly scheduled University holiday shall be paid at the employee's regular straight-time pay for that day. In addition, they shall receive time-and-one-half (1-1/2) pay for all hours actually worked on that holiday or, alternatively, they may elect compensatory time off, calculated at regular straight-time rates, in the amount of one-and-one-half (1-1/2) hours off for each hour actually worked.

Exempt employees who are required to work on the day of an observed holiday will be eligible for Compensatory Time Off.

Employees maintain their regular benefits while absent from work on approved Holiday Leave.

308.4 Related Policies

301 Vacation Leave
302 Sick Leave
309 Compensatory Time Off
316 Religious Holidays

SUBJECT: COMPENSATORY TIME OFF

309 COMPENSATORY TIME OFF

309.1 Definition

Compensatory Time Off is an authorized paid absence from work which eligible employees earn for hours worked on observed holidays and Intersession Closing days or during emergency closings of the University.

309.2 Eligibility

All regular, full-time employees and regular, part-time employees are eligible upon hire to earn and use Compensatory Time Off in accordance with the provisions of this policy.

309.3 Earning Compensatory Time Off

All regular, non-exempt employees who are required to work on an Intersession Closing day or during an Emergency Closing of the University will earn one-and-one-half (1-1/2) hours of Compensatory Time Off for each non-overtime hour worked while the University is closed. They will also be paid in accordance with the University's standard pay policy for the total number of hours worked during that pay period. Compensatory Time Off is not earned for overtime hours worked. Non-exempt employees may elect compensatory time off, calculated at regular straight time rates in the amount of one-and-one-half (1-1/2) hours, for each hour actually worked on an observed holiday. (See Holidays policy.)

All regular, exempt employees who are required to work on an observed Holiday, an Intersession Closing day, or during an Emergency University Closing will be eligible for Compensatory Time Off.

309.4 Using Compensatory Time Off

Employees must use Compensatory Time Off within six (6) months of the day on which it was earned.

309.5 Compensation and Benefits

Employees maintain their regular pay and benefits while absent from work on approved Compensatory Time Off. Employees are not compensated for unused Compensatory Time Off at the time their employment with Boston University terminates.

309.6 Requests and Approvals

Employees must submit a written request for the use of earned Compensatory Time Off to their immediate supervisor at least one (1) week in advance of the desired time off. This one (1) week requirement may be shortened in unusual situations.

Supervisors are responsible for obtaining decisions and communicating them in writing to the employee. Approvals must clearly define the duration of the absence and the date the employee is expected to return to work. Department Heads are authorized to approve requests for Compensatory Time Off.

309.7 Other Provisions

Supervisors are responsible for maintaining complete and accurate records on the Compensatory Time Off accruals and usage of each employee under his or her supervision. Supervisors are also responsible for accurately reporting the usage of Compensatory Time Off on all documents submitted to the Payroll Office.

Upon request, employees are entitled to a written statement of their earned Compensatory Time Off and its usage. Such requests should be made to the employee's immediate supervisor, who is responsible for responding to such requests.

309.8 Related Policies

308 Holidays
310 Intersession Closing
311 Emergency University Closing

SUBJECT: INTERSESSION CLOSING

310 INTERSESSION CLOSING

310.1 Definition

Intersession is the period between Christmas Day and New Year's Day. Boston University's decision to observe or not to observe an Intersession Closing is made and announced at the start of each fiscal year. When the University observes an Intersession Closing, the specific dates of the closing are published in the University's official Schedule of Holidays and Intersession Days.

310.2 Eligibility

All regular, full-time employees and regular, part-time employees are eligible upon hire for the authorized absence provided by this policy.

Employees who work in essential service areas, including but not limited to University Police, Facilities, Management and Planning, the University Switchboard, and patient and animal care facilities, are expected to work during an Intersession Closing. Department supervisors should identify and inform employees who are considered to be essential personnel. These employees should be notified upon hire, and annually thereafter, that they are expected to report to work during Interession Closing unless otherwise notified.

310.3 Compensation and Benefits

Non-exempt employees who are required to work on an Intersession Closing day will be paid in accordance with the University's standard pay policy for the total number of hours worked during the week, and will earn one-and-one-half (1-1/2) hours of Compensatory Time Off for each non-overtime hour worked during the closing.

Intersession Days not worked are not counted as hours worked for the purpose of computing overtime.

Exempt employees who are required to work on an Intersession Closing day will be eligible for Compensatory Time Off.

All eligible employees maintain their regular pay and benefits while absent from work on observed Intersession Closing days.

310.4 Related Policies

308 Holidays
309 Compensatory Time Off

SUBJECT: EMERGENCY UNIVERSITY CLOSING

311 EMERGENCY UNIVERSITY CLOSING

311.1 Definition

This policy provides an authorized paid absence from work granted when the University's work schedule is shortened or canceled due to inclement weather or other emergency conditions that warrant the closing of the University.

311.2 Eligibility

All regular, full-time employees and regular, part-time employees are eligible upon hire for the authorized absence provided by this policy.

Employees who work in essential service areas, including but not limited to University Police, Facilities Management and Planning, Mail Services, Student Health Services, the University Switchboard, and patient and animal care facilities, are expected to work during Emergency University Closings. Department supervisors should identify and inform employees who are considered to be essential personnel. These employees should be notified upon hire, and annually thereafter, that they are expected to report to work during an Emergency University Closing.

311.3 Notification and Announcements

Unless specifically noted, announcements of Emergency University Closings exclude the Boston University Medical Campus.

Employees should consult Human Resources' fall notice on Emergency University Closing Announcements for a list of radio and television stations that broadcast University closing announcements.

Shortened Work Schedule—A decision to shorten the work schedule may be made and communicated to employees at any time during the workday.

Cancellation of Evening Work Schedules—When the University is to be closed in the evening, radio and television stations are notified by 3 p.m. under normal circumstances. The stations will announce the closing and specify the cancellation of evening classes and appropriate second- and third-shift operations.

Cancellations of Daytime Work Schedules — When the University's daytime work schedule is canceled, radio and television stations are notified by 6 a.m. under normal circumstances. Public announcements of the cancellation will normally be made by the broadcast media between 6 and 9 a.m.

Employees may call 353-SNOW (617-353-7669) to hear a recorded message regarding the closing or delayed opening of Boston University.

311.4 BU Alert System

BU Alert is an emergency notification system that will help ensure rapid and reliable mass communication to employees and students.

The messages that employees will receive via BU Alert will be notifications from the University concerning an emergency or critical incident on or near campus that may affect employees and students that is deemed significant enough by the University's Emergency Management and Response Team to warrant contacting employees directly to ensure their personal safety.

Employees will receive these messages through their general office main telephone numbers and via e-mail sent to their Boston University e-mail address. To ensure effectiveness of this system, employees are encouraged to provide the University with their cell phone number and a direct office phone number. This may be accomplished by going to the Employee Link on the Boston University website. A Kerberos account will be required to complete this action. All personal information will be kept confidential within Boston University and the BU Alert System.

311.5 Compensation and Benefits

When the University shortens its work schedule, eligible employees who have completed all other scheduled work hours in that workday will be paid at their regular rate for the period of time from the official closing time to the end of their regularly scheduled workday.

Non-exempt employees who are required to work during an Emergency Closing will be paid in accordance with the University's standard pay policy for the total number of hours worked during the week, and will earn one-and-one-half (1-1/2) hours of Compensatory Time Off for each non-overtime hour worked during the closing. At the discretion of the Department Head, the employee may receive one and one-half (1-1/2) times his or her base hourly rate for each non-overtime hour worked during such a closing, in lieu of Compensatory Time Off.

Exempt employees who are required to work during an Emergency University Closing will be eligible for Compensatory Time Off.

All eligible employees maintain their regular benefits while absent from work during an Emergency Closing of the University.

311.6 Other Provisions

During the winter months and periods of inclement weather, employees are expected to allow themselves extra commuting time so that they will arrive at work on schedule.

In unusually difficult weather conditions, the University may grant an arrival time grace period at the beginning of the workday. When this occurs, Human Resources will inform departments of both the length of the grace period and the compensation policy and procedures that apply to the period. A grace period will not normally exceed the first two hours of the employee's workday.

Employees who are absent from work because of inclement weather conditions when the University is not closed, must inform their supervisor of the absence at the start of the workday. Such absences must be charged to the employee's accrued Vacation Leave, available Personal Days, available Compensatory Time Off, or taken as Unpaid Time Off.

In unusual situations, it may be necessary for the University to temporarily close a work area due to environmental or other emergency conditions. In such cases, if employees cannot be reassigned to other work areas, the Department Head, with the concurrence of the Chief Human Resources Officer, may temporarily excuse the employees from work with pay.

311.7 Related Policies

301 Vacation Leave
303 Personal Days
309 Compensatory Time Off
313 Unpaid Time Off

312 FAMILY AND MEDICAL LEAVE (FMLA)

This policy incorporates the provisions of the Family and Medical Leave Act (FMLA) with policies and benefits that were available to eligible Boston University employees before the act was passed.

312.1 Definition

The Family and Medical Leave Act allows eligible employees to take a period of up to twelve weeks in a twelve-month period of job-protected leave under the following qualifying events:

- birth or care of a well newborn child or adoption of a child less than eighteen (18) years of age (unless a person over eighteen (18) is incapable of self care) or foster care placement of child with the employee;

- employee's own serious health condition; or

- care of a family member with a serious health condition

A "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. The "continuing treatment" test for a serious health condition under the regulations may be met through (1) a period of incapacity of more than three consecutive, full calendar days plus treatment by a health care provider twice, or once with a continuing regimen of treatment, (2) any period of incapacity related to pregnancy or for prenatal care, (3) any period of incapacity or treatment for a chronic serious health condition, (4) a period of incapacity for permanent or long-term conditions for which treatment may not be effective, or (5) any period of incapacity to receive multiple treatments (including recovery from those treatments) for restorative surgery, or for a condition which would likely result in an incapacity of more than three consecutive, full calendar days absent medical treatment.

- A qualifying exigency arising out of the employee's spouse, child, or parent's active duty (or notification of an impending call or order to active duty) in the National Guard or Reserves in support of contingency operations.

- A "qualifying exigency" under the Family and Medical Leave Act is defined as:

  - Short-notice deployment
  - Military events and related activities
  - Childcare and school activities
  - Financial and legal arrangements
  - Counseling
  - Rest and recuperation
  - Post-deployment activities
  - Additional activities

Each absence from work for the above-stated reasons will be considered as Family and Medical Leave and will count toward fulfillment of the twelve-week FMLA leave.

Service Member Family Leave

The Family and Medical Leave Act allows eligible employees to take up to 26 weeks of servicemember family leave in a twelve-month period for the following qualifying event:

- care for a spouse, child, parent or next of kin who is a covered servicemember recovering from a "serious injury or illness"

suffered in the line of active military duty.

The covered servicemember must be undergoing medical treatment, recuperation or therapy, is otherwise on outpatient status, or is on the temporary disability retired “list” for a serious injury or illness. The serious injury or illness must be one that renders the servicemember unable to perform the duties of his or her office, grade, rank or rating.

312.2 Eligibility

All regular full-time and regular part-time employees who work at least 1250 hours over the previous twelve months.

312.3 Length of Leave

Family and Medical Leave may be approved for a maximum of twelve weeks in a twelve-month period. For purposes of this policy, a “rolling” twelve-month period will be used, measured backward from the date an employee uses any family and medical leave.

In the case of the serious health condition of the employee or the employee’s family member, an employee may request leave for a continuous period, intermittent periods, or by a reduced work schedule, to a total of twelve weeks. Leave to care for a well newborn child or newly adopted child should normally be taken in continuous periods and must be taken within twelve months of the birth or placement of the child. Intermittent leave or reduced work schedules may be arranged only if agreed to and approved by the department supervisor.

312.4 Sick Leave Use

During the first eight weeks of Family and Medical Leave for female employees for the purpose of pregnancy and childbirth, available accrued Sick Leave will be applied. If the employee or the child remains medically incapacitated beyond the eight-week period, with approved medical documentation, available accrued Sick Leave will be applied.

All available accrued Sick Leave must be utilized during the period of Family and Medical Leave for the employee’s own serious illness. When available Sick Leave is exhausted, accrued Vacation Leave, available Personal Days, and available Compensatory Time Off must be utilized. When available paid absences are exhausted, the balance of the leave will be unpaid.

Employees may utilize available accrued Sick Leave for the care of an ill member of the immediate family (spouse, parents, children).

312.5 Vacation Leave, Personal Days, Compensatory Time Off Use

While on a Family and Medical Leave, and Sick Leave is not allowable, not available, or not selected, an employee must use accrued Vacation Leave, available Personal Days, and available Compensatory Time. When available paid absences are exhausted, the balance of the leave will be unpaid.

312.6 Requests and Approvals

When Family and Medical Leave is foreseeable, an employee must give thirty (30) days' notice; otherwise an employee must give as much notice as possible. The University has the right to designate absences as Family and Medical Leave for qualified events.

An employee is responsible for submitting a completed Boston University Staff Request/Notification for Leave form(HR form LOA) to his or her immediate supervisor. Copies of this form are available from the supervisor, Human Resources or the Human Resources website in the Forms section. The supervisor is responsible for forwarding this form to Human Resources. Human Resources will be responsible for approving the leave and for notifying the employee in writing regarding the conditions and terms of the leave.

When a leave is for a serious health condition for the employee, entitlement to the leave may be subject to medical verification concerning the medical condition of the employee.

When a leave is for a serious health condition for the employee's family member, entitlement to the leave may be subject to medical verification concerning the medical condition of the employee's family member and certification that the employee's presence is necessary or would be beneficial for the family member's care.

When a leave is for adoption or the foster care placement of a child, entitlement to the leave may be subject to the employee providing the University with appropriate documentation of the qualifying event.

When a leave is for a "qualifying exigency" sufficient certification must be provided:

- A copy of the covered servicemember's active duty orders
- Other documentation from the military certifying that the covered servicemember is on active duty (or has been notified of an impending call to active duty) in support of a contingency operation

Sufficient certification also includes any available written documentation that supports the need for leave including a copy of a meeting announcement for information briefings sponsored by the military, a document confirming an appointment with a counselor or school official, or a copy of a bill for services for the handling of legal or financial affairs.

312.7 Conditions of Re-employment

An employee on an approved Family and Medical Leave for twelve weeks or less is entitled to return to the same or similar position without loss of the benefits for which he or she was eligible on the date the leave commenced.

An employee who fails to return to work by the expected return date will be considered to have resigned voluntarily from the University.

312.8 Small Necessities Leave Act

In accordance with Massachusetts law, the University provides twenty-four (24) hours of "small necessities" leave in a twelve-month rolling period to all eligible employees for the purpose of:

1. Participating in school activities directly related to the educational advancement of a child of the employee; such as parent-teacher conferences or interviewing for a new school;
2. Accompanying a child of the employee to routine medical or dental appointments; or
3. Accompanying an elderly relative of the employee to routine medical or dental appointment or appointments for professional services related to the elder's care.

Employees are eligible for small necessities leave if they have completed twelve months of service prior to commencement of the leave and who work at least 50% of the regularly scheduled workweek in the twelve months prior to the leave and have not taken twenty-four hours of small necessities leave in the twelve months prior to the commencement of the leave.

When taking "Small Necessities Leave, an employee must use accrued Vacation Leave, accrued Sick Leave (where appropriate), available Personal Days and available Compensatory Time Off. When available paid absences are exhausted, the balance of the leave will be unpaid.

Employees are asked to give at least one week notice to their immediate supervisor if the need for this leave is foreseeable. If leave is unforeseeable, the employee must give as much notice as is practical under the circumstances. Departments may require that leave request be supported by certification.

312.9 Related Policies

301 Vacation Leave
302 Sick Leave
303 Personal Days
309 Compensatory Time Off
313 Unpaid Time Off
314 Leave of Absence—Medical
315 Leave of Absence—Personal

SUBJECT: UNPAID TIME OFF

313 UNPAID TIME OFF

313.1 Definition

Unpaid Time Off is an authorized absence from work without pay for ten (10) consecutive workdays or less, which may be granted for medical or personal reasons after an employee has exhausted his or her applicable Vacation Leave, Sick Leave, available Personal Days, and available Compensatory Time Off.

313.2 Eligibility

All regular, full-time employees and regular, part-time employees are eligible upon hire for Unpaid Time Off.

In cases of Unpaid Time Off that is requested for personal reasons, an employee's accrued Vacation Leave, available Personal Days, and available Compensatory Time Off must be fully used before the Unpaid Time Off commences.

In cases of Unpaid Time Off that is requested for medical reasons, an employee's accrued Vacation Leave, accrued Sick Leave, available Personal Days, and available Compensatory Time Off must be fully used before the Unpaid Time Off commences.

313.3 Length of Absence

Unpaid Time Off is granted only in whole-day increments. It may be granted for a single workday or a number of consecutive workdays up to a maximum of ten (10). Unpaid Time Off cannot be granted for more than ten (10) consecutive workdays. Unpaid absences of more than ten (10) days must be requested under a leave of absence policy.

313.4 Compensation and Benefits

With the exception of the Boston University Retirement Plan, employees maintain their regular benefits while absent from work on approved Unpaid Time Off. Since contributions to the Boston University Retirement Plan are based on employee earnings, Unpaid Time Off will reduce the employee and employer contributions to the plan. Employees are not paid for this absence. For additional information, please refer to the Faculty and Staff Benefits Handbook.

313.5 Requests and Approvals

Employees must submit a written request for Unpaid Time Off to their immediate supervisor at least 24 hours in advance of the desired time off. The written requirement may be waived in emergency situations.

Supervisors are responsible for obtaining departmental decisions and communicating them in writing to the employees. Approvals must clearly define the duration of the absence and the date the employee is expected to return to work. Department Heads are authorized to approve requests for Unpaid Time Off.

Approval decisions must take into consideration the staffing and budgetary needs of the department. Requests may be denied on the basis of these **or** other reasonable considerations.

313.6 Other Provisions

An employee may request more than one period of Unpaid Time Off during a fiscal year. However, during any one fiscal year, an employee will not normally be granted more than a total of ten (10) days of Unpaid Time Off.

Employees who are absent from work without approval of their supervisor may be subject to discipline and discharge. Such absences will be taken as Unpaid Time Off.

Upon returning to work from Unpaid Time Off that was granted for medical reasons, an employee is expected to provide a doctor's certificate that establishes the employee's fitness for work.

An employee who fails to return to work by the expected return date may be considered to have voluntarily terminated from the University.

313.7 Related Policies

301 Vacation Leave
302 Sick Leave
303 Personal Days
309 Compensatory Time Off
312 Family and Medical Leave (FMLA)
314 Leave of Absence—Medical
315 Leave of Absence—Personal

SUBJECT: LEAVE OF ABSENCE—MEDICAL (UNPAID)

314 LEAVE OF ABSENCE—MEDICAL (UNPAID)

314.1 Definition

A leave of absence for medical reasons is an authorized absence from work without pay for a consecutive period of time between eleven (11) workdays and three (3) calendar months that may be granted after an employee has exhausted his or her Vacation Leave, Sick Leave, available Personal Days, and available Compensatory Time Off.

Non-exempt employees and exempt employees in salary grades 51, 52, 71, and 72 who have exhausted their accrued Sick Leave should consult Boston University's Short-Term Disability Plan to determine their eligibility for benefits under the plan.

Female employees requiring time off for medical reasons related to pregnancy should consult the Maternity Leave policy.

314.2 Eligibility

All regular, full-time employees and regular, part-time employees scheduled to work at least 50% of the regularly scheduled workweek are eligible for this leave of absence after completing three (3) months of continuous service.

An employee's accrued Vacation Leave, accrued Sick Leave, available Personal Days, and available Compensatory Time Off must be fully used before the leave commences.

314.3 Length of Leave

A Leave of Absence for medical reasons is granted only in consecutive whole-day increments. The period of leave cannot be less than eleven (11) consecutive workdays nor more than three (3) consecutive calendar months. A leave of absence for medical reasons cannot be granted for less than eleven (11) consecutive workdays (see Unpaid Time Off policy).

A maximum of two (2) consecutive three-month leaves of absence may be granted in unusual circumstances. Each leave must be requested separately and the combined total period of leave cannot exceed six (6) calendar months.

314.4 Medical Evidence of Illness

At any time, the University may require an employee to submit objective medical evidence that either establishes its expected duration, and/or require a medical examination by a physician chosen by the University.

314.5 Compensation and Benefits

Employees are not paid while on an approved leave of absence unless they are deemed eligible for Short-Term Disability benefits**.** Eligible employees may be able to receive income under the Short-Term Disability and Long-Term Disability Plans. The Benefits Section of Human Resources can assist employees with these benefits.

Vacation and Sick Leave Accruals—Employees do not accrue Vacation Leave or Sick Leave while absent from work on unpaid approved leave of absence.

Holidays—Employees on an unpaid approved Leave of Absence are not eligible for holiday benefits when a holiday falls within the period of the leave.

Intersession—Employees on an unpaid approved Leave of Absence are not eligible for Intersession if an Intersession Closing is declared and falls within the period of the leave.

314.6 Requests and Approvals

Employees must submit a written request for the Leave of Absence to their immediate supervisor at least one (1) month in advance of the desired time off. The one (1) month requirement may be shortened in emergency situations. Employee requests must specify the reason for the leave and the specific dates of the leave period.

Supervisors are responsible for forwarding Leave of Absence requests to the Department Head for the initial decision. Employees are to be informed in writing of requests that are not approved at the Department Head level. Requests that are approved at the Department Head level must be forwarded to the Provost or the appropriate Vice President for the final decision. The final decision must be communicated in writing to the employee. The Chief Human Resources Officer is to be notified in writing of the final decision at the time the employee is notified.

A Leave of Absence for medical reasons will be approved only if it is expected that the employee will return to his or her position when the leave is completed. Exceptions to this requirement may be made in unusual circumstances.

Approval decisions must take into consideration the staffing and budgetary needs of the department. Requests may be denied on the basis of these or other reasonable considerations.

314.7 Conditions of Re-employment

An employee on an approved Medical Leave of Absence is entitled to return to the same or similar position without loss of the employment benefits for which he or she was eligible on the date the leave commenced.

If an approved Leave of Absence is for a period of one (1) month or longer, the employee must give his or her supervisor written notification of intent to return to work. Notification must be received at least two (2) weeks in advance of the expected return date.

Upon returning to work, an employee is expected to provide a doctor's certificate that establishes the employee's fitness for work.

An employee who fails to return to work by the expected return date will be considered to have resigned voluntarily from the University.

314.8 Maximum Period of Medical Leave (Paid or Unpaid, Including FMLA and Short Term Disability)

An employee may be absent from work for medical reasons on approved paid or unpaid leave and inclusive of any leave covered by the Family and Medical Leave Act or Short-Term Disability, for a maximum period of six (6) months. The employee must then either return to his or her position or be terminated.

Exceptions to this policy include:

(1) Employees who have applied for Long-Term Disability and are waiting for decision; and

(2) Employees with disabilities who request and are granted a specific additional period of approved medical leave as a reasonable accommodation.

314.9 Related Policies

301 Vacation Leave
302 Sick Leave
303 Personal Days
304 Maternity Leave
309 Compensatory Time Off
312 Family and Medical Leave (FMLA)
313 Unpaid Time Off

SUBJECT: LEAVE OF ABSENCE—PERSONAL (UNPAID)

315 LEAVE OF ABSENCE—PERSONAL (UNPAID)

315.1 Definition

A Leave of Absence for personal reasons is an authorized absence from work without pay for a consecutive period of time between eleven (11) workdays and three (3) calendar months, which may be granted after an employee has exhausted his or her Vacation Leave, available Personal Days, and available Compensatory Time Off.

315.2 Eligibility

All regular, full-time employees and regular, part-time employees scheduled to work at least 50% of the regularly scheduled workweek are eligible for this leave of absence after completing one year of continuous service.

An employee's accrued Vacation Leave, available Personal Days, and available Compensatory Time Off must be fully used before the leave commences.

315.3 Length of Leave

A Leave of Absence for personal reasons is granted only in consecutive whole-day increments. The period of leave cannot be granted for less than eleven (11) consecutive workdays nor more than three (3) consecutive calendar months (see Unpaid Time Off policy).

A maximum of two (2) consecutive three-month leaves of absence may be granted in unusual circumstances. Each leave must be requested separately and the combined total period of leave cannot exceed six (6) consecutive calendar months.

315.4 Compensation and Benefits

Employees are not paid while on an approved leave of absence. For additional information, please refer to the Faculty and Staff Benefits Handbook.

Vacation and Sick Leave Accruals—Employees do not accrue Vacation Leave or Sick Leave while absent from work on approved unpaid leave of absence.

Holidays—Employees on an approved unpaid Leave of Absence are not eligible for holiday benefits when a holiday falls within the period of the leave.

Intersession Closing—Employees on approved unpaid Leave of Absence are not eligible for Intersession if an Intersession Closing is declared and falls within the period of the leave.

315.5 Requests and Approvals

Employees must submit a written request for the leave of absence to their immediate supervisor at least one (1) month in advance of the desired time off. The one (1) month requirement may be shortened in emergency situations. Employee requests must specify the reason for the leave and the specific dates of the leave period.

Supervisors are responsible for forwarding Leave of Absence requests to the Department Head for the initial decision. Employees are to be informed in writing of requests that are not approved at the Department Head level. Requests that are approved at the Department Head level must be forwarded to the Provost or the appropriate Vice President for the final decision. The final decision must be communicated in writing to the employee. The Chief Human Resources Officer of Human Resources is to be notified in writing of the final decision at the time the employee is notified.

A leave of absence for personal reasons will be approved only if it is expected that the employee will return to his or her position when the leave is completed. Exceptions to this requirement may be made in unusual circumstances.

Approval decisions must take into consideration the staffing and budgetary needs of the department. Requests may be denied on the basis of these or other reasonable considerations.

315.6 Conditions of Re-employment

An employee on an approved Personal Leave of Absence for eight (8) weeks or less is entitled to return to the same or similar position without loss of employment benefits for which he or she was eligible on the date the leave commenced. An employee who is on an approved leave for a period of between eight (8) weeks and six (6) months shall receive every reasonable consideration by the University in returning to his or her original position or to a position of like responsibility and pay; however, the University cannot guarantee re-employment.

If an approved Leave of Absence is for a period of one (1) month or longer, the employee must give his or her supervisor written notification of intent to return to work. Notification must be received at least two (2) weeks in advance of the expected return date.

An employee who fails to return to work by the expected return date will be considered to have resigned voluntarily from the University.

315.7 Related Policies

301 Vacation Leave
303 Personal Days
309 Compensatory Time Off
312 Family and Medical Leave (FMLA)
313 Unpaid Time Off

SUBJECT: RELIGIOUS HOLIDAYS (UNPAID)

316 RELIGIOUS HOLIDAYS

316.1 Definition

Employees may be granted approved time off from work to observe their religious holidays which do not coincide with the holidays that are officially observed by Boston University. Such time off will be charged to the employee's accrued Vacation Leave, available Personal Days, available Compensatory Time Off, or taken as Unpaid Time Off.

316.2 Eligibility

Employees must meet the eligibility requirements of the specific type of leave to which the absence will be charged, i.e., Vacation Leave, Personal Days, Compensatory Time Off, or Unpaid Time Off.

316.3 Compensation and Benefits

Employees maintain their regular pay and benefits when the absence is charged to their accrued Vacation Leave, available Personal Days, or available Compensatory Time Off. Employees maintain their regular benefits but receive no pay when the absence is taken as Unpaid Time Off.

316.4 Requests and Approvals

Employees must submit a written request to their immediate supervisor at least one (1) week in advance of the desired time off. The request must specify the date of the requested absence and the type of leave to which the absence would be charged.

Supervisors are responsible for obtaining departmental decisions and communicating them in writing to the employees. Approvals must clearly define the date of the absence and the type of leave to which the absence will be charged. Department Heads are authorized to approve requests for time off that pertain to this policy.

Approval decisions must take into consideration the staffing and budgetary needs of the department. Requests may be denied on the basis of these or other reasonable considerations.

316.5 Related Policies

301 Vacation Leave
303 Personal Days
308 Holidays
309 Compensatory Time Off
313 Unpaid Time Off

SUBJECT: GENERAL POLICIES

GENERAL POLICIES

Boston University has several personnel policies that, for the purposes of this Handbook, are categorized as General Policies. They include policies that govern and establish guidelines for employee conduct in several areas. The policies are listed below, and the specific provisions are presented in the individual policy statements.

401 University Rules of Conduct

402 Conflict of Interest

403 Patent Policy

404 Solicitations and Distributions

405 Copyright Policy

SUBJECT: UNIVERSITY RULES OF CONDUCT

401 UNIVERSITY RULES OF CONDUCT

401.1 Professional Standards of Conduct

All Boston University employees, while on University premises or while representing the University, are required to conform to professional standards of conduct. Professional standards of conduct presume that employees will not engage in conduct inimical to the interests of the University or that interfere improperly with the rights of other persons, their property, or the property of the University. Failure to adhere to professional standards of conduct or engaging in unacceptable behavior may be subject to disciplinary action, including discharge. Failure to adhere to professional standards of conduct or engaging in unacceptable behavior may include, but are not limited to, warning, reprimand, and suspension with or without pay for a period of one or more days, demotion, or termination of employment. Other sanctions may also be imposed.

Outlined below are specific examples of unacceptable employee conduct that have a direct bearing on the work environment and the general interests of the University.

1. Unauthorized access, use, or release of confidential data.

2. Unauthorized use of University-owned or leased property for the conduct of personal business**,** including unauthorized use of University credit cards or use of University funds for personal expenses**.**

3. Any action that would place the interests of an employee in conflict with the interests of Boston University, including accepting or offering a gift to influence any matter in which the University has an interest.

4. Illegal use, possession, or sale of controlled substances.

5. Possession or use of a weapon or firearm (except for duly licensed law enforcement personnel).

6. Violent behavior in any form, including threats.

7. Theft of University property, including data or intellectual property.

8. Harassing behavior of any kind toward staff, faculty, students, applicants, visitors, or other persons having official business at Boston University.

9. Misrepresentation or falsification of University documents or information provided to the University.

10. Illegal conduct occurring outside the workplace that bears upon the employee's fitness for employment at the University.

11. Inappropriate or unauthorized use of the University's computing resources.

For emphasis, the above items are specific examples of unacceptable employee conduct. The list is not intended to be comprehensive, and other actions of similarly serious nature will be deemed to be unacceptable employee conduct.

401.2 **Sexual Harassment Policy**

http://www.bu.edu/eoo/policies-procedures/sexual-harassment/

401.3 Code of Ethical Conduct

Boston University is committed to the highest standards of honesty and integrity in all its activities. This includes, among other concerns, the following:

- Avoiding conflicts of interest and commitment
- Dealing with others honestly and in good faith
- Preserving confidentiality
- Compliance with applicable laws, rules and regulations
- Timely and accurate public disclosures

Vice presidents, Deans, Directors, Department Heads and other supervisors are responsible for fostering respect for the values embodied in the Code and for promoting compliance with it. The University encourages employees who have questions or concerns about their obligations under the code, possible illegal or unethical behavior, or non-compliance with University policy to speak with their supervisors or a member of the Compliance Committee. Please note that the Code is not intended to replace, and may be supplement by, specific University policies that have been adopted in the past and that may be adopted in the future.

A feature of the Code of Ethical Conduct is the availability of a confidential reporting "hotline" operated by EthicsPoint, an independent reporting service. Information concerning the hotline and related policies and procedures may be found at http://www.bu.edu/ethics/. Complaints may be filed anonymously through the website, by letter, or by telephone.

Related Policies

204 Termination Notices
206 Employee Grievance Process

SUBJECT: CONFLICT OF INTEREST

402 CONFLICT OF INTEREST

402.1 General Policy

Boston University employees covered by this Handbook are required to avoid ethical, legal, financial, or other conflicts of interest and to ensure that their activities and interests do not conflict with their obligations to the University or its welfare. A conflict of interest may exist if an employee or a member of the employee's immediate family has a financial interest that conflicts with the interests of the University.

An employee who encounters a personal interest that may have the potential of conflicting with the interests of the University is required to discuss immediately the matter with his or her supervisor. Supervisors are responsible for notifying the University's Office of General Counsel of conflict-of-interest situations.

Designated employees are required to comply with additional policies adopted by the Trustees of Boston University.

402.2 Consulting, Outside Employment, and Financial Interests

Boston University employees covered by this Handbook may not engage in any outside consulting or employment that conflicts with the interests of the University. Employees are required to fulfill successfully the responsibilities of their position, and any external employment activity that results in neglect of the employee's job responsibilities is inappropriate.

Employees covered by this Handbook must obtain written approval from their Department Head to engage in any outside consulting activity or employment that may involve a conflict of interest. Boston University reserves the right to require employees to submit an external activity report covering any outside employment activity. Key employees may be required to disclose specific information on outside activities that may involve a conflict of interest.

402.3 Additional Employment with Boston University

Boston University employees will not be offered additional employment with the University without written approval of both the employee's Vice President or Provost and Human Resources. This policy applies to full- and part-time employees wishing to hold a second job with the University, including the teaching of University courses for additional compensation. Such cases have to be reviewed carefully to ensure compliance with the provisions of the Fair Labor Standards Act. For example, non-exempt employees cannot be regularly scheduled to work in excess of forty hours per week without prior authorization.

402.4 Solicitation and Acceptance of Personal Gifts

Boston University is committed to the highest standards of honesty, integrity, and fairness in both actuality and appearance. Consistent with this commitment, University employees and members of their immediate families are prohibited from soliciting any personal gift, gratuity, favor, service, or other benefit (collectively, a "gift") from individuals or companies seeking any advantageous action by, or relationship with, the University.

The acceptance of a personal gift, even if unsolicited, is also prohibited in most instances. A gift valued in excess of $50 or of undetermined value, unless employed for a University purpose or shared widely within the University or a unit thereof, must be declined or returned immediately. Multiple gifts from a single source in any calendar year are prohibited. Gifts of promotional items without

significant value that are routinely distributed by vendors to clients, and courtesy copies of professional printed matter, may be accepted. However, employees

are prohibited from accepting gifts of money or their equivalent, regardless of the amount, at any time.

Employees are prohibited from accepting a vendor's offer to pay for travel to and/or attendance at a conference, business meeting, or similar function without the prior written approval of the President, Provost, or Executive Vice President.

Customary business dealings involving payment for a meal or local entertainment are acceptable, provided that they are not excessive in frequency or amount and do not otherwise create the appearance of impropriety.

Employees involved in awarding or administering grants or contracts using federal or other government funds are prohibited by law from soliciting or receiving gratuities, favors, or anything of monetary value from current or potential contractors or sub-contractors.

Supervisors are responsible for ensuring that this policy is communicated to and understood by the employees in their unit and that it is effectively enforced. Any employee who receives an unsolicited gift from an individual or company seeking any advantageous action by, or relationship with, the University should immediately submit a written report to his or her supervisor specifying the date the gift was received, the donor, the estimated value, and other relevant information.

Any employee who violates this policy will be subject to disciplinary action.

SUBJECT: PATENT POLICY

403 PATENT POLICY

403.1 Charles River Campus

The Patent Policy and Patent Agreement for the Charles River Campus is presented on the following pages. It defines the University's policy concerning patentable inventions and indicates the terms on which the Trustees provide support that may lead to patentable inventions. An individual's acceptance of employment at Boston University is sufficient to make the terms of the policy applicable without further agreement. New employees will be required to sign the Patent Agreement simply to ensure that they have had an opportunity to become aware of the details of the policy and its administration.

Patent Policy/Charles River Campus

Preamble

The patent policy outlined herein is the Policy of the Trustees of Boston University (the "University"). The University recognizes that patentable inventions may be made in the course of research sponsored by the University and/or by others through the University. It is the policy of the University to maximize the benefits to the individual who makes such patentable inventions, to the University and to the general public, and thus to stimulate initiative in the faculty, staff, and employees of the University. The University recognizes that this may best be accomplished through patenting and licensing such inventions in a manner consistent with the public interest, and for such purpose the University hereby establishes the patent policy set forth herein. This Policy supersedes all prior patent policies and amendments thereto applicable to the Charles River Campus.

- Patent Policy
- Royalties
- Disclosures
- Patent Administration
- Coverage
- Trustee Review
- Employment Agreements
- Consulting Agreements

Patent Policy

In order to protect the public good and the University, and in order to fulfill obligations to research sponsors, the University shall claim equity in all discoveries and its right to acquire the title to and control of such discoveries where the discoveries are made by faculty, staff, employees, or students (including all types of trainees or postgraduate fellows) working on or arising from programs supported in whole or in part by funds, space, personnel, or facilities provided by the University.

When a discovery is made by an inventor outside of any program conducted by the University, and the inventor can demonstrate that the University did not provide or administer significant funds, space, personnel, or facilities for work leading to the discovery, the discovery shall remain the exclusive property of the inventor or his/her sponsor. The University shall not ordinarily consider provision of office, classroom, or library facilities as constituting significant use of University funds, space, personnel, or facilities. For purposes of this Policy, the term "Inventor" shall include all individuals who participated in and signed a disclosure statement respecting a discovery or invention.

When necessary, the University Committee on Inventions and Discoveries ("Committee") shall decide whether an invention or discovery should be classified under Paragraph 1 or Paragraph 2 of this section. Persons or entities claiming a right to receive royalty interests under the provisions of the Patent Administration section below may appeal the decision of the Committee to the President of the University. The President shall recommend final action to the Trustees, whose decision shall be final.

Royalties

Where the University is entitled to equity in a discovery, the Inventor shall receive 30 percent of the net royalties accruing therefrom unless the University recommends a lesser share, which shall not be less than 15 percent, based upon relevant circumstances relating to the discovery. In the event that the University determines that such lesser share is appropriate, the University shall in its sole discretion designate the recipient or recipients of the percentage share by which the Inventor's share has been reduced. The Community Technology Foundation (CTF) of Boston University, exclusive agent for the administration of patents or discoveries made within the

University, shall receive 45 percent of the net royalties (see the Patent Administration section). The remaining royalties from, and equities in, the invention shall be distributed to the School of the Inventor, or in the absence of a School's being involved, the primary unit or entity of the University with which the Inventor works or is affiliated. Net royalties are defined as gross royalties less amounts granted by the University specifically for the invention or discovery process, and the costs of securing, protecting, preserving, and maintaining patents, and of licensing and marketing of the patent rights, or other costs or fees directly attributable to the inventions being licensed.

Disclosures

Because the securing of rights in discoveries and inventions depends on prompt and efficient patent application and administration, all faculty, staff, students, and employees of the University who make inventions or discoveries shall immediately disclose said inventions or discoveries to the CTF Patent Administrator and to the Inventor's supervisor. This disclosure obligation shall apply to all inventions and discoveries, without regard to whether they fall under Paragraph 1 or Paragraph 2 above.

Patent Administration

CTF shall be the exclusive agent of the University for the administration of inventions and discoveries made within the University and covered under Paragraph 1. CTF shall present the disclosures to the Committee. Such report shall state whether CTF has determined that an invention or discovery will be developed by the University. The Committee shall consist of eleven voting members, at least a majority of whom shall be faculty members from the Schools and Colleges of the University. The members of the Committee and the Chairman of the Committee shall be designated by the President of the University. CTF shall render a written semiannual report to the Chairman of the Committee on the disposition and status of all inventions and discoveries submitted. CTF shall as promptly as practicable determine whether an invention or discovery shall be pursued by the University. If the Committee determines that CTF has not filed a patent application within one year after it has received a disclosure in respect of which the University is entitled to claim an interest, the Committee, in consultation with the Inventor, shall determine what other disposition, if any, shall be made of the invention or discovery and of its development.

Coverage

The Policy shall cover only discoveries and inventions that are patentable as the term is defined in The United States Code, as amended, or the laws of other countries where applications are filed.

Trustee Review

Any disputes that arise under this Policy that are not resolved by the Committee shall be referred to the President of the University, who shall recommend final action to the Trustees. The decision of the Trustees shall be final with respect to all disputes.

Employment Agreements

An appropriate form shall be signed by all faculty, staff, employees, and students working at the University providing for specific acceptance of the terms of this policy. Rights and obligations under this agreement shall survive any termination of enrollment or employment at the University.

Nothing herein contained is intended to grant or dispose of any right, title, and interest to any disclosure, idea, improvement, or invention, whether patentable or not, which has been supported or funded by outside parties who acquire rights to such disclosure, idea, improvement and invention.

Consulting Agreements

The rights of the University under this policy, and the interests of sponsors under research grants or contracts, may not be abrogated or limited by consulting agreements or other contracts entered into between University students or employees and outside organizations or employers. University students and employees should inform outside employers of their obligations and commitments to the University under this policy. Such students and employees should ascertain that patent clauses in their agreements are not in conflict with their obligations to the University or this Policy Statement. Each student and employee should make his/her obligations to the University clear to those with whom such agreements may be made, and should ensure that they are provided with a current statement of University policy. Upon request, the University will provide a standard clause which may be inserted in a student's or employee's consulting agreement. This clause will put third parties on notice as to the University's rights under this policy with respect to

inventions and discoveries. In cases of conflict of interest, the University reserves the ultimate right to determine the final disposition of the rights and interests involved.

*Adopted, as amended, by the Trustees of Boston University, November 12, 1991. Medical campus faculty should contact the Office of Personnel for the medical campus patent policy statement and form.

PATENT AGREEMENT

I affirm that I have received and have read the Boston University Patent Policy/Charles River Campus.

For and in consideration of the provision by Boston University of support in the form of funds, space, personnel, facilities, instruction, supervision or other assistance, I hereby accept the aforesaid Patent Policy as determinative of my rights and obligations in relation to any discoveries or patentable inventions.

_____

SIGNATURE DATE

_____

NAME

403.2 Medical Campus

The Patent Policy and Patent Agreement for the Medical Campus is presented on the following pages. It defines the University's policy concerning patentable inventions and indicates the terms on which the Trustees provide support that may lead to patentable inventions. An individual's acceptance of employment at Boston University is sufficient to make the terms of the policy applicable without further agreement. New employees will be required to sign the Patent Agreement simply to ensure that they have had an opportunity to become aware of the details of the policy and its administration.

BOSTON UNIVERSITY MEDICAL CENTER

PATENT POLICY AND AGREEMENT

PREAMBLE

The patent policy outlined herein is the Policy of the Boston University Medical Center, whose constituent members are Boston University School of Medicine, Goldman School of Dental Medicine and Boston Medical Center Corporation (collectively referred to hereafter as the "Medical Center"). The Medical Center recognizes that patentable inventions may be made in the course of research sponsored by the Medical Center and/or by others through the Medical Center. It is the desire of the Medical Center to maximize the benefits to the individual who makes such patentable inventions, to the Medical Center and to the general public, and, thus, to stimulate initiative in the faculty, staff, and employees of the Medical Center. The Medical Center recognizes that this may best be accomplished through patenting and licensing such inventions in a manner consistent with the public interest and for such purpose the Medical Center hereby establishes the patent policy set forth herein. This Policy supersedes the policy as issued March 1, 1963 and amended November 23, 1981 by the predecessor constituent members of the Medical Center, namely, Boston University School of Medicine, Goldman School of Graduate Dentistry and University Hospital, Inc., and all other patent policies and amendments therein applicable to the Medical Center.

1. PATENT POLICY

A. In order to protect the public good and the Medical Center, and in order to fulfill obligations to research sponsors, the Medical Center shall claim equity in all discoveries and its right to acquire the title to and control of such discoveries where the discoveries are made by faculty, staff, employees, or students (including all types of trainees or postgraduate residents or fellows) working on or arising from programs supported in whole or in part by funds, space, personnel, or facilities provided by the Medical Center.

B. Where a discovery is made by an inventor outside of any program conducted by the Medical Center, and the inventor can demonstrate that the Medical Center did not provide or administer significant funds, space, personnel, or facilities for work leading to the discovery, the discovery shall remain the exclusive property of the inventor or his/her sponsor. The Medical Center shall not ordinarily consider provision of office, classroom, or library facilities as constituting significant use of Medical Center funds, space, personnel or facilities.

C. When necessary, the Medical Center Patent Committee shall decide whether an invention or discovery should be classified under Paragraph 1A or 1B. The decision of the Committee is appealable to the Medical Campus Provost and the President of Boston Medical Center Corporation, who shall jointly render a decision.

2. ROYALTIES

Where the Medical Center is entitled to equity in a discovery, any "Net Royalties" (as defined below) that are earned from the invention shall be allocated among the inventor(s) and constituent members of the Medical Center in accordance with this Paragraph. "Net Royalties" are defined as gross royalties less amounts granted by the Medical Center specifically for the invention or discovery process, and the costs of securing, protecting, preserving, and maintaining patents, and of licensing and marketing of the patent rights, or other costs or fees directly attributable to the inventions being licensed. The Boston University Community Technology Fund ("CTF"), when it acts as agent for the administration of patents or discoveries made within the Medical Center, shall receive the percentage set forth below of the Net Royalties. The remaining Net Royalties shall be divided among the inventor(s) and constituent members of the Medical Center, including any shares to be allocated to the department or division of the inventor(s), in the following proportions depending upon which constituent member of the Medical Center provided the resources that permitted the invention to be made:

If BUSM	%	If BMC	%	If GSDM	%
Inventor(s)	30	Inventor(s)	30	Inventor(s)	30
Department	10	Department	10	Department	10
BUSM	35	BMC	35	GSDM	35
CTF	20	CTF	20	CTF	20
BMC	2.5	BUSM	2.5	BMC	2.5
GSDM	2.5	GSDM	2.5	BUSM	2.5

Ordinarily, CTF will be responsible for determining which constituent member's resources permitted the invention to be made and reporting these decisions regularly in writing to the Medical Center Patent Committee. The principal resources to be considered in making this decision are external grant support awarded to an institution, internal support provided by an institution and space provided by an institution to support the work leading to the invention. If more than one constituent member has provided resources, the institutional shares shall reflect the proportion of total resources provided by each constituent member. In the event that one or more of the constituent members do not agree with the decision of CTF (or in the event that CTF is not acting as the administrative agent for the invention), then the decision shall be made jointly by the Medical Campus Provost and the President of Boston Medical Center Corporation.

The allocation of Net Royalties set forth above may be varied upon the written consent of the inventor(s), the President of Boston Medical Center Corporation and the Medical Campus Provost.

3. DISCLOSURES

Because the securing of rights in discoveries and inventions depends on prompt and efficient patent application and administration, all faculty, staff, students, and employees of the Medical Center who make inventions or discoveries shall immediately disclose said inventions or discoveries to the Director of the Office of Technology Transfer of CTF, and to the inventor's supervisor. This disclosure obligation shall apply to all inventions and discoveries without regard to whether they fall under Paragraph 1A or 1B above. The Director of the Office of Technology Transfer shall refer requests for classification under Paragraph 1B to the Medical Center Patent Committee for decision, and shall communicate the Committee's decision to the inventor(s).

4. PATENT ADMINISTRATION

The Boston University Community Technology Fund shall ordinarily be the agent of the Medical Center for the administration of inventions and discoveries covered under Paragraph 1A subject to the terms herein. The Medical Center Patent Committee shall consist of an equal number of representatives appointed by Boston University and by Boston Medical Center Corporation. The members of the Committee, and its Chairman, shall be designated by the Medical Campus Provost and the President of Boston Medical Center Corporation. CTF shall render a written semiannual report to the Provost of the Medical Campus, the President of Boston Medical Center Corporation and the Patent Committee on the disposition and status of all inventions and discoveries submitted.

In the absence of a Medical Campus Provost, the President of Boston University shall perform all of the duties of such Provost under this Policy.

5. COVERAGE

This Policy shall cover only discoveries and inventions that are patentable as the term is defined in the United States Code, as amended, or the laws of other countries where applications are filed.

6. DISPUTE RESOLUTION

Any disputes that arise under this Policy that are not resolved by the Medical Campus Patent Committee shall be referred to the Medical Campus Provost and the President of Boston Medical Center Corporation for resolution by joint decision.

7. ACKNOWLEDGMENT AGREEMENT

An appropriate form shall be signed by all faculty, staff, employees and students working at the Medical Center providing for specific acceptance of the terms of this Policy. Rights and obligations under this agreement shall survive any termination of enrollment, appointment or employment at the Medical Center.

Nothing herein contained is intended to grant or dispose of any right, title, or interest to any disclosure, idea, improvement, or invention, whether patentable or not, which has been supported or funded by outside parties who acquire rights to such disclosure, idea, improvement or invention.

8. CONSULTING AGREEMENTS

The rights of the Medical Center under this Policy, and the interests of sponsors under research grants or contracts, may not be abrogated or limited by consulting agreements or other contracts entered into between Medical Center students, trainees, medical staff members, faculty or employees and outside organizations or employers. Medical Center students, trainees, medical staff members, faculty and employees should inform outside employers of their obligations and commitments to the Medical Center under this Policy. Such students, trainees, medical staff members, faculty and employees should ascertain that patent clauses in their agreements are not in conflict with their obligations to the Medical Center under this Policy. Each student, trainee, medical staff member, faculty member and employee should make his/her obligations to the Medical Center clear to those with whom such agreements may be made, and should ensure that they are provided with a current statement of this Policy. Upon request, the Office of Technology Transfer will provide a standard clause which may be inserted in a student's, faculty member's or employee's consulting agreement. This clause will put third parties on notice as to the Medical Center's rights under this Policy with respect to inventions and discoveries. In cases of conflict over disposition of rights, the Medical Center reserves the ultimate right to determine the final disposition of the rights and interests involved.

9. ADOPTION AND EFFECTIVE DATE

The above Policy is adopted on behalf of the Boston University Medical Center by the Trustees of Boston University and Boston Medical Center Corporation, effective as of August 1, 2000 ("Effective Date").

10. TERM

This Policy shall continue in effect until termination by the Trustees of Boston University or by Boston Medical Center Corporation, by written notice from one to the other. The Policy shall cover any and all inventions and discoveries which are disclosed or occur after the Effective Date and which are disclosed prior to termination.

PATENT AGREEMENT

I affirm that I have received and have read the Boston University Medical Center Patent Policy. For and in consideration of the provisions by Boston University Medical Center of support in the form of funds, space, personnel, facilities, instruction, supervision or other assistance, I hereby accept, and will abide by, and fully comply with the aforesaid Patent Policy as determinative of my rights and obligations in relation to any discoveries or patentable inventions.

_____

Signature Date

_____

Name (please type or print) Department

_____

Institution

SUBJECT: SOLICITATIONS AND DISTRIBUTION

404 SOLICITATIONS AND DISTRIBUTION

404.1 University Employees

Employees may not distribute written materials to other employees on University premises unless such distribution is made in non-working areas during the non-working time of the employees involved.

Employees may not engage in solicitation on University premises during working time. Working time does not include breaks or meal periods.

The above policy provisions do not apply to employees who are assigned by Boston University to distribute literature or solicit, as in United Way campaigns.

404.2 Non-University Employees

Persons not employed by Boston University may not solicit employees or distribute literature on the premises of Boston University at any time.

SUBJECT: COPYRIGHT POLICY

405 COPYRIGHT POLICY

Boston University employees are required to comply with the provisions of the United States Copyright Law, which regulates the reproduction of copyrighted material. Boston University as an institution, and individual Boston University employees, may be held liable for infringements of the Copyright Law.

A summary of the Copyright Law has been distributed to Dean, Directors and Department Heads by the Vice President for Marketing and Communications. In part, the University requires that a warning poster (see following page) be placed on or near every copying machine. Supervisory personnel must ensure that every employee under their supervision who has occasion to either reproduce copyrighted material or order its reproduction is familiar with and abides by the copyright guidelines set forth in the summary of the Copyright Law.

Questions concerning the Copyright Law should be directed to Marketing and Communications.

Boston University

Warning Concerning Copyright Restrictions

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

Boston University reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.