

Student Employment Related Policies at Nazareth University

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Employment-at-Will

Staff employment with Nazareth University is employment-at-will, which permits Nazareth University or the employee to terminate the employment relationship at any time, for any reason or no reason, with or without cause, with or without notice. Neither the policies described in the Student Employee Manual, nor any other written or verbal communications are intended to create a contract of employment or a warranty of benefits.

Use of University Equipment

During the course of employment, employees may have the use of University owned equipment, such as offices, desks, chairs, computers, computer software, telephones, fax machines, copy machines, email, Internet access, network accounts, etc. Employees should not have an expectation of privacy in connection with University equipment and property. Employees should use University equipment in a careful, professional manner for work-related purposes. Inappropriate, careless, wrongful, or improper use of the University equipment, materials, or assets, is subject to corrective action, up to and including termination.

New York State Notice of Electronic Monitoring

Although Nazareth University does not routinely monitor communications or transmissions, per NYS Law regarding Electronic Monitoring, the University is required to inform you: Any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems may be subject to monitoring at any and all times and by any lawful means.

Computing Code of Conduct

A variety of computer resources are currently available at Nazareth, from local area networks that provide access to PC and Mac based software, to wide area networks such as the Internet, including wireless internet and cloud-based or hosted services (the "Computing Resources"). All users are required to follow the University Code of Conduct when using these resources.

Any information stored on University computers or with third party providers under contract by the University, is stored digitally in multiple live and backup sources and, aside from the usual difficulties of guaranteeing confidentiality, is always subject to "discovery" by means of subpoena. Although the University may seek appropriate legal counsel, users should assume that the University will cooperate with outside agencies investigating violations of local, state or federal law, including but not limited to copyright infringement (this should be specifically noted with respect to downloaded music, videos, etc.).

Internal and external e-mails are considered property of the University and business records. The University reserves the right to review these records at any time and may be subject to discovery in the event of litigation. Employees must be aware of this possibility when communicating electronically within and outside the University.

Violation of the Code or abuse of the privilege of using the University Network and the University's computer resources can lead to:

- Loss of computing privileges
- Disciplinary action
- Criminal Prosecution

All employees are expected to abide by the terms in the Computing Code of Conduct policy. [Click here to access the full policy.](#)

Discrimination, Including Discriminatory Harassment

The University prohibits discrimination, harassment (including sexual harassment), intimidation, bullying, and any other type of conduct that limits another person's right to equal opportunity or otherwise denies another person equal treatment because of an individual's race (including traits historically associated with race, such as hair texture/style), color, creed, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, age, religion, disability, medical condition, reproductive health decision making, pregnancy-related condition, genetic information or predisposing characteristic, military or veteran status, political affiliation or belief, arrest or conviction record, domestic violence victim status, marital status, familial status, or any other protected status under applicable law. Harassment includes offensive conduct and engaging in conduct that creates a work environment that a reasonable person would consider intimidating, hostile, or abusive. This policy applies to actions committed by or against any employees (which throughout this document includes student employees), paid or unpaid interns, and non-employees (e.g., contractors, subcontractors, vendors, consultants, or others providing services to the University).

Please see the Title IX Website for additional information and reporting options related to complaints or concerns of sex discrimination and sexual misconduct, including those involving students. Inquiries concerning the application of this policy prescribed by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the New York State Labor Law, the New York State Human Rights Law, and any other laws applicable to the employment relationship may be directed to the Title IX Coordinator, Nazareth University of Rochester, 4245 East Avenue, Rochester, New York 14618-3790, (585) 389-2877.

Faculty and staff (referred to as employees throughout), paid and unpaid interns, and non-employees who want further information or assistance in discussing or filing a complaint of harassment or discrimination on the basis of race (including traits historically associated with race, such as hair texture/style), color, creed, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, age, religion, disability, medical condition, reproductive health decision making, pregnancy-related condition, genetic information or predisposing characteristic, military or veteran status, political affiliation or belief, arrest or conviction record, domestic violence victim status, marital status, familial status, or any other protected status under applicable law should contact Human Resources.

Employee's or a Dependent's Reproductive Health Decision Making

Nazareth University will not discriminate nor take any retaliatory personnel action against an employee with respect to compensation, terms, conditions, or privileges of employment because of or based on the employee's or dependent's reproductive health decision making, including, but not limited to, a decision to use or access a particular drug, device, or medical service. The University also will not require an employee to sign a waiver or other document which purports to deny an employee the right to make their own reproductive health care decisions, including use of a particular drug, device, or medical service. In addition, the University will not access an employee's personal information regarding the employee's or the employee's dependent's reproductive health decision making, including but not limited to, the decision to use or access a particular drug, device, or medical service without the employee's prior informed affirmative written consent. The University prohibits retaliation against anyone who asserts their rights under this policy or who provides information related to the

investigation of any complaint alleging a violation of this policy. Any alleged violations of this policy should be promptly reported to Human Resources. Employees may also be able to file a civil action for violations of this policy.

Sex Discrimination, including Sexual Harassment and Sexual Misconduct

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment also includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender. All employees paid or unpaid interns, and non-employees have a legal right to a workplace free from sexual harassment.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the University's policy.

Prohibited conduct includes all sexually related conduct prohibited by state or federal law and specifically includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- the purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment.
- submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work or participation in any aspect of a University's program or activity; or
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.

- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called quid **pro quo harassment**.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Sexual harassment:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.

- Does not have to include intent to harm, be directed at a specific target or involve repeated incidents.
- May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two people, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance or someone with whom the Reporting Party has an intimate or sexual relationship.
- May be committed by or against an individual or may be a result of the actions of an organization or group.
- May occur by or against an individual of any sex, gender identity, gender expression or sexual orientation.
- May occur outside of the workplace. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if it occurs away from the workplace premises, on personal devices or during non-work hours.
- May be a one-time event or can be part of a pattern of behavior.
- May be committed in the presence of others or when the parties are alone.
- May affect the Reporting Party and/or third parties who witness or observe harassment and are affected by it.

Examples of conduct that may constitute sexual harassment as defined above may include unwelcome conduct such as one or more of the following:

- Physical conduct:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body, sexual/physical assault, impeding, restraining or blocking movements; or
 - Unwanted sexual advances including physical assault or attempts to commit physical assault.
- Verbal conduct:
 - Making or using derogatory comments, epithets, slurs, or jokes.
 - Remarks of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive, or obscene letters, notes, or invitations.
 - Objectively offensive comments of a sexual nature, including sexually explicit statements, questions, jokes, or anecdotes.
 - Yelling, bullying or name-calling; or
 - Repeated requests for dates or romantic gestures.
- Visual conduct:
 - Leering, making sexual gestures, displaying suggestive objects or pictures, cartoons or posters in a public space or forum, including on workplace computers or cell phones or on virtual platforms or messaging applications.
 - Visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate.
- Written conduct:
 - Letters, notes, or electronic communications containing comments, words or images described above.
- Hostile actions:

- Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
- Sabotaging an individual's work; or
- Intentional misuse of an individual's preferred pronouns.
- Quid pro quo ("this for that") conduct:
 - Direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists;
 - Offering employment benefits in exchange for sexual favors;
 - Making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose; or
 - Making or threatening reprisals after a negative response to sexual advances.

The University's Title IX Sex Discrimination Policy applies to all members of the University community, including employees, students, paid and unpaid interns, and non-employees.

Reporting an Incident of Harassment or Discrimination

If an employee, paid and unpaid intern or non-employee feels that he/she has experienced or witnessed an act of harassment (including sexual harassment) or other discriminatory harassment or conduct, they should immediately report such actions, complaints, or concerns so that timely and constructive action can be taken.

Employees, paid and unpaid interns, and non-employees should report the matter immediately to the Chief People Officer, the Title IX Coordinator, any other Human Resources representative or their supervisor. It is not necessary for any employee, paid or unpaid intern or non-employee to first report the matter to their direct supervisor.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint can be accessed by clicking [here](#), and all employees, paid or unpaid interns, and non-employees are encouraged to use this complaint form. Those who are reporting sexual harassment on behalf of someone else should use the complaint form and note that it is on another individual's behalf.

All managers and supervisors who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Chief People Officer, any other Human Resources representative, or the Title IX Coordinator.

Non-Retaliation

Retaliation against employees, paid and unpaid interns, and non-employees in any form, including, but not limited to acts of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment, against an individual or group for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination, will not be tolerated and is a serious violation of this policy. Retaliation, like harassment or discrimination itself, is unlawful and will be subject to corrective action.

Such retaliation is unlawful under federal, state, and, where applicable, local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity”. Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee, paid and unpaid intern or non-employee has been sexually harassed; or
- encouraged a fellow employee, paid and unpaid intern or non-employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. Acts of retaliation should be reported immediately to Human Resources and will be promptly investigated and addressed.

Equal Employment Opportunity/Notice of Non-Discrimination

Nazareth University is an equal employment opportunity employer. The University does not permit discrimination or harassment in its programs and activities on the basis of race (including traits historically associated with race, such as hair texture/style), color, creed, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, age, religion, disability, medical condition, reproductive health decision making, pregnancy-related condition, genetic information or predisposing characteristic, military or veteran status, political affiliation or belief, arrest or conviction record, domestic violence victim status, marital status, familial status, or any other protected status under applicable law. The University does not discriminate on the basis of sex or gender in its educational, extracurricular, athletic or other programs or in the context of employment.

The University, as an educational community, will respond promptly and equitably to reports of sex discrimination and harassment, sexual harassment, sexual violence, stalking, intimate partner violence, and sex- or gender-based harassment that does not involve conduct of a sexual nature in order to eliminate the harassment, prevent its recurrence, and address its effects on any individual or the community.

All Nazareth students, faculty, staff, visitors, and guests are expected to comply with federal, state, and local laws

Reasonable Accommodations

It is University policy to provide reasonable accommodation for qualified individuals with a disability who are employees or applicants for employment. The University complies with the Americans with Disabilities Act (ADA), the New York State Human Rights Law (NYHRL), and all applicable laws prohibiting discrimination in employment against qualified individuals with disabilities. The University is committed to providing reasonable accommodations for qualified individuals with disabilities disclosed to the University unless doing so would result in undue hardship to the University. Volunteering information about a disability or requesting an accommodation will not subject an employee to any adverse treatment or penalty. All information concerning disabilities will be considered confidential and will be released only in accordance with the ADA and the NYHRL.

Likewise, it is University policy to provide reasonable accommodation for an employee's religious beliefs or practices, unless doing so would create an undue hardship to the University. The University complies with all applicable laws prohibiting discrimination in employment based on religion, and an employee will not be subject to any adverse treatment or penalty for requesting an accommodation based on religion.

An employee who seeks a reasonable accommodation should contact the Center for Student Success and Accessibility for more information and next steps in the interactive process for evaluating such requests.

Code of Conduct

Nazareth University is responsible for providing a safe and secure workplace and strives to ensure that all individuals associated with the University are treated in a respectful and fair manner. While not intended to list all the forms of behavior that are considered unacceptable, the following are examples of conduct that may result in disciplinary action, up to and including termination:

- Any conduct reasonably deemed to be detrimental to the University's interests.
- Bullying, which is unwanted, aggressive behavior that is repeated or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, and intentionally excluding someone from a group without a legitimate business reason.
- Continual record of poor attendance or tardiness.
- Destroying, altering, abusing, damaging, or wasting property or resources of the University or the property or resources of others while on university-owned or controlled premises or while on University business.
- Dishonesty or falsification of documents or records, including employment documents.
- Disruptive or harassing conduct such as the use of or threat of violence, horseplay, practical jokes, physical abuse, verbal abuse, or unlawful discrimination.
- Engaging in abusive or demeaning conduct.
- Engaging in an act which results in personal, physical injury to a member of the University community.
- Engaging in violence or threatening violence, including, without limitation, a physical altercation or throwing objects.
- Filing a complaint or charge known to be false against a fellow employee, a student, the institution, a vendor, or anyone otherwise connected to the University.
- Improperly disclosing information considered confidential and private by the University.
- Insubordination, including refusal to carry out work-related instructions or tasks.
- Intentionally or repeatedly creating unsafe work incidents or engaging in unsafe work practices.
- Possessing, consuming or being under the influence of unlawful drugs while on the job or in violation of the University's Drug-Free Work Environment Policy.
- Possessing weapons, firearms, or explosives on University-owned or controlled premises or while on University business.
- Sabotage or threats of sabotage.
- Sleeping on the job.
- Theft, wrongful conversion or unauthorized use of funds or property of the University, its faculty, staff, students, or its vendors.
- Threatening or intimidating students, supervisors, other staff, or faculty.
- Unsatisfactory performance.
- Violating a departmental or University work rule, policy, or procedure.

- Violating criminal law(s) on University-owned or controlled premises or while on University business.

Nothing in this section shall be interpreted or applied as limiting an employee's right to engage in protected concerted activity as provided by federal and state law.

Violence in the Workplace

The University is committed to providing students, faculty, staff, and visitors with a safe environment. Accordingly, the University prohibits acts of violence or threats of violence on campus or while an employee is engaged in University business. This prohibition extends to persons conducting business with or visiting the University.

An *act of violence* is conduct that intentionally or recklessly causes bodily injury to another person or damage to property.

A *threat of violence* includes any behavior that could be interpreted by a reasonable person as intent to cause physical harm to another person or damage to property.

Employee involvement is essential to preventing acts or threats of violence on campus. Each employee is responsible for immediately reporting to his or her supervisor or department head, Campus Safety or Human Resources any such act or threat. The University will ensure that all reports of workplace violence are treated confidentially to the maximum extent possible.

Anyone who experiences, observes, or otherwise knows of an imminent act or threat of violence should immediately call the Campus Safety Department. A Campus Safety Officer can be reached by dialing 585-389-2850 or extension 3333 for emergencies.

Investigations

The University will promptly and thoroughly investigate all threats or acts of violence in the workplace.

Retaliation

Retaliation against anyone for reporting a violation of this policy or for cooperating in an investigation under this policy is prohibited. Retaliation includes, but is not limited to, acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group.

Weapons

Possessing or storing firearms, explosives or other weapons on University owned or controlled premises or while on University business is strictly prohibited.

Sanctions

Any employee who violates this policy will be subject to corrective action, up to and including termination of employment. Further, the University will support criminal prosecution or other remedial action against any person who violates this policy.

Lunch and Rest Periods

Lunch/ Meal Periods

All employees will be provided and are required to take a minimum 30-minute uninterrupted meal break for shifts of six (6) hours or longer in accordance with New York State law. Meal breaks are unpaid at the University. If a non-exempt staff member's meal period is missed or significantly interrupted due to workload or emergency, the employee will record the time as hours worked and will be paid accordingly.

Break

Breaks are not guaranteed and cannot be accumulated to reduce a workday. Supervisors may allow non-exempt employees up to two (2) paid breaks per workday. Break time begins when an employee leaves their workstation and should not exceed fifteen (15) minutes. Excessive break time may lead to corrective action, up to and including termination of employment.

Blood Donation Leave

In compliance with New York State law, the University provides eligible employees with three (3) hours of unpaid leave per calendar year for the purpose of donating blood off-campus. Time taken, including recovery time, to donate blood in connection with a blood drive on campus is paid time. Employees who wish to utilize blood donation leave must provide three (3) days' notice to their supervisor prior to the donation date.

The University will not retaliate against employees for requesting or taking such leave. The leave will not accrue or carry over if it is not used during the calendar year.

Nursing Mothers

The University provides reasonable unpaid break time or will permit an employee to use paid break time or meal time each day to allow the employee to express breast milk for the nursing child for up to three (3) years following the birth. Unpaid breaks will be provided at least every three (3) hours if requested by the employee. However, the number of unpaid breaks an employee will need to express breast milk is unique to each employee and Nazareth will provide reasonable break times based on the individual. The employee will be permitted to make up the amount of time used during unpaid nursing breaks at the beginning or end of her shift as long as the additional time falls within the University's normal hours of operation. However, an employee is not required to make up their unpaid break time

Nazareth University has a dedicated lactation room, Shults 017 that is fully compliant with New York State Labor Law. Nursing mothers may access the key to room Shults 017, available from Campus Safety 24 hours per day.

An employee who needs to express milk should talk with their supervisor regarding the break schedule.

The University does not discriminate in any way against employees who choose to express breast milk in accordance with this policy.

Family Medical Leave of Absence

The Family Medical Leave Act (FMLA) requires covered employers to provide up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for certain reasons, as outlined below. Employees are eligible if they have worked for Nazareth University for at least one year and for at least 1,250 hours over the previous twelve (12) months. Leaves of absence or receipt of benefits for disability, Workers' Compensation or similar leaves will run concurrently with FMLA leave to the maximum extent permitted by law.

Reasons for Taking Leave:

- for incapacity related to pregnancy, prenatal medical care or childbirth;
- for a serious health condition that makes the employee unable to perform their job;
- to care for the employee's child after birth or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter or parent, who has a serious health condition;

- to care for a covered service member with serious injury or illness (up to 26 weeks for this type of leave); or
- for qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

FMLA leave is normally unpaid leave. However, the University will require that unpaid FMLA leave be taken concurrently with paid leaves that may be available to employees under any other University policies or practices. All other University policies or practices with regard to paid leaves, whether fully or partially paid, are hereby amended to the extent necessary to make them consistent with these rules.

If an employee is eligible to take more than one kind of paid leave under the same circumstance as unpaid FMLA leave, the paid leaves must be used one at a time. The employee must use at least one available paid leave, for so long as at least one of them is still available, at all times while out on an otherwise unpaid FMLA leave to the maximum extent permitted by law.

Employees receiving workers' compensation, disability benefits, or Paid Family Leave may elect to use accrued sick days to supplement pay while on FMLA leave.

These rules apply regardless of whether the employee requests FMLA leave or available paid leave. In either case, the leaves must be taken concurrently in accordance with these rules and applicable law to the maximum extent permitted by law.

The University's full FMLA policy outlining the eligibility requirements, leave parameters, required advance notice, medical certification, employment, and benefits protection is available on the Human Resources web page or by [clicking here](#).

Any questions regarding FMLA leave should be referred to Human Resources.

NYS Paid Family Leave

The New York State (NYS) Paid Family Leave (PFL) Benefit Law provides eligible employees with partially paid, job protected family leave benefits when they are unable to work due to a qualifying event.

Employee Eligibility

Full-Time Staff

Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment at Nazareth.

Part-Time Staff

Employees who work a regular schedule of less than 20 hours per week are eligible after working for Nazareth for 175 days within a rolling 52-week period.

Depending on work schedule, some employees may have the opportunity to waive PFL coverage. Please see Human Resources for more information about this option.

Qualifying Events for PFL

- To bond with a newly born, foster or adopted child in the first twelve (12) months after birth or placement.
- To care for a relative with a serious health condition (including physical care and emotional support). A serious health condition may include an illness, injury, impairment or physical or

mental condition that involves inpatient care in a hospital, hospice or residential health care facility or continuing treatment under supervision of a health care provider.

- Relatives for whom leave may be taken to provide care include a spouse, domestic partner, child, grandchild, parent, parent-in-law, stepparent, grandparent, sibling, legal guardian, or other person with whom an employee has a loco parentis relationship.
- For a qualifying exigency arising from the active duty (or impending call or order to active duty) of a spouse, domestic partner, child, or parent in the armed forces of the United States.

University policy allows only one employee at a time to receive PFL to bond with the same child or to care for the same family member.

Advance Notice Requirement and Process for Applying for Leave

An employee must provide notice, apply for, and be approved to receive PFL. Employees must provide the University with 30 days advance notice of foreseeable leave, or if the leave is not foreseeable, the employee must provide advance notice as soon as practicable. Notice should be given to Human Resources.

After providing notice, employees must complete required application paperwork, obtain supporting documentation, and submit required claim forms and supporting documentation to the University's insurance carrier. An employee's claim for PFL will be paid or denied within 18 days of receipt of the completed claim.

Claim forms are available from the University's insurance carrier or at ny.gov/paidfamilyleave.

Failure to provide required notice or complete required paperwork regarding your leave may result in the delay or denial of your request for PFL.

Employee Payroll Deductions

The PFL benefit is funded by employee payroll contributions that are set each year by the NYS Superintendent of Financial Services. The University will withhold employee contributions in accordance with the law.

PFL Rights and Benefits

Employees taking PFL have a right to return to their same or comparable job upon return from leave. Health and welfare benefits will be continued during PFL on the same terms as when an employee is actively at work. Employees on PFL are still responsible to pay employee premiums for plans elected, and the failure to pay the required premiums may result in the termination of coverage.

PFL benefits are payable for the first day of an eligible absence with no waiting period. PFL can only be taken in full-day increments.

The University will not discriminate or retaliate against employees for taking or requesting PFL.

Use of Paid Time Off During PFL

An employee may supplement PFL with any unused PTO in order to receive full pay during their leave. Employees cannot use their own sick leave bank to supplement PFL. Employees must designate if they want to supplement their pay at the onset of their PFL.

Relationship Between PFL and Other Types of Leave

NYS Disability Benefit Leave (NYSDBL)/Short-Term Disability benefits

- PFL leave may not be taken for an employee's own illness/disability.
- Employees cannot receive PFL benefits and NYSDBL benefits at the same time.
- An employee may not take more than 26 combined weeks of short-term disability and Paid Family Leave within a 52-week period.

Family Medical Leave Act (FMLA)

- PFL can be taken by employees who are eligible for time off under a provision of the FMLA.
- PFL will run concurrently with designated FMLA leave when the reason for leave qualifies under both PFL and FMLA.
- Eligible employees must apply for both PFL and FMLA for qualifying events covered by both laws.
- Any period of approved PFL will run concurrently with any other applicable period of leave, including FMLA leave, to the maximum extent permitted by law.

Workers' Compensation

- PFL leave may not be taken for an employee's own illness/injury.
- Employees who qualify for Workers' Compensation Benefits are not eligible to receive PFL benefits at the same time.

Other Information

Additional information regarding PFL can be found: <https://www.naz.edu/human-resources/employee-benefits/away-work-programs/>

Any questions regarding PFL should be referred to Human Resources.

Paid Sick Leave

The University provides eligible employees with paid sick leave in accordance with the requirements of New York's Paid Sick Leave Law ("NYS PSL"). All employees (whether full-time, part-time, temporary, seasonal, per diem) are eligible for paid sick leave in accordance with the NYS PSL and this policy.

Employees may use the first seven (7) days of accrued paid sick leave each year for the following reasons impacting the employee or a member of the employee's family for whom they are providing care or assistance with care:

Sick Leave

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

Safe Leave

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;

- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

An individual is not eligible for safe leave where that individual has committed such domestic violence, family offense, sexual offense, stalking or human trafficking, regardless of any family relationship.

For purposes of this policy, "family member" means an employee's child (biological, adopted, or foster child, legal ward, or a child for which an employee stands in loco parentis), spouse, domestic partner, parent (biological, foster, step- or adoptive parent, a legal guardian, or a person who stood in loco parentis when the employee was a minor child), sibling, grandchild or grandparent; and the child or parent of an employee's spouse or domestic partner.

In case of missed work due to illness, employees are required to inform their supervisor before the time scheduled to report for work. The University reserves the right to require medical documentation prior to returning to work to the extent permitted by applicable law. All employees are required to contact the Human Resources Department as soon as possible prior to a planned or foreseeable absence due to surgery or incapacity of more than five (5) consecutive workdays in order to obtain information on sick pay and benefit continuation. Employees will be required to complete and submit documentation and/or required forms as requested and to the extent permitted by law. Supervisors must immediately inform Human Resources if an employee is out for more than five (5) consecutive workdays.

Exempt Staff

The University provides up to thirty (30) days of paid sick leave after completion of the introductory period. At the beginning of their employment, employees receive seven (7) days of paid sick leave. After the successful completion of their introductory period, employees will receive up to an additional twenty-three (23) days of paid sick leave.

On January 1 of each subsequent year, exempt employees receive up to an additional thirty (30) days of paid sick leave. Paid sick leave is cumulative; leave that is not used in one year may be carried over to the next year. However, employees may not use more than sixty (60) days of paid sick leave in a leave year.

Non-Exempt Staff

The University provides up to thirty (30) days of paid sick leave after completion of the introductory period. At the beginning of their employment, employees receive seven (7) days of paid sick leave. After the successful completion of their introductory period, full-time employees will receive up to an additional twenty-three (23) days of paid sick leave. Part-time non-exempt staff will earn one hour of sick time for every 30 hours worked.

On January 1 of each subsequent year, non-exempt employees receive up to an additional thirty (30) days of paid sick leave. Paid sick leave is cumulative; leave that is not used in one year may

be carried over to the next year. However, employees may not use more than sixty (60) days of paid sick leave in a leave year.

The number of paid sick leave is pro-rated depending on the hire date and regular work schedule but will not be less than the sick leave required under the NYS PSL.

Paid sick leave may be used in 4-hour increments. An employee's sick leave pay is based on the number of hours the employee is regularly scheduled to work at the employee's normal rate of pay. Employees utilizing paid sick leave will be returned to the same position they held immediately prior to the use of leave with the same pay and other terms and conditions of employment.

Employees are not required to disclose confidential information relating to a mental or physical illness, injury, or health condition of such employee or such employee's family member, or information relating to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of receiving paid sick leave.

Employees have the right to request and use paid sick leave in a manner consistent with state law. The University will not discriminate or retaliate, or tolerate discrimination or retaliation, against any employee who seeks or obtains leave under this policy or who otherwise exercises their rights under this policy. Employees who feel they have been retaliated against for requesting or using paid sick leave should immediately contact Human Resources.

An employee who uses leave for purposes other than those provided for under this policy, or who provides false information in connection with taking such leave, will be subject to disciplinary action, up to and including termination.

There is no payment at termination for unused paid sick leave nor can any unused paid sick leave be converted to cash or paid time off. Employees who leave Nazareth University and subsequently are rehired and begin working within ninety (90) calendar days of their leave date will have their accrued paid sick time reinstated (pro-rated as applicable).