

Wellesley College Union Policy and Procedures Manual

Updated 2020



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1. Absenteeism, Lateness, and Early Departure¹

Definitions:

An absence, lateness or early departure that is for an “allowable purpose” may include:

- An employee’s own illness, injury or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
- The illness, injury or medical condition of an employee’s child, spouse, parent or parent of a spouse that requires home care, professional medical diagnosis or care, or preventative medical care;
- Attending routine medical appointments of the employee or the employee’s child, spouse, parent or parent of a spouse;
- To address the psychological, physical or legal effects of domestic violence; or
- To travel to and from an appointment, a pharmacy or other location related to the purpose for which the time was taken.

“Excessive Absenteeism” is defined as absences excused or unexcused when taken together with lateness and early departures, if any, that total over 40 hours within a 12-month period of time, excluding sick time used for an allowable purpose under FMLA, Workers Compensation, and/or Short-Term/Long-Term Disability.

“Poor Attendance List” a list of employees who have been excessively absent as defined above. Such employees will not be entitled to overtime for seven (7) calendar days following the use paid sick leave.

“Unexcused Absence” occurs when an employee fails to provide the required notice of his/her absence without good cause, or if the absence is not for an allowable purpose.

“Unexcused early departure” occurs when an employee departs early without the prior approval of his/her manager, or the early departure is not for an allowable purpose.

“Unexcused lateness” occurs when an employee fails to provide the required notice of his/her lateness without good cause, or the lateness is not for an allowable purpose.

¹ This policy is intended to be in compliance with the provisions of the Family and Medical Leave Act, Americans with Disabilities Act, Massachusetts Small Necessities Leave Act, Massachusetts Paid Sick Time law, and other relevant laws and regulations. Where those laws and regulations provide greater protections, if at all, the laws and regulations will control.

A. Absenteeism

Unless there is an “allowable purpose” for an absence, lateness, or early departure, employees are expected to report to work on time when they are scheduled to work, and to remain at work until the end of their regular assigned shift or work day. An employee will not be disciplined for using sick leave for permissible purposes, even if the use might be considered excessive.

Unexcused absence, lateness, excessive absenteeism, and early departure, however, each as defined above, will not be tolerated, as they are disruptive to the workplace and place unfair burdens on other employees and managers. In addition, if an employee commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick time, the employee may be subject to disciplinary action. Also, if an employee exhibits a clear pattern of taking leave on days just before or after a weekend, vacation, or holiday, the College may discipline the employee for misuse of earned sick time, unless the employee provides verification of authorized use.

i. Reporting an Absence

Employees are expected to report to work when they are scheduled to work. When an employee is going to be absent, he/she should notify the appropriate College authority as far in advance as possible of the start of the employee's shift of the reason for absence and the anticipated date of return. In the case of planned absences (for example, to attend a pre-scheduled medical appointment), the employee will be expected to notify the College as soon as he/she knows that he/she will be absent.

For unexpected or unplanned absences, an employee who is scheduled to report to work at or after 8:00 am but who is unable to report to work for any reason shall notify the appropriate College authority no later than one (1) hour before the beginning of his/her shift. An employee who is scheduled to report to work prior to 8:00 am but who is unable to report to work for any reason shall provide such notice no later than thirty (30) minutes before the beginning of his/her shift. In the case of Power Plant employees, the notice period for all shifts is not less than two (2) hours before the beginning of the shift.

It is each employee's responsibility to ensure that proper notification of an absence is given. Asking another employee, relative, or friend to give this notification is not acceptable, except in emergency situations. If the appropriate College authority is not available, the employee may give notice by leaving a voice message at a number designated in advance by his or her manager.

ii. Documentation of Absences

When an employee is absent on sick leave for more than 24 consecutive work hours medical documentation (a doctor's note) can be requested or an employee may be required to see a College Physician.

The employee will be allowed to return to work without the note, but will be required to provide the note within 7 days. In certain circumstances a fitness for duty statement may be requested.

For example, an employee goes home due to illness an hour before the end of his/her scheduled shift, and then calls out of work for the following three (3) consecutive days. The employee is permitted to return to work without notice, but will be required to provide a note or see the College physician.

The doctor's note can be hand delivered to their supervisor, which in turn will be sent to Human Resources. The note can also be sent directly to Human Resources via fax or email.

iii. Fitness for Duty Certification

If an employee is absent for 24 consecutively-scheduled hours, the College may require the employee to be examined by a physician retained by the College to determine the validity of an employee's reason for the absence or entitlement to sick leave.

If an employee is absent for the greater of 24 consecutively- scheduled hours, the College may require the employee to provide a fitness for duty certification or to be examined by a physician retained by the College to ensure that the employee is physically fit to return to his or her job.

In no event will the College require an employee to directly or indirectly disclose the nature of his or her illness.

B. Lateness

Employees are expected to be in uniform (where required) and ready to work at the time their shifts are scheduled to start. An employee will be considered late if he/she does not report to work or is not ready to work at the start of his/her scheduled shift. Employees are also expected to return to work at the end of their meal periods; failure to do so will be considered an incident of lateness.

i. Reporting Lateness

If an employee is fifteen (15) or more minutes late to the start of his/her shift, and has not called in to report that he/she will be

considered late and the manager will look for a replacement. If an employee is fifteen (15) or more minutes late, and has called in to report that he/she will be late, the manager may look for a replacement, depending upon the needs of the College and the employee's expected arrival time. If the employee arrives late and, at the time of his/her arrival, the manager has already arranged for a replacement, the manager may send the employee home without pay. If there are other vacancies that day, however, the manager may, but will not be required to, offer the employee another job for the day. An employee who is late shall deduct lost or missed time when completing his/her timecard.

C. Early Departure

An employee is expected to work until the end of his/her assigned shift unless he/she is given permission to leave early by his/her manager. An employee who departs early shall deduct lost or missed time when completing his/her timecard. An employee may not work through his/her meal breaks to make up for being late at the beginning of his/her shift or for leaving before the end of his/her shift without prior approval from his/her manager.

Any employee who leaves the work area during the scheduled shift without prior permission of a manager will be considered as having an unexcused absence.

For example: leaving your work area prior to the end of your shift without supervisory approval.

If an employee deliberately walks off the job, it will be considered as a voluntary resignation from the College.

D. Discipline for Absenteeism, Lateness, and Early Departure

Unsatisfactory attendance will result in disciplinary action, up to and including suspension and termination. It will also have an adverse effect on any consideration for promotion.

i. Unexcused Absences

The following shows the minimum discipline which will be administered for an unexcused absence, as defined above:

- 1st unexcused absence will result in at least a written warning;
- 2nd unexcused absence within 12 months of 1st unexcused absence will result in at least a 3-day suspension;
- 3rd unexcused absence within 12 months of 2nd unexcused absence will result in at least a 5-day suspension; and

- 4th unexcused absence within 12 months of 3rd unexcused absence will result in discharge.

If an employee is absent for 3 consecutive days without notifying his or her manager, he or she is subject to immediate discharge.

ii. Unexcused Lateness or Early Departure

Unexcused lateness or early departure will subject an employee to discipline, up to and including suspension and termination. It will also have an adverse effect on any consideration for promotion. Excessive lateness may also affect consideration for allocation of overtime when scheduling.

The following shows the minimum discipline which will be administered for unexcused lateness/early departure:

- 1st unexcused lateness/early departure will result in at least a verbal warning;
- 2nd unexcused lateness/early departure within one year of 1st lateness/early departure will result in at least a written warning;
- 3rd unexcused lateness/early departure within one year of 2nd lateness/early departure will result in at least a 3-day suspension without pay;
- 4th unexcused lateness/early departure within one year of 3rd lateness/early departure will result in at least a 5-day suspension without pay; and
- 5th unexcused lateness/early departure within one year of 4th lateness/early departure will result in discharge.

iii. Excessive Absenteeism

If an employee is excessively absent, as defined above, he or she will be placed on the “poor attendance list.” Excessive absenteeism may affect consideration for allocation of overtime when scheduling. It may also have an adverse effect on any consideration for promotion.

Excessive absenteeism may be subject to the following minimum discipline:

- 1st absence that results in placement on poor attendance list – verbal warning
- next absence subsequent to placement on poor attendance list (if, within the twelve months immediately prior to this absence, employee’s absences, lateness and early departures totaled 40 hours or more) – written warning

- next absence subsequent to written warning (if, within the twelve months immediately prior to this absence, employee's absences, lateness and early departures totaled 40 hours or more) – 3-day suspension
- next absence subsequent to 3-day suspension (if, within the twelve months immediately prior to this absence, employee's absences, lateness and early departures totaled 40 hours or more) – 5-day suspension
- next absence subsequent to 5-day suspension (if, within the twelve months immediately prior to this absence, employee's absences, lateness and early departures totaled 40 hours or more) – discharge.

iv. Excessive Lateness or Early Departure

Excessive lateness or early departure may be subject to the following minimum discipline:

- 1st incidence of excessive lateness or early departure – verbal warning
- 2nd incidence of lateness or early departure (if, within the twelve months immediately prior to this 2nd incidence of lateness or early departure, employee's absences, lateness and early departures totaled 40 hours or more) – written warning
- 3rd incidence of lateness or early departure (if, within the twelve months immediately prior to this 3rd incidence of lateness or early departure, employee's absences, lateness and early departures totaled 40 hours or more) – 3-day suspension
- 4th incidence of lateness or early departure (if, within the twelve months immediately prior to this 4th incidence of lateness or early departure, employee's absences, lateness and early departures totaled 40 hours or more) – 5-day suspension
- 5th incidence of lateness or early departure (if, within the twelve months immediately prior to this 5th incidence of lateness or early departure, employee's absences, lateness and early departures totaled 40 hours or more) – discharge.

v. Fraud or Abuse

An employee may be disciplined for committing fraud or abuse by using time for purposes other than for one of the purposes permitted by the contract (own illness, caring for child, spouse, parent or parent of spouse with an illness, injury or medical condition, injury or medical condition, attending routine medical appointments for employee or child, spouse, parent or parent of a spouse, or addressing effect of domestic violence).

Fraudulent or abusive use of sick leave may be subject to the following minimum discipline:

- 1st incident of fraud or abuse – written warning,
- 2nd incident of fraud or abuse within 12 months of the 1st incident – 3-day suspension,
- 3rd incident of fraud or abuse within in one year of the 2nd incident – 5-day suspension
- 4th incident of fraud or abuse within 12 months of the 3rd incident – discharge.

vi. Unacceptable Patterns Demonstrating Misuse of Sick Time

An employee may be disciplined when a pattern of taking sick leave on days immediately before or after a weekend (or other regularly scheduled days off), vacation or holiday, unless the employee is able to provide reasonable verification showing that the sick leave was taken for permissible purposes (doctor’s note).

Such an employee may be subject to the following minimum discipline:

- 1st incident of fraud or abuse - written warning,
- 2nd incident of fraud or abuse within 12 months of the 1st incident – 3-day suspension,
- 3rd incident of fraud or abuse within in one year of the 2nd incident – 5-day suspension
- 4th incident of fraud or abuse within 12 months of the 3rd incident – discharge.

vii. Documentation Required for Fraudulent/Abusive Use of Sick Leave and/or Unacceptable Patterns

A doctor’s note may be required when an employee has had at least four (4) unforeseeable and undocumented absences within a three (3) month period of time and either:

(a) the employee is showing a pattern by taking sick leave on days immediately before or after a weekend (or other regularly scheduled days off), including vacation and or a holiday, may be required to provide a doctor’s note; or

(b) the College has reason to believe that the employee may be committing fraud or abuse by engaging in activity that is not consistent with an allowable purpose of sick leave.

The employee will be allowed to return to work without the notice, but will be required to provide the note within 7 days. In certain circumstances a fitness for duty statement may be requested.

2. Non-Performance of Duties

Generally, non-performance of duties may be subject to the following minimum discipline:

- 1st infraction – verbal warning
- 2nd infraction – written warning
- 3rd infraction within 1 year of 2nd infraction – 3-day suspension
- 4th infraction within 1 year of 3rd infraction – 5-day suspension
- 5th infraction within 1 year of 4th infraction – discharge.

Notwithstanding the above, certain conduct, such as insubordination and/or the refusal to follow a direct order, may be subject to immediate termination.

3. Illness While on Duty

An employee who becomes ill while on duty shall notify the manager immediately. The employee may be sent home at the manager's discretion. If an employee needs emergency assistance, Campus Police should be called at ext. 2121.

4. Accidents

Accident prevention is everyone's business. Unsafe areas, practices, and equipment should be reported to the manager immediately. Each and every accident which occurs while on duty must be reported to the manager immediately. An Accident Report Form is to be completed by the injured employee as soon as possible after the accident. The accident form must be submitted, by the manager, to Human Resources X2231 or via fax 781-283-3663. In case of a serious accident which requires immediate attention, call Campus Police at X2121.

Medical assistance is available for injured employees at the College's designated Occupational Medicine facility.

5. Uniforms

An employee should be in uniform, to include nametags, slip resistant shoes, and hair restraint if required, during their entire scheduled shift. This uniform policy applies to all time worked; anyone working an overtime day is expected to report for work in a clean uniform.

If an employee reports for work without the required uniform, the appropriate disciplinary action will occur.

Violations of the uniform policy may be subject to the following minimum discipline:

- 1st infraction – verbal warning

- 2nd infraction – written warning
- 3rd infraction within 1 year of 2nd infraction – 3-day suspension
- 4th infraction within 1 year of 3rd infraction – 5-day suspension
- 5th infraction within 1 year of 4th infraction – discharge.

The College will provide and launder uniforms. The College will not clean or launder any employee's own clothes, or T-shirts. If uniforms are not returned on laundry day, the employee should notify the manager immediately, since each employee's laundry is the responsibility of the individual.

6. Protective Equipment

For the safety of all employees, certain jobs require that Personal Protection Equipment be used on the job. Such equipment will be provided by the respective Department. It is mandatory that any Personal Protection Equipment that is determined to be required by the Environmental, Health and Safety Office must be worn. Failure to use provided equipment will be considered non-performance of duties and may be cause for corrective action.

7. Personal Time Off

The College-Union agreement provides for paid sick leave, Article 11, which is to be used for personal accident or illness. If an employee has a compelling personal problem for which time off is desired, the manager should be notified as far in advance as possible. The request will be considered and if at all possible will be granted. Such time off may be covered by a paid personal day providing the employee is eligible for a paid personal day, Article 32, and the day had prior approval of the manager. Otherwise, the time off will be unpaid. The department will attempt to cover the jobs thus vacated without involving overtime.

8. Coffee Break

A coffee break of ten minutes will be scheduled by the manager. This is a paid break and employees should not leave the area without prior permission. The break shall be at a time and place approved by the supervisor in advance.

9. College Vehicles

It is a privilege, not a right, to drive a vehicle for the College. Before anyone is allowed to drive a College vehicle, they must become an "Approved Fleet Driver." Supervisors and Fleet Safety Representatives are responsible to ensure department vehicles are driven only by Approved Fleet Drivers. In order to be an Approved Fleet Driver, individuals must be approved by the Fleet Safety Administrator based on the criteria outlined in the Wellesley College Vehicle Use Policy, which is available at <https://www.wellesley.edu/risk/vehicles>.

10. College Computers

Employees use of computers for work related tasks will be designated by the manager. Computer use for personal reasons during the work day shall only be granted during break time and is restricted to available public cluster computers.

11. Telephones

The College telephones are for work related purposes and not to be used by employees for personal calls. The use of personal cell phones/smart phones, unless work related, is prohibited. Cell phones/smart phones may be used during designated break times.

12. Televisions

The unauthorized use of televisions is not permitted.

13. Radios

With the permission of the manager, radios will be permitted. Radios should be used with discretion in the residence halls. The manager may request the removal of a radio at any time. The use of headset audio devices, **unless the manager gives prior approval**, is not allowed during working hours due to safety considerations.

14. Smoking

Smoking is not permitted in any College building, college vehicle or specified work areas. Smoking is allowed in designated outdoor smoking areas only.

15. Alcohol and Drugs

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. Whenever employees are working, are operating any College vehicle, are present on the College's premises, or are conducting College-related work offsite, they are prohibited from:

- Using, possessing, buying, selling, manufacturing, or dispensing any drugs (to include possession of drug paraphernalia); or
- Possessing, consuming, or being under the influence of alcohol or drugs;

Any employee found to be in violation of this policy will be subject to immediate termination.

16. Student Requests

All student requests should be referred to a manager. Equipment, food and/or supplies should not be given out to a student unless the student has received the permission of the manager.

17. Removal of College Property

The unauthorized removal of any College property, *i.e.*, equipment or supplies, regardless of whether the property is not in use or damaged, or the removal or consumption of food and/or beverages from a dining hall or serving-ware without prior permission of a manager is against College policy and will result in immediate termination.

18. Damage to College Property

Employees are expected to notify their supervisor immediately of any damage to, or any accident involving College equipment, as well as anything that needs repair or is a safety hazard. Employees should not utilize equipment unless they are knowledgeable as to how to use it and have received the appropriate authorization. Violations of this policy may be subject to the following minimum discipline:

- 1st infraction – verbal warning
- 2nd infraction – written warning
- 3rd infraction within 1 year of 2nd infraction – 3-day suspension
- 4th infraction within 1 year of 3rd infraction – 5-day suspension
- 5th infraction within 1 year of 4th infraction – discharge.

19. Emergency Closings

In rare instances, the College may find it necessary to close due to inclement weather or emergency conditions. If this should occur, employees in positions deemed essential by the College should make every reasonable effort to report to work even when the College is officially closed.

Employees shall be notified by the College prior to the first day of classes each fall of which operations are deemed essential by the College.

Refer to College-Union Agreement Article 8, section 8.1(f).

20. Unprofessional Conduct

All positions require that the employees be able to work cooperatively and pleasantly with co-workers and the college community. Union employees must abide by the College's Business Conduct Policy, and will not engage in behaviors such as shouting, loud arguments, fighting or horseplay. Disciplinary action up to and including discharge from employment may result from such activity.

21. Visitors

There shall be no visitors in designated work areas unless the person is on authorized union business or with advanced notification and approval of the manager.

22. Parking

Employee parking areas are determined by Campus Police. All employee parking rules and regulation must be adhered to or the employee is subject to corrective action by management, ticketing and towing. Employees must use assigned parking lot.

23. Payroll

1. The payroll week runs from Sunday morning through Saturday night. Payday is the following Friday.
2. It is the employee's responsibility to complete his/her time accurately. If an employee's time is not filled out and/or signed at the end of the week, the time may not accurately reflect time worked.
3. Only overtime which is reported by the manager will be included on the weekly payroll. All overtime must be authorized by a manager prior to working the time.
4. As stated in the College-Union agreement, Article 8, section 8.3, "Employees reporting to work later than the hour for starting shall report to the manager in charge or other authorized person before going on duty."

Time logs are legal documents and should be completed accurately. No employee is to log another employee's time. Falsification of a time log may result in termination.

24. Sexual Harassment and other Unlawful Discrimination, Harassment and Retaliation

Wellesley College is committed to ensuring a safe and productive learning and working environment, free from sexual or other harassment, discrimination, or intimidation for all its members. At the time of hire you received a copy of the Policy Against Sexual Harassment and Other Unlawful Discrimination, Harassment, and Retaliation. It is important that you read this Policy and familiarize yourself with our policy prohibiting sexual harassment and other unlawful discrimination, harassment and retaliation. The Policy is available on the College website at <https://www.wellesley.edu/hr/currentfacultystaff/handbook/adminhandbook/ahb01#1-04> or printed copies are available through your manager.

25. Relationships with Students

The College's educational mission rests in part on the maintenance of a campus environment where students can learn, think, work, and live without undue negative influences, concerns of favoritism, intimidation, and/or a hostile working or learning environment. Friendly, professional relationships with students can support this mission. Sexual and/or romantic relationships, however, even when consensual, can be detrimental to the professional campus learning environment, and are prohibited as described in the College's Expectations of Professional Conduct Between College

Employees and Supervisees or Between Employees and Students. The Policy is available on the College website at <https://www.wellesley.edu/hr/currentfacultystaff/handbook/adminhandbook/ahb01#1-04> or printed copies are available through your manager.

26. Workplace Violence

Wellesley College seeks to maintain a safe, healthy and secure work environment. It is the College's goal to create a workplace free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Employees play a major role in the College's efforts by complying with this policy, contributing to a respectful atmosphere, treating all threats seriously, and reporting incidents immediately.

Wellesley College treats reports of threatening behavior or violence seriously and will take appropriate action in response. The College has the right to search any area or property, including personal property, in order to investigate reports of workplace violence. For information regarding the College's response to a workplace violence crisis, please refer to the Wellesley College Emergency Response Plan.

The unabridged policy is available on the College Website at <https://www.wellesley.edu/hr/currentfacultystaff/handbook/adminhandbook/ahb01#1-09> or printed copies are available through your manager.

27. Weapons

Wellesley College expressly prohibits the use, possession, or sale of any weapon, other than as expressly authorized by the College, by any person or employee while on College property and/or while conducting business on behalf of or for the benefit of, the College. This prohibition applies even if an individual has a legal permit to carry a weapon. Massachusetts General Laws (M.G.L., Ch. 269, section 10(j)) also prohibit carrying a firearm, whether loaded or unloaded, or any other dangerous weapon, in any building or on the grounds of any college or university.

Persons who are on Wellesley College property and/or conducting business on behalf of, or for the benefit of, the College, are required to abide by this policy and are required to cooperate in any investigation the College deems necessary to enforce this policy.

Persons who do not comply with this policy may be subject to disciplinary action, up to and including removal from College property and/or termination from employment. This action is separate from any criminal penalties that may be pursued for violation of state laws.