



The Millard College  
Employee and Faculty Handbook

2025

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## **Mission Statement**

We provide world-class education with comprehensive support for people to live their God-given destiny.

## **Statement of Faith**

The Millard College Statement of Faith is rooted in the historic Christian faith as summarized, but not entirely limited to, the following beliefs:

We believe the Bible to be the inspired, inerrant, only infallible, authoritative Word of God.

We believe that there is one God, eternally existent in three persons: Father, Son, and Holy Spirit.

We believe in the deity of our Lord Jesus Christ, in His virgin birth, in His sinless life, in His miracles, in His vicarious and atoning death through His shed blood, in His bodily resurrection, in His ascension to the right hand of the Father, and in His personal return in power and glory.

We believe that for the salvation of the lost and sinful people, regeneration by the Holy Spirit is absolutely essential.

We believe in the present ministry of the Holy Spirit, by whose indwelling, the Christian is enabled to live a Godly life.

We believe in the spiritual formation of believers by discipleship.

We believe in the resurrection of both the saved and the lost; they that are saved unto the resurrection of life and they that are lost unto the resurrection of damnation.

## **Institutional Objectives**

1. Increase the development and offering of programs of instruction based on labor market data regarding regional and national needs.
2. Improve student achievement, enhance the assessment of student learning and utilize evidence to strengthen programs.
3. The Millard College will maintain institutional licensing through the state of Kentucky, and obtain national accreditation through a CHEA-approved accreditation agency by 2023.
4. Develop and provide leadership and training for organizations dedicated to addiction and recovery.

5. Develop and implement a comprehensive system of support program for student success dedicated to helping students succeed by providing extensive assistance in the areas of academic and career assistance.
6. Offer programs which integrate a Christian worldview consistent with the statement of faith.

## **FOREWORD**

Whether you have just joined our staff or have been at The Millard College for a while, we are confident that you will find our college a dynamic and rewarding place to work, and we look forward to a productive and successful association. This handbook has been written to serve as the guide for the employer/employee relationship. The employees of The Millard College are our most valuable resource, and as such this guide has been designed to ensure both success in the service of our students and success in your employment here.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your director or to the Human Resource department. Neither this handbook nor any other college document confers any contractual right, either express or implied, regarding your employment with The Millard College. Nor does this handbook guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and your employment may be terminated at will with or without cause and without prior notice by the college, or you may resign for any reason at any time. No director or other representative of the college (except the President) has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

The procedures, practices, policies, and benefits described herein may be modified or discontinued from time to time. We will use our best efforts to inform you of any changes as they occur.

This handbook and the information in it is confidential and the sole property of The Millard College. No portion of this handbook may be disclosed to others, except The Millard College employees and others affiliated with The Millard College whose knowledge of the information is required in the normal course of business. Violation of the confidentiality of this information will subject the employee to disciplinary action, up to and including termination of employment. Some subjects described in this handbook are covered in greater detail in separate official policy documents. You should familiarize yourself with both this handbook as well as other policy documents. Please note that the terms of any written insurance policies are controlling and supersede any statements made in this or other documents.

## **ORGANIZATION OF THE COLLEGE**

### **Board of Regents**

The Millard College shall have a Board of Regents that consist of no less than five active voting members. The Board has oversight in matters of policy and operation, and shall exist without conflicts of interest. The Board shall have one member as the Chairperson of the Board.

### **Tim Robinson, Chancellor**

The Chancellor is responsible for oversight of the Chancellor's Council which includes: Chancellor, President, Provost, Vice President of Student Services, Director of Financial Administration, Legal Council, Chief of Staff to Chancellor, and other officials from the Chancellor's Office.

### **Randy Stinson, President**

The President of The Millard College also acts as the Chief Executive Officer, and is accountable to, and appointed by, The Millard College Board of Regents. The duties of the President include: general and active management of the College's business and affairs, executing all orders, resolutions, and policies, recommending policies, appointing personnel, and presenting a budget to the Board of Regents.

### **Cassandra Webb, Interim Vice President of Academic Administration**

The Vice President of Academic Administration reports to the President of the College for the administrative management and supervision of The Millard College academic program. This includes, but is not limited to: supervision of the academic division, the faculty and the academic support programs.

### **Bobbi Howard, Vice President of Financial Administration/CFO**

The Vice-President of Financial Administration reports to the President of the College. Duties and responsibilities include, but are not limited to, the administrative management, supervision and implementation of the financial operations, budget preparation, and budget development.

## **DIVERSITY**

### **Equal Employment Opportunity Statement**

The Millard College provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, familial status, amnesty, or status as a covered veteran in accordance with applicable federal state and local laws. The Millard College complies with all applicable federal, state, and local laws governing nondiscrimination in employment in every location in which the college has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.



The Millard College expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability, or veteran status. Improper interference with the ability of The Millard College employees to perform their expected position duties is absolutely not tolerated.

### **Harassment Policy and Complaint Procedure**

The Millard College is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, The Millard College expects that all relationships among persons in the workplace will be professional, respectful, and free of bias, prejudice and harassment.

It is the policy of The Millard College to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, familial status, amnesty, or status as a covered veteran. The Millard College prohibits any such discrimination or harassment.

The Millard College encourages reporting of all perceived incidents of discrimination or harassment experienced or witnessed by employees. It is the policy of The Millard College to promptly and thoroughly investigate all reports of discrimination or harassment. The Millard College strictly prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

### **Definitions of Harassment**

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined as it is in the Equal Employment Opportunity Commission Guideline, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, gender identity, sexual orientation, national origin, age, disability, marital status, familial status, citizenship, genetic information, or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on college time or using college equipment via email, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

### **Workplace Bullying**

The Millard College defines bullying as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment." Such behavior violates the college Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including directors, managers and executives, that the college will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration relative to disciplinary action. As in sexual harassment, it is the effect of the behavior upon the individual that is important. The Millard College considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person's work area or property.
- **Gesture bullying:** Non-verbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

## **Violence in the Workplace**

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, student, vendor, or business associate will not be tolerated. The Millard College resources may not be used to threaten, stalk, or harass anyone at the workplace or outside the workplace. The Millard College treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a director, security personnel, Human Resources, or a member of The Millard Colleges senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resource department of any protective or restraining order that they have obtained that lists the workplace as a protected area.

Employees are encouraged to report safety concerns. The Millard College will not retaliate against employees making good-faith reports. The Millard College is committed to supporting victims of intimate partner violence by providing referrals to The Millard College employee assistance program (EAP) and community resources and providing time off for reasons related to intimate partner violence.

The Millard College will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be treated as confidential to the extent possible.

The Millard College will not retaliate against employees making good-faith reports of violence, threats, or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, The Millard College may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The Millard College encourages employees to bring their disputes to the attention of their directors or Human Resources before the situation escalates. The Millard College will not discipline employees for raising such concerns.

## **Safety**

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a student.

Although most safety regulations are consistent throughout each department and program, each employee has a responsibility to identify and familiarize her/himself with the emergency plan for his/her working area. Each facility shall have posted an emergency plan detailing procedures in handling emergencies such as fire, weather-related events and medical crises.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action, including termination.

Furthermore, management requires that every person in the college assumes the responsibility of individual and collegial safety. Failure to follow college safety and health guidelines or engaging in conduct that places the employee, student or college property at risk can lead to employee disciplinary action and/or termination.

## **Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and requires those employers to provide reasonable accommodations to applicants and employees who are qualified for a position so that they may perform the essential position duties of the position.

It is the policy of The Millard College to fully comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Department of Labor (DOL) and the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our college policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions and privileges of employment.

The College will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a position unless doing so causes a direct threat to those individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to The Millard College. Should an employee have any physical disability or medical condition that creates a difficulty in performing their regularly assigned duties and would like to request an accommodation, they should contact the Human Resources Department immediately.

## **Whistle Blower Policy**

The Millard College has implemented compliance policies, procedures, and a Code of Ethics that articulate The Millard College's commitment to comply with all federal and state laws and regulations. Many of these policies/procedures are designed to prevent fraud, waste, and abuse by providing guidelines for individuals working in any area of the company. Our compliance standards apply equally to ALL employees regardless of tenure or rank within the organization as well as any contractor, vendor, volunteer, or agent of the company. It is the responsibility of each employee to become familiar with the standards and procedures that apply to their day-to-day activities and to comply with such policies.

## **MECHANISM FOR VOICING CONCERNS**

A critical component of the Compliance Program is to proactively identify issues and prevent compliance risks from developing. The following guidance applies to all Millard College employees, contractors, interns, volunteers, and other associates.

- A. Employees, contractors, interns, volunteers, and other associates have an affirmative duty to raise concerns. Employees should first discuss a concern with their immediate supervisor, who is closest to the situation and best able help. If an employee is uncomfortable discussing a concern with their immediate supervisor or if a problem is not addressed after an employee speaks with their immediate supervisor, the employee should report the concern to someone in an appropriate position, such as Human Resources, Compliance, Legal, or Executive Council.
- B. Employees should never undertake to investigate an issue themselves. All employees who have concerns should discuss it with their immediate supervisor, the HR Department, or the VP of Compliance who will review the matter. All employees, contractors, temporary employees, and vendors are also encouraged to contact the VP of Compliance to ask questions or seek guidance regarding specific activities or policies and procedures.
- C. Millard College will treat reports about compliance concerns in a manner that is confidential but also consistent with the need to investigate, cooperate with the government, and comply with legal obligations. A log will be maintained by the VP of Compliance that records all reports and calls to the Ethics/Compliance hotline, including the nature of the report/call, and the resolution of the issue identified. The VP of Compliance will respond promptly to all concerns received on the Ethics/Compliance hotline by carefully evaluating each potential issue before it is referred for investigation or other appropriate follow-up. A summary of the hotline activity will be included in the periodic reports from the VP of Compliance to the CEO/Executive Council.

## **WHISTLEBLOWER PROTECTIONS**

For the Purposes of this section,- a whistleblower is defined as an employee, contractor, vendor, volunteer, or agent of Millard College who reports an activity that he/she considers to be fraud, waste, or abuse to one or more of the parties specified in the section above.

A. Millard College recognizes that employees may be reluctant to report concerns if they believe that doing so may result in retaliation for harassment. It is the policy of Millard College to protect whistleblowers from retaliation and maintain confidentiality to the extent possible in respect to all concerns raised.

B. Millard College's managers, supervisors and employees are strictly prohibited from engaging in retaliation, retribution, or any form of harassment directed against an employee who has reported, or is considering reporting, an ethical or compliance concern.

C. Any manager, supervisor, or employee who engages in such retribution, retaliation, or harassment is subject to discipline, up to and including termination. For contractors, such actions may lead to the termination of the contract under which their services are provided to Millard

### **Individuals and Conduct Covered**

These policies apply to all applicants, employees and contractors and all conduct whether engaged in by fellow employees or third-parties to The Millard College, including but not limited to, visitors, volunteers, vendors, and consultants.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events whether during the execution of the actual event or during after-hours activities while on college related travel. Furthermore, all individuals covered by this policy should understand that as employees they represent the college during work related trips and events and their personal conduct should always adhere to the same basic principles and standards as those in use in a college owned workplace.

### **Complaint Process**

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate director, Human Resources, or any member of management.

When possible, The Millard College encourages individuals who believe they are being subjected to unwanted conduct to promptly advise the offender that his or her behavior is

unwelcome and request that it be discontinued. However, no action or inaction of any employee shall preclude that employee from following the complaint procedures set forth herein.

The Millard College encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment, therefore all employees are encouraged to report any acts of harassment as soon as they occur.

Any reported allegations of harassment, discrimination, or retaliation will be promptly investigated. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent possible without hampering the ability to conduct an adequate investigation and institute appropriate corrective action. It is important to note that during an investigation of any form of harassment, it is the effect the harassing behavior has on the victim that is relevant and not the intent of the harasser.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action up to and including termination. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

If a party to a complaint does not agree with its resolution, that party may appeal to The Millard College legal department.

False and malicious complaints of harassment, discrimination, or retaliation may be subject to appropriate disciplinary action, up to and including termination.

## **EMPLOYMENT**

### **At-Will-Employment**

Employment at The Millard College is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the President of the college.

This means that either the employee or the college may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this employee handbook is intended to or creates an employment agreement, expressed or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. In addition, no college representative is authorized to

modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period of time.

### **Employee Classification Categories**

All employees are designated as either nonexempt or exempt under the federal Fair Labor Standards Act (FLSA) and any applicable state wage and hour laws. The following is intended to help employees understand employment classifications and employee's employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and The Millard College.

- **Exempt employees** are employees whose work matches one of a set of exemptions defined by the FLSA and are exempt from being paid overtime for hours worked in excess of 40 hours per work week. Generally the assigned duties of managers, professional, administrative or technical staff meet the standards and criteria of these exemptions.
- **Nonexempt employees** are those whose assigned work duties do not meet the standards and criteria of the exemptions defined in the FLSA and therefore must be paid overtime wages for hours worked exceeding 40 hours in one work week.

The Millard College has established the following categories for both non-exempt and exempt employees:

- **Regular, full time:** Employees who are not in a temporary status and who are regularly scheduled to work the college's full-time schedule of a minimum of 32 hours per week, but generally work 40 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.
- **Regular, part time:** Employees who are not in a temporary status and who are regularly scheduled to work less than full-time schedule but at least 20 hours each week. Regular, part-time employees are eligible for some of the benefits offered by the college subject to the terms, conditions and limitations of each benefits program.

### **Background and Reference Checks**

To ensure that individuals who join The Millard College are well qualified and to ensure that The Millard College maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all potential employees prior to their date of hire. Background checks may include verification of any information on the applicant's resume or application form.



All offers of employment are conditional pending receipt of a completed background check report. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and anti discrimination laws. Background check reports are kept confidential and are only viewed by Human Resource Department staff or college executive level managers except in cases when sharing this information is required by contractual obligation or by regulatory requirements.

The Millard College reserves the right to be the sole judge of the information received in background checks and to use that information to make any hiring decision it deems appropriate. If information obtained in a background check leads The Millard College to deny or withdraw an offer for employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a verification of previous employment, driving record, or credit report may be performed if deemed appropriate by the Human Resource Department.

The Millard College commonly conducts background checks on a random sampling of current employees to comply with regulatory guidance and to determine eligibility for retention, promotion, or reassignment in the same manner as described above.

### **Internal Transfers/Promotions**

Employees may request consideration to transfer to other positions as vacancies become available and will be considered along with other applicants. At the same time, the college may initiate transfers of employees between departments and facilities to meet specific work requirements and reassignment of work duties.

The Millard College offers employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level unless outside recruitment is considered to be in the college's best interest. When considering an employee for an internal transfer or promotion, management will consider a variety of factors including, but not limited to, seniority, experience, education, performance evaluations and disciplinary actions. Management retains the discretion to weigh any of these factors as deemed appropriate.

To be considered, employees must have a satisfactory performance record and have no disciplinary actions during the twelve month period prior to the promotion or transfer.

## **Nepotism**

Employees or potential employees are required to inform management of any relatives, domestic partners, or members of the same household who are working for The Millard College.

If employees begin a dating or otherwise intimate relationship or become relatives, domestic partners, or members of the same household after becoming employed with The Millard College employees are required to inform management and Human Resources of the relationship.

The Millard College reserves the right to transfer employees or to take other action where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

## **Progressive Discipline**

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have a responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her position description or as otherwise established.

The Millard College supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our collegial values and Human Resources best practices.

Outlined below are the steps of our progressive discipline policy and procedure. The Millard College reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our college and students.

The following outlines The Millard College's progressive discipline process:

- **Verbal warning:** A director verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a director considered serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of a written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days.

Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the director and the college. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, dismissal may occur.

The Millard College reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and termination.

### **Separation of Employment**

Separation of employment can occur for several different reasons.

- **Voluntary Separation (Resignation):** Although we hope your employment with us will be a mutually rewarding experience, we understand that various circumstances cause employees to voluntarily resign employment. Resigning employees are requested to provide a two week notice, in writing, to facilitate a smooth transition out of the college. Employees who provide clinical services to students are requested to provide 30 day notice, in writing, to facilitate a smooth transition for students. Management reserves the right to provide an employee with two weeks pay in lieu of notice in situations where position or business needs warrant such action. Employees who provide less notice than requested or do not work all days of the notice period, are ineligible to receive payment for unused vacation time. Furthermore, the college may deem the individual to be ineligible for rehire or recommendation depending on the circumstances regarding the notice given. Employees who provide clinical services to students that fail to provide the requested 30 day notice may be subject to reporting to the appropriate state Licensure boards for student abandonment.
- **Voluntary Separation (Retirement):** Employees who wish to retire are required to notify their department director and the Human Resource department in writing at least one (1) month before the planned retirement date.
- **Involuntary Separation (position abandonment):** Employees who fail to report to work or contact their director for three (3) consecutive work days shall be considered to have abandoned the position without notice, effective at the end of their normal shift on the third day. The director shall notify the Human Resource department at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to position abandonment are ineligible to receive payment for unused vacation time and are ineligible for rehire or recommendation.
- **Involuntary Separation (Termination):** Employees of The Millard College are employed on an at-will basis, and the college retains the right to terminate employment at any time. Employees terminated for cause will be provided with a written Employee Discipline Report to explain the reasons for the termination. Employees whose employment ends due to involuntary separation are ineligible to receive payment for unused vacation time and are ineligible for rehire or recommendation.

### **Return of Company Property**

The separating employee must return all college property at the time of separation, including all college property, cell phones, keys, PCs and identification cards. Failure to return some items may result in deductions from the final paycheck. An employee will be required to sign the equipment receipt agreement when they are issued college equipment to be used for work related purposes. By signing the form the employee acknowledges that they will be held financially responsible for any college property or equipment issued to them not returned upon separation of employment and the costs of such items could be deducted from the final paycheck.

By accepting employment with The Millard College all employees acknowledge that separating employees continue to be bound by continuing fiduciary duties to The Millard College. This includes, but is not limited to, a duty to maintain any "Confidential Information" obtained during Employee's employment with The Millard College in the strictest of confidence. "Confidential Information" includes, but is not limited to, information regarding proprietary information about The Millard College and/or Professional Services, its operations, students, or any other proprietary information that relates to the business of The Millard College. This includes, but is not limited to, the names of customers, marketing strategies, operations, or any other information of any kind which would be deemed confidential or proprietary information and other non-public information relating to The Millard College or their affiliates, subsidiaries, partners, or other business interests. This duty of confidentiality extends to, but is not limited to, recollections or written records relating to or arising from internal discussions; memoranda and briefings other than memoranda or briefings prepared for distribution or disclosure; correspondence; personnel information; written or oral information relating to internal policies, procedures, or operations; computer-based information; handwritten, photocopied, or duplicated information. Employees shall immediately return any printed, written, recorded, or electronic "Confidential Information" to The Millard College and shall not retain such in their possession.

The Human Resource department reserves the right to request and schedule an exit interview with a separating employee. The interview will be on or around the employee's last day of work and is intended to allow the Human Resource Department to collect important information about the employee's experience and workplace culture of the college.

Health insurance terminates the last day of the month of employment. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health, dental and vision premiums through the end of the month.

### **Rehire**

Former employees who left The Millard College in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resource department, and the applicant must meet all minimum qualifications and requirements of the position.

Directors must obtain approval from Human Resources or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals, or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

## **WORKPLACE SAFETY**

### **Drug-Free Workplace Policy**

The Millard College has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our students, equipment, and facilities. For these reasons, The Millard College is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to address instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of The Millard College, the Human Resources Department is responsible for policy administration.

### **Covered Workers**

Any individual who conducts business for The Millard College is applying for a position or is conducting business on the property of The Millard College is covered by our drug-free workplace policy. Our policy includes, but is not limited to President, executive management, managers, directors, faculty, full-time employees, part-time employees, off-site employees, volunteers, interns, and applicants.

### **Applicability**

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the college. Therefore, this policy applies during all working hours, whenever conducting business or representing the college, while on college property, and at college-sponsored events.

### **Prohibited Behavior**

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs, or intoxicants.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a valid physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her position. If the use of a medication could compromise the safety of the employee, students, or fellow employees, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave time, request a change of duty, notify director, notify college doctor) to avoid unsafe workplace practices.

The illegal and/or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications.

### **Notification of Convictions**

Any employee who is convicted of a criminal drug violation must notify Human Resources in writing within five calendar days of the conviction. The college shall take appropriate action within thirty days of notification. Federal contracting agencies will be notified when appropriate.

### **Drug Testing**

To ensure the accuracy and fairness of our drug testing program, all testing will be conducted according to the Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test, a confirmation test, the opportunity for a split sample, and review by a Medical Review Officer, including the opportunity for employees who test positive to provide legitimate medical explanation, such as a physician's prescription, for the positive result, and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records. Each employee, as a condition of employment, will be required to participate in pre-employment, random, post-accident, reasonable suspicion, and return-to-duty testing upon selection or request of management.

Testing for the presence of alcohol will be conducted by analysis of saliva or breath. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine. Any employee who tests positive will be immediately removed from duty and referred to a substance abuse professional for an assessment and recommendations.

An employee who refuses the screening or the test, alters or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms, or refuses to cooperate in the testing process in such a way that prevents completion of the test will be subject to the same consequences as if the employee had tested positive.

### **Consequences**

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. Employees who are experiencing issues with drug or alcohol use or abuse are strongly encouraged to self-report to the Human Resources Department or to our Employee Assistance Program for consultation.

In the case of applicants, the offer of employment may be withdrawn. The applicant may reapply after twelve months and must successfully pass a pre-employment drug test and new background checks.

If an employee violates the policy, he or she may be subject to disciplinary action up to and including termination of employment.

### **Return-to-Work Agreements**

Following a violation of the drug-free workplace policy, an employee may be offered the opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work( RESET) Agreement as a condition of continued employment.

### **Assistance**

The Millard College recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

### **Confidentiality**

All information received by the college through the drug-free workplace program shall be confidential. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

### **Shared Responsibility**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play. All employees are required to not report to work or be subject to duty while their ability to perform position duties is impaired due to on- or off-duty use of alcohol or other drugs. In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their director.

It is the director's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Clearly state consequences of policy violations.

### **Communication**

Communicating our drug-free workplace policy to both directors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees .
- The policy and assistance programs will be reviewed at safety meetings.
- Posters and brochures will be available at all locations.

### **Smoking in the Workplace**

It is the policy of The Millard College to allow smoking on college premises only in designated areas in order to maintain a healthy environment for all employees and students. Smoking is defined as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette, or pipe of any kind." Smoking includes the use of electronic cigarettes and vaping devices. This smoking policy covers all employees, visitors, contractors, volunteers, practicum students, student interns, and students.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

## **WORKPLACE EXPECTATIONS**

### **Confidentiality**

The Family Educational Rights and Privacy Act of 1974 grants to students certain rights of access, review, challenge, and exception to their educational records. These rights are: 1) The right to inspect and review the student's education records after submitting a written request. Such requests should specify the records to be inspected and should be submitted to the Registrar's Office 30 days in advance. 2) The right to request a correction to education records which the student believes are inaccurate or misleading. Such requests should be submitted in writing to the Registrar's Office and should identify which part of the record is inaccurate or misleading and provide documentation as to why it should be changed. 3) The right to have personally identifiable information contained in the student education record to be held as confidential and not subject to disclosure without the consent of the student.



Exceptions to this non-disclosure right include provision for school officials to perform their functions and the ability of the school to disclose “directory information”. The Millard College designates the following student information as “directory information”: name, address, email address, telephone number, previous institutions attended, major field of study, honors, degrees conferred, participation in recognized sports and activities, date and place of birth, height and weight of athletic team members, photographs, dates of attendance, and classifications. Students may withhold disclosure of this information by submitting written notification to the Registrar’s Office. Forms to request the withholding of directory information are available in the Registrar’s Office. The College assumes that the absence of such a request indicates student approval for disclosure.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

All inquiries from the media must be referred to the President of The Millard College.

### **Personal Conduct**

It is imperative that employees conduct themselves with a high standard of professionalism and personal integrity while interacting with students and colleagues while in the workplace. Employees are expected to acknowledge that the students served by The Millard College are in vulnerable situations and many have histories of traumatic experiences. As a result, employees should avoid any conduct which could be exploitative, provide undue stress/trauma, or be detrimental to the treatment progress of the student. See also Exhibit A. Code of Ethics.

Any report of a failure of an employee to conduct themselves in a manner that represents a high level of professionalism and personal integrity will be investigated and appropriate disciplinary action taken up to, and including, termination of employment. Employees are prohibited from engaging in any activities with students that are not consistent with an educational environment, including but not limited to:

- Permitting, promoting, or taking part in any form of gambling, wagering or betting involving any campus activities, including recreational events occurring on campus or during approved trips and off campus activities.
- Permitting, promoting, or taking part in any form of gambling, wagering or betting regarding outside events such as sporting events, horse races, elections, televised competitions, etc.
- Creation of any quid pro quo agreements between employees and students so that items, services, or privileges from one party are given to another party in exchange for other items, services, or privileges or the promise of such.
- Engaging, promoting, or allowing extortion of a student by the threat of disciplinary action or other adverse treatment including physical harm, revocation of privileges, social isolation, discharge from the College, etc. in exchange for any items, favors, information, or any other condition to the benefit of the employee.
- Providing, promising or loaning money to a student for any reason or any use on the campus or for any external use.

- Engaging or participating in any relationship with a student that is non-professional in nature including but not limited to physical intimacies, sexual contact, romantic relationships, personal business, solicitation of labor, financial obligations, or any other private and non-professional relations.

The management of The Millard College reserves the right to determine what behavior constitutes non-appropriate personal conduct and take any action it deems necessary.

### **Conflicts of Interest**

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their positions. At times, an employee may be faced with situations in which business actions taken on behalf of The Millard College may conflict with the employee's own personal interests. Company property, information or business opportunities may not be used for personal gain. Circumstances in which conflicts of interest could arise include, but are not limited to:

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with The Millard College
- Serving as a board member for an outside entity or college.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all college employees.

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction, or relationships that might give rise to a conflict of interest, employees must seek review from their director or the Human Resource department.

### **Outside Employment**

Employees are permitted to engage in outside work or to hold other positions, as long as it does not interfere with their position performance or create a conflict of interest with The Millard College. Before accepting outside employment, employees are required to notify the Human Resource department in writing of their desire to accept a second position and communicate the following details: 1) the name and nature of the business, 2) the position title of the position, and 3) the scheduled hours that will be worked. The Millard College reserves the right to determine at any time if a conflict of interest is created by the engaged outside employment.

Activities and conduct away from the position must not compete with, conflict with, or compromise the college interests or adversely affect position performance and the ability to fulfill all position responsibilities. Employees are prohibited from performing any services for customers on non working time that are normally performed by The Millard College. This prohibition also extends to the unauthorized use of any college tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time. Employees with a second

position are expected to work their assigned schedules. Employees who have accepted outside employment may not use paid sick leave to work on the outside position. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor position performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If The Millard College determines that an employee's outside work interferes with performance or creates a conflict of interest, the employee may be asked to terminate the outside employment or be subject to disciplinary action up to and including termination.

### **Attendance and Punctuality**

Vacation and holidays must be scheduled with the employee's director in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days without an acceptable extenuating circumstance will be considered position abandonment and will result in termination of employment.

### **Attire and Grooming**

All Millard College and affiliated entities, staff members and interns are expected to present a professional, businesslike image to students, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment. All requirements under this policy are subject to change at any time.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the employee's immediate supervisor.

Any staff member or intern who does not meet the attire or grooming standards will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members and interns will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

All staff members and interns must carry or wear their identification badge at all times while at work.

The Millard College:

Employees and interns are expected to maintain a professional image and adhere to business casual dress. This is defined as:

- **Male employees** must wear collared shirts with dark wash jeans or khakis. Addiction Recovery Care (or affiliated entity) t-shirts may be worn on Fridays.
- **Female employees** must wear dress pants, khakis, skirts or dresses, dress capris, cropped pants, or dark wash jeans. Millard College (or affiliated entity) t-shirts or sweatshirts may be worn on Fridays.
- **For all employees** shorts, leggings (without tunic-length tops), yoga pants, sweatpants or hats are not permitted.

**External Event Dress Expectations:**

External events are to be defined as any representation of or its affiliated entities, within or outside of facilities, to non-employees.

Required attire may vary depending on the nature and the formality of the event. It is always a good idea to check any specific guidelines or recommendations provided by the event organizers to ensure you dress appropriately. External Event Attire is defined as:

- Male employees must wear collared shirts or MC-branded polos with khakis, suits or sport coats and dress pants with collared shirts based upon the event type.
- Female employees must wear dresses, dress shirts, collared shirts, or MC-branded polos with khakis, skirts or dresses, dress capris or cropped pants or other dress pants.
- For all employees shorts, leggings (without tunic-length tops), yoga pants, sweatpants, or hats are not permitted. Jeans are not permitted to any external event without prior approval from senior leadership or Human Resources.

**EDUCATION LOCATIONS**

**Attire & Grooming Guidelines**

Appropriate	Inappropriate
<b>SLACKS</b>	
<ul style="list-style-type: none"> <li>● Khakis or corduroys</li> <li>● Jeans (must be dark or medium light rinse, clean and free of rips, tears and fraying; may not be excessively tight or revealing)</li> <li>● Skorts, capris</li> </ul>	<ul style="list-style-type: none"> <li>● Sweatpants, leggings, exercise wear</li> <li>● Shorts, low-rise or hip-hugger pants or jeans</li> <li>● Clothing that is ripped, frayed, stained or messy</li> </ul>

<ul style="list-style-type: none"> <li>• Skirts, dresses (knee-length or longer)</li> </ul>	
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**SHIRTS**

<b>Appropriate</b>	<b>Inappropriate</b>
<ul style="list-style-type: none"> <li>• Polo collar, knit or Golf Shirts</li> <li>• Oxford Shirts</li> <li>• Company logo wear (t-shirts/sweatshirts only on Fridays)</li> <li>• Short-sleeved blouses or shirts</li> <li>• Turtlenecks</li> <li>• Blazers Or Sport Coats</li> <li>• Jackets Or Sweaters</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Non-MC related t-shirts or sweatshirts</li> <li>• Beachwear</li> <li>• Exercise Wear</li> <li>• Crop Tops, clothing showing midriffs, spaghetti straps</li> <li>• Clothing that is ripped, frayed, stained or messy.</li> </ul>

**Headwear**

<b>Appropriate</b>	<b>Inappropriate</b>
	<ul style="list-style-type: none"> <li>• Hats, caps, knit caps, toboggans</li> </ul>

**EXTERNAL EVENTS**

**Slacks**

<b>Appropriate</b>	<b>Inappropriate</b>
<ul style="list-style-type: none"> <li>• Khakis or corduroys</li> <li>• Skorts, capris</li> <li>• Skirts, dresses</li> </ul>	<ul style="list-style-type: none"> <li>• Sweatpants, leggings, exercise wear</li> <li>• Jeans</li> <li>• Shorts, low-rise hip-huggers jeans</li> <li>• Clothing that is ripped, frayed, stained or messy.</li> </ul>

**Shirts**

<b>Appropriate</b>	<b>Inappropriate</b>
<ul style="list-style-type: none"> <li>• Polo collar knit or golf shirts</li> <li>• Oxford shirts</li> <li>• Company Logo wear</li> <li>• Short-sleeved blouses or shirts</li> </ul>	<ul style="list-style-type: none"> <li>• T-shirts or sweatshirts</li> <li>• Beachwear</li> <li>• Exercise Wear</li> </ul>

<ul style="list-style-type: none"> <li>●Turtlenecks</li> <li>●Blazers or Sport Coats</li> <li>●Jackets or sweaters</li> </ul>	<ul style="list-style-type: none"> <li>●Crop tops,clothing showing midriiffs, spaghetti straps</li> <li>●Clothing that is ripped, frayed, stained or messy.</li> </ul>
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<b>Appropriate</b>	<b>Inappropriate</b>
	<ul style="list-style-type: none"> <li>●Hats,caps,knit caps, toboggans</li> </ul>

**Convocation**

Once a month a company wide meeting known as Convocation is held. All employees gather, either in person at one location or virtually in an online platform, for an ecclesiastical meeting to reinforce our mission, clarify our vision, and celebrate the transformation happening in the lives of our students and company. The afternoon meeting includes some or all of the following: vision casting by the CEO, company announcements, employee recognition, student testimonials, introduction of local/state officials, a message, music, and prayer. Occasionally, various staff and department meetings, training, employee team building, etc. are scheduled for the morning of convocation.

Convocation day is considered a regular working day built into the month and employees are paid as normal for attending. Absences from Convocation will be treated as any other missed day of work. Requests for time off using PTO or vacation days must follow the normal process.

**Outside Vendors and Contractors**

From time to time, The Millard College may engage service providers to provide services, deliver/repair/maintain equipment, or provide consultation in our locations and departments. All employees should direct any such visitor or service provider to the main entrance of the facility and be directed to the proper contact person and to allow proper sign in procedures to be followed. Employees are strictly prohibited from allowing an outside vendor or contractor to access any part of a building or campus facility or to begin work without proper clearance from the facility’s manager or properly authorized person. Doing so may subject the employee to disciplinary action up to and including termination.

Employees should refrain from forming any type of personal relationship with a vendor or outside contractor and correspondence and conversation should be limited strictly to the service, or consultation in which the vendor has been engaged to perform. All employees are strictly prohibited from accepting gifts or special privileges from any current or prospective

outside vendor or contractors. Any offers of gifts or special privileges from current or prospective outside vendors or contractors should be reported to the Legal Department for follow up.

### **Electronic Communication and Internet Use**

The following guidelines have been established for using the Internet, college-provided cell phones, and email in an appropriate, ethical and professional manner:

- Company-provided Internet, equipment (e.g., cell phone, laptops, computers), and services shall not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing, or pornographic nature. The following actions are strictly prohibited:
  - using disparaging, abusive, profane or offensive language;
  - creating, viewing or displaying materials that might adversely or negatively reflect upon The Millard College or be contrary to The Millard College's best interests;
  - engaging in any illegal activities, including:
    - piracy, extortion, blackmail, copyright infringement, and unauthorized access of any computers and college-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify, or forward copyrighted materials, except permission or as a single copy for reference purposes only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives.
- Employees should not open suspicious emails, pop-ups, or downloads. Employees should contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately that are not related to work.
- Internal and external emails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending email within and outside the college.

### **Right to Monitor**

All college-supplied technology and college-related work records belong to the college and not to the employee. The Millard College routinely monitors use of college-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment. Employees should have no expectation of privacy with any correspondence sent, received, or stored using college supplied technology and technology related accounts.

### **Social Media—Acceptable Use**

Below are guidelines for social media use. See full policy for details.

- Post only appropriate and respectful content.
- Maintain the confidentiality of The Millard College trade secrets and private or confidential information. "Confidential Information" includes, but is not limited to, information regarding proprietary information about The Millard College and/or Professional Services, its operations, students, or any other proprietary information that

relates to the business of The Millard College. This includes, but is not limited to, marketing strategies, operations, or any other information of any kind which would be deemed confidential or proprietary information and other non-public information relating to The Millard College or their affiliates, subsidiaries, partners, or other business interests. This duty of confidentiality extends to, but is not limited to, recollections or written records relating to or arising from internal discussions; memoranda and briefings other than memoranda or briefings prepared for distribution or disclosure; correspondence; personnel information; written or oral information relating to internal policies, procedures, or operations; computer-based information; handwritten, photocopied, or duplicated information.

- Respect financial disclosure laws. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.
- Do not create a link from your blog, website, or other social networking site to a The Millard College website without identifying yourself as a The Millard College associate.
- Express only your personal opinions. Never represent yourself as a spokesperson for The Millard College. If The Millard College is a subject of the content you are creating, be clear and open about the fact that you are an associate and make it clear that your views do not represent those of The Millard College your fellow associates, members, customers, suppliers, or people working on behalf of The Millard College. If you do publish a blog or post online related to the work you do or subjects associated with The Millard College make it clear that you are not speaking on behalf of The Millard College. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of The Millard College.
- Employees should be aware of the effect, both intentional and unintentional, their actions may have on their image, as well as the image and reputation of TMC’s. Employees should assume that any information shared on social media outlets will remain available to the public indefinitely.
- Employees should be aware that, as an employee of The Millard College, they will often be perceived as representing TMC and should conduct themselves in such a way as to avoid portraying a negative or harmful image of TMC or subjecting either themselves, TMC, or employees or students of TMC to liability or damage.
- Employees should be aware that TMC may observe content and information made available by employees through social media.
- Employees should be aware that TMC and employees of TMC engage in business involving confidential information. Employees must take special care to avoid breaching that confidentiality, either directly or indirectly, purposefully or inadvertently, through the use of social media. This includes, but is not limited to, confidential information regarding students, employees, and affiliates of TMC, confidential information regarding business plans and practices of TMC, and any other non-public information gleaned as a result of employment with TMC. If there are questions about what is considered confidential, employees should check with the Human Resources Department or the Legal Department.



- Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
- Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to authorized TMC spokespersons.
- Employees shall not post any image on any social media of past or present TMC students in such a way as to identify that student as a student of TMC or to create the implication that the student is or was a student of TMC. Former students who are now or who in the past have been an employee of TMC are exempted from this provision to the extent that such identification does not violate state or federal laws or policies, including but not limited to FERPA.
- Social media use shall not interfere with employee's responsibilities at TMC. TMC computer systems are to be used for business purposes only. Employees should be aware that the use of social media by employees using computers or networks belonging to TMC can be monitored.
- It is mandatory that employees keep TMC related social media accounts clearly separate from personal accounts.
- Violations of this Social Media Policy will be investigated by college management and may result in disciplinary action up to and including termination of employment.

### **Employee Personnel Files**

Employee files are maintained by the Human Resource department and are considered confidential. Managers and directors may only have access to personnel file information on a need-to-know basis.

A manager or director considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with anti-discrimination laws.

Personnel file access by current employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files are to be reviewed in the Human Resource department. The review will be monitored by Human Resource Department staff and the employee will not be allowed to edit, change, remove or destroy any document contained in the file nor will the employee be allowed to add additional documents to the file. No document(s) in the personnel file can be copied, photographed or otherwise duplicated. Personnel files may not be taken outside the department with the exception of an off site inspection granted prior approval by the Vice President of Human Resources.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to personnel files or portions of information contained therein.

## **COMPENSATION**

### **Performance and Salary Review**

Performance appraisals are conducted on a regular basis. New Hires will receive a performance review after 90 days of employment. This review is intended to document that the employee has completed all new hire training/on-boarding requirements, has gained an adequate knowledge of workplace policies/procedures and has a thorough understanding of college culture and employee expectations. Each year employees will receive a performance review on or near the anniversary of their date of hire. The Annual Employee Performance Evaluation is an in depth evaluation of all areas of the employee's assigned duties and will be discussed and signed by both the employee and manager to ensure that all strengths, areas for improvement, and position goals for the next review period have been clearly communicated. All performance evaluation forms will be retained in the employee's personnel file.

Increases in the employee's rate of pay associated with performance reviews are based on college financial performance and are not guaranteed. Pay increases will typically be granted based upon the annual review once per year. The new hire performance review conducted at 90 days of employment does not include increases to the employee's rate of pay. A performance review does not always result in an automatic pay increase. The employee's overall performance rating will be used to determine the percentage of increase that will be applied to the employee's rate of pay according to the Compensation Administration Policy. Salary adjustments are occasionally requested at times other than the employee's scheduled annual salary reviews. Out-of-cycle salary increases are rarely granted and must be pre-approved by the department manager, HR, and the President. Human Resources will review and approve all salary increase/adjustment requests to ensure internal equity and compliance with college policies and guidelines.

### **Payment of Wages**

Paychecks are distributed bi-weekly for wages due up to the last day of the pay period. Paychecks are distributed bi-weekly and are generally distributed every other Friday.

Overtime payment, which is included with the nonexempt employees base pay, is also paid bi-weekly with such payment covering hours worked in the prior pay period.

It is the college's policy that employee paychecks will only be given personally to that employee, direct deposited, or mailed to his/her home address.

If the normal payday falls on a college-recognized holiday, paychecks will be distributed one workday prior to the regularly scheduled date.

Employees may be paid by check or through direct deposit of funds to either a savings or checking account at a financial institution of their choice.

In the event of a lost paycheck, the Human Resource department must be notified in writing as soon as possible and before a replacement check can be issued. In the event the lost paycheck is recovered and the college identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check to the college within 24 hours of the time it is demanded.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Human Resource department. If the employee's address changes a new W-4 and I-9 must be completed and returned to the Human Resource Department.

### **Time Reporting**

It is the policy of The Millard College to maintain accurate and fair pay practices. Employees are responsible for recording their time worked using the established system employed by the college and directors are responsible for monitoring and approving the time worked by their employees. **Working off the clock (time spent by an employee performing college related business in which work time is not reported) is strictly prohibited. Working off the clock shall be considered a serious infraction and will be subject to disciplinary action up to and including termination for both the employee and their director.**

All employees must use the established system employed by the college as their time reporting mechanism. The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m. The workweek covers seven consecutive days beginning on Saturday and ending on Friday. The typical work week period is a total of 40 hours.

Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules should be appropriately recorded.

### **Meal/Rest Periods**

The scheduling of meal periods at The Millard College is set by the employee's immediate director with the goal of providing the least possible disruption to college operations.

### **Mandatory Meal Period**

Employee meal periods are important to college productivity and employee health. Employees who work at least five consecutive hours will be provided a meal break of at least 30 minutes. An employee's meal break will be granted no less than 3 hours and no more than 5 hours from the start of their work day. The meal period is not compensable and will not be included in the total hours of work per day. Nonexempt employees are to be completely relieved of all position duties while on meal breaks and must clock out for meal periods.

### **Rest Breaks**

Salaried employees, as they are paid a weekly salary regardless of the hours they work, may choose to take breaks as needed. Non-exempt employees are permitted a 15-minute rest break

for each four hours of work. Rest breaks are compensable therefore non-exempt employees on rest breaks are not required to clock in and clock out.

### **Impermissible Use of Meal Period and/or Rest Breaks**

Neither the lunch period nor the rest break(s) may be used to account for an employee's late arrival or early departure or to cover time off for other purposes—for example, rest breaks may not be accumulated to extend a meal period, and rest breaks may not be combined to allow one hour long break.

### **Overtime Pay (nonexempt employees)**

Overtime is defined as hours worked by a non-exempt employee in excess of 40 hours in a work week and should be recorded to the nearest quarter hour and will be paid as time and one half. Overtime must be approved in advance by the director to whom the employee reports. Directors are to approve overtime for their employees only after obtaining approval from their own management prior to the use of overtime.

Employees who anticipate the need for overtime to complete the week's work must notify the director in advance and obtain approval before working hours that extend beyond their normal schedule.

Paid leave, such as holiday, sick or vacation pay, does not apply toward time worked.

For the purposes of this policy, the work week begins at 12:00 a.m. each Saturday and ends at 11:59 p.m. on the subsequent Friday.

During busy periods of time employees may be required to work extended hours.

### **On-Call Pay (nonexempt employees)**

An on-call employee who is called back to work outside his or her normal work schedule shall be paid for the time worked or a minimum of two (2) hours, whichever is greater.

Time worked while on call will be calculated at the employee's regular rate of pay. If an employee is called back to work, he or she will be paid for travel time. If an on-call employee is not called back, no pay will be earned. Overtime compensation is applicable only when total hours worked exceed 40 hours in a workweek.

### **Employee Travel and Expense Reimbursement**

It is the policy of The Millard College to reimburse employees for reasonable expenses incurred and for approved travel on behalf of the college. Specific policy guidelines regarding expense/travel reimbursement are developed and maintained by the Finance Department under the direction and guidance of the Vice President of Financial Administration. The Millard College reserves the right to determine which requests for reimbursement are reasonable and represent an appropriate use of college funds.

### **TIME OFF/LEAVES OF ABSENCE**

## **Holiday Pay**

The Millard College recognizes eleven paid holidays each year:

- New Year's Day
- Dr. Martin L. King Day
- Good Friday
- Memorial Day
- Dignity Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Eve
- Christmas Day

Full time employees are eligible for holiday pay. Should a holiday fall on a weekend, the holiday will be observed on the work day closest to the holiday.

Time off may be granted to employees who desire to observe a religious holiday that is not recognized by the college. Requests of this nature should be made to the Human Resource Department and will be approved or denied after review by the Vice President of Human Resources.

## **Vacation**

**Vacation time** will be awarded in a tiered system based on date of hire and position. Vacation time will be available at the beginning of each calendar year and **will not rollover** from year to year. Vacation time will be available to new hires after 90 days of employment. Exceptions will be made for new hire employees that, prior to their date of hire, had a vacation scheduled prior to their 90th day of employment if schedules allow and reasonable accommodations can be made to cover the employees primary position duties. If such a situation should arise, the vacation time will be unpaid. The vacation time tiers are outlined below.

### **Part-Time Employees:**

Year 1: 24 hours (3 Days)

### **Group 1:**

Years 1: 80 hours (10 days, prorated by date of hire)

Years 2-3: 80 hours (10 days)

Years 4+: 120 hours (15 days)

(Group 1: Administrative Assistants, Executive Assistants and all other regular full-time staff)

### **Group 2:**

Years 1: 120 hours (15 days, prorated by date of hire)

Years 2-3: 120 hours (15 days)

Years 4+: 160 hours (20 days)  
 (Group 2: Directors, Full-Time Faculty)

**Group 3:**

Years 1: 160 hours (20 days, prorated by date of hire)  
 Years 2-3: 160 hours (20 days)  
 Years 4+: 200 hours (25 days)  
 (Group 3: Corporate/Sr. Directors)

**Executive Team:** (President, Senior Vice Presidents, Vice Presidents)

Vacation time for Executives is variable and requested time will be considered and approved by the President in writing. Vacation time allowed will be no less than that of Group 3.

**Vacation Notes:**

- Year 1 vacation cannot be used until after 90 days of employment.
- Vacation time caps out after year 4 and will not increase beyond this point.
- Vacation for part-time employees will not change, regardless of years of service.

**First Year Employees**

First year employees will be granted vacation days on a prorated basis based on the month of the date of hire and the percentage of months remaining in the year rounded to the nearest day. The chart below shows the vacation days that will be granted for each group by month of hire

	FIRST YEAR EMPLOYEES VACATION DAYS		
Month of hire	Group 1	Group 2	Group 3
JAN	10	15	20
FEB	9	14	18
MAR	8	12	17
APR	7	11	15
MAY	7	10	13
JUNE	6	9	12
JUL	5	8	10
AUG	4	6	8
SEP	3	5	7
OCT	N/A	N/A	N/A
NOV	N/A	N/A	N/A

DEC	N/A	N/A	N/A
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For fourth year employees, the additional week of vacation time will be added to their vacation accrual the pay period following their 4th anniversary of their date of hire.

Vacation will be paid at the employee’s base rate at the time the leave is taken. Vacation pay is not included in overtime calculation and does not include any special forms of compensation such as incentives, commissions, bonuses or shift differentials. If a holiday falls during the employee’s vacation, the day will be charged to holiday pay rather than to vacation pay. Leave taken beyond an employee’s available vacation balance may be unpaid unless otherwise required under state or federal law.

To schedule vacation time, employees should enter the request using the Time and Attendance system at least two weeks before the requested leave. Employees must ensure that they have enough leave available to cover the dates requested. Requests will be approved based on a number of factors, including department operating and staffing requirements. If multiple employees in the same location/department request to take vacation time on the same days, the employee with the most seniority with the college will be given preference. The director should approve the request within three business days of the date it is submitted indicating that the request has been approved or denied. If the request for vacation leave is denied, the director should provide an appropriate reason on the form returned to the employee.

Employees must use vacation time available during each calendar year as vacation days do not carry over into subsequent years. Directors are responsible to see that all vacation days available to their employees are scheduled appropriately and used prior to the end of the year. Unused vacation time at the end of the year **will not** be paid out with payroll.

**Vacation Time Paid Out Separation**

In the case of voluntary separation (separation initiated by the employee) and the employee has given an appropriate notice consistent with this handbook and worked every assigned work day of the notice period, unused vacation leave available through the last day of active employment will be paid at the employee’s base rate of pay at separation on a prorated basis paid out according to the chart below:

	VACATION TIME PAID AT SEPARATION		
Month	Group 1	Group 2	Group 3
JAN	1	1	2
FEB	2	3	3

MAR	3	4	5
APR	3	5	7
MAY	4	6	8
JUNE	5	8	10
JUL	6	9	12
AUG	7	10	13
SEP	7	11	15
OCT	8	12	17
NOV	9	14	18
DEC	10	15	20

In the case of involuntary separation (separation initiated by the college) available unused vacation leave will not be paid.

In the event of the employee's death, unused vacation time will be paid to the employee's estate or designated beneficiary.

**Sick / PTO**

All full-time, regular employees are granted three SICK/PTO days per year, after 90 days of employment. These days reset on January 1st of each year. Sick/PTO days will not be paid out at separation of employment.

Sick/PTO leave may be used for an employee's personal reasons or illness, well-care, and medical and dental appointments. Sick/PTO leave may also be used for illness and well-care of an employee's immediate family defined as spouse, children, step-children, parents and parents-in-law.

Should an employee need to be off work and Sick/PTO time is exhausted, any available vacation hours will be used in its place. An employee who has a sick leave absence in excess of three consecutive working days must present medical documentation for the absence. The Millard College reserves the right to ask an employee for a doctor's note or medical documentation whenever sick time is used.

**Bereavement Leave**

An employee who wishes to take time off due to the death of an immediate family member should notify his or her director immediately.



Bereavement leave will be granted unless there are unusual business needs or staffing requirements.

Paid bereavement leave is granted according to the following schedule:

- Employees are allowed three days of paid leave in the event of the death of the employee's spouse, child, father, father-in-law, mother, mother-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson, stepdaughter, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.

### **Maternity/Paternity Leave**

Millard College and its affiliated entities will provide up to four (4) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn, newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births, adoptions or placements of foster children occurring on or after July 21, 2023.

Eligibility:

Eligible employees must meet the following criteria:

- Have been employed with the company for at least 12 months (the 12 months do not need to be consecutive).
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Be a full-time, regular employee (temporary employees and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Be a spouse or committed partner of a woman who has given birth to a child.
- Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a new spouse's or partner's child is excluded from this policy.

Amount, Time Frame and Duration of Paid Parental Leave:

Eligible employees will receive a maximum of four (4) weeks of paid parental leave per birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the four (4)-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than four (4) weeks of paid parental leave in a rolling 12-month period, regardless

of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.

Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.

Approved paid parental leave must be taken during the first four (4) week period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this time frame.

In the event of a female employee who herself has given birth, the four (4) weeks of paid parental leave will commence at the birth of child with any short-term disability leave/benefit provided to or purchased by the employee to commence thereafter for the employee's own medical recovery following childbirth.

Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the approved time frame. Any unused paid parental leave will be forfeited at the end of the 4 week period.

Upon termination of the individual's employment at the company, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

#### Coordination with Other Policies:

Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period.

After the paid parental leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of FMLA leave (if applicable) may be compensated through employees' accrued sick, vacation and personal time if so chosen. Upon exhaustion of accrued sick, vacation and personal time if chosen, any remaining leave will be unpaid leave.

The company will maintain all benefits for employees during the paid parental leave period just as if they were taking any other company paid leave such as paid vacation leave or paid sick leave.

If a company holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.

An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee was on FMLA-qualifying leave.

Requests for Paid Paternal Leave:

The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary leave application and HR forms and provide all documentation as required by the HR department to substantiate the request.

As is the case with all company policies, the organization has the exclusive right to interpret or change this policy at any time.

### **Jury Duty**

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their director and provide him/her with a copy of the jury summons. The college will pay regular full-time and regular part-time employees for time off for jury duty up to a total of one week of pay.

### **Voting Leave**

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, employees will receive up to three paid hours leave during the work day to vote. Time off for voting should be reported and coded appropriately on timekeeping records.

### **Election Leave**

Employees who are chosen to serve as election officials at polling sites will be permitted to take paid leave for the required time off to serve in this capacity. It is incumbent on employees who are chosen to act as election officials to notify their manager a minimum of seven days in advance of their need for time off in order to accommodate the necessary rescheduling of work periods. Time engaged as an election official should be reported and coded appropriately on timekeeping records.

### **Military Leave of Absence**

The Millard College is committed to protecting the position rights of employees absent on military leave. In accordance with federal and state law, it is the college's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed

Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or college policy. If any employee believes that he or she has been subjected to discrimination in violation of college policy, the employee should immediately contact Human Resources.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact Human Resources to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employee rights while on leave and position restoration upon completion of leave, refer to the policies, procedures and forms from the Human Resources department. See also, FMLA section of this Employee Handbook.

### **Lactation/Breastfeeding**

Any employee who is breastfeeding will be provided reasonable break times as needed for expression of milk. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expression of the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

### **Family and Medical Leave Act**

Upon hire, The Millard College provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities Under the Family Medical Leave Act .

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact the Human Resources Department as soon as possible.

### **General Provisions**

Under this policy, The Millard College will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a

12-month period to eligible employees. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

### **Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for the college for 12 months or 52 weeks. The 12 months or 52 weeks need not be consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work at a worksite where 50 or more employees are employed by the College within 75 miles of that office or work site. The distance is to be calculated by using available transportation by the most direct route.

### **Type of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for a newly placed child.
- To care for a spouse, child or parent with a serious health condition.
- The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed healthcare provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the college's sick leave policy are encouraged to consult with the Vice President of Human Resources.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the college may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

*Covered active duty* means:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in Title 10 U.S.C. §101(a)(13)(B).

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term *covered service member* means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The term *serious injury or illness* means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in the line of duty or active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

### **Amount of Leave**

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading "Type of Leave Covered") under this policy during any 12-month period. The college will measure the 12-month period from the date an employee uses any leave under this policy. Each time an employee takes leave, the college will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, the college will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If spouses both work for the college and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the spouses may only take a combined total of 12 weeks of leave. If spouses both work for the college and each wishes to take leave to care for a covered injured or ill service member, the spouses may only take a combined total of 26 weeks of leave.

### **Employee Status and Benefits During Leave**

While an employee is on leave, the college will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

### **Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from their health care provider prior to returning to duty.

### **Use of Paid and Unpaid Leave**

All paid vacation, personal, and sick leave runs concurrently with FMLA leave except in cases of a workers' compensation leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

### **Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently or, under certain circumstances, may use the leave to reduce the workweek or work day, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

### **Certification for the Employee's Serious Health Condition**

The college may require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.



### **Certification for the Family Member's Serious Health Condition**

The college may require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification of Qualifying Exigency for Military Family Leave**

The college will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave**

The college will require certification for the serious injury or illness of a covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

### **Recertification**

The college may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the college may request recertification for the serious health condition of the employee or the employee's family member every 30 days in connection with an FMLA absence.

### **Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide the HR manager with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the HR manager will provide the employee with the DOL Notice of Eligibility and Rights. When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the college's usual and customary notice and procedural requirements for requesting leave.

### **Designation of FMLA Leave**

Within five business days after the employee has submitted the appropriate certification form, the HR manager will provide the employee with a written response to the employee's request for FMLA leave.

### **Intent to Return to Work from FMLA Leave**

The College may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

### **BENEFITS**

For more information regarding benefits programs, please refer to the college Summary Plan Descriptions, which were provided to employees upon hire, or contact the Human Resource Department.

### **Medical, Dental, and Vision Insurance**

The college currently offers regular full-time employees regularly scheduled to work a minimum of 32 hours per week enrollment in medical, dental, and vision insurance coverage options on the first day of the month following the 60<sup>th</sup> day of employment.

Newly hired employees should make medical and dental plan elections within the first 30 days of employment in order to ensure a sufficient amount of time for processing and reporting to insurance providers. Insurance coverage will be active on the first day of the month following the employee's 60th day of employment. Once made, elections are fixed for the remainder of the plan year. Changes in family status, as defined in the Plan document, allow employees to make midyear changes in coverage consistent with the family status change. Please contact the Human Resource department to determine if a family status change qualifies under the Plan document and IRS regulations.

In September of each calendar year, during open enrollment, employees may change medical, dental and vision elections for the following calendar year.

The Human Resource department is available to answer benefits plan questions and assist in enrollment as needed.

### **Life Insurance**

The college offers regular full-time employees of The Millard College an Accidental Death and Dismemberment (AD&D) policy with \$35,000 in coverage free of charge. The employee may elect additional coverage for themselves and members of the household at their own expense.

### **Short-Term Disability Benefits**

During the annual open enrollment period, eligible Employees may elect to participate in a short-term disability plan at their cost. It is a voluntary benefit that provides partial pay for employees who are unable to work due to illness, injury or disability not related to work, after an absence of more than seven consecutive calendar days. Benefits begin on the eighth day of disability and continue for related absences up to a maximum of 26 weeks. Employees will not be able to return to work without submitting to Human Resources a note from a physician or licensed healthcare professional authorizing the employee's return. Any time spent on short-term disability may count as part of the employee's FMLA leave.

### **Long-Term Disability Benefits**

The Millard College offers eligible employees (i.e., regular full-time employees who are regularly scheduled to work a minimum of 30 hours per week) a noncontributory long-term disability (LTD) base plan. This noncontributory base plan provides for monthly LTD benefits of 50% of basic monthly earnings to a maximum benefit of \$1,000 per month, less any other offsets. Eligible employees can enroll as of the first day of the calendar month following their 60th day of hire. Long-term disability coverage terminates on the last day of employment.

Please contact Human Resources for more information.

### **Employer Sponsored Retirement Plan**

The Millard College offers eligible employees, regular full-time employees who have been with the college more than 6 months, the opportunity to participate in an employer sponsored retirement plan (401k).

Employees may complete their retirement plan enrollment through the online portal provided by the Financial Institution partner at any time after eligibility requirements are met. Eligibility to participate in the retirement plan will begin on the first day after an employee reaches 6 months of active employment. Dates of entry to the plan will be the first day of each calendar quarter (January, April, July and October). Payroll deductions will begin the 1st day of the calendar quarter, following the date of the employee's application. An employee must meet all eligibility requirements of the employer sponsored retirement plan to enroll for payroll deductions.

### **Workers' Compensation Benefits**

The college is covered under statutory state workers' compensation laws. Employees who sustain work-related injuries must immediately notify their department director.

**Exhibit A:**



**THE MILLARD COLLEGE  
EMPLOYEE CODE OF ETHICS**

**ETHICAL STANDARDS**

**1. SERVICE QUALITY**

**A. Employee Responsibility**

Staff shall accept responsibility for the consequences of their work and make every effort to ensure that contracted services are of the highest quality, effective, and efficiently delivered. Staff members are personally responsible for the quality of their work.

Staff shall be knowledgeable and observant, and abide by all local, state, and federal laws, rules, regulations, codes, and professional practices. Staff shall maintain the highest standards of professional responsibility and exhibit exemplary conduct. Staff are expected to work together in a climate of mutual trust, respect, and dignity. All employees have an affirmative duty to report all suspected violations of state or federal laws or regulations or the policies and procedures of The Millard College whether directly observed by them or of which they have reasonable knowledge to the appropriate director within one working day (24 hour period).

**B. Employee Competence**

Staff shall not misrepresent their own qualifications/affiliations or those of their colleagues. Staff shall only market and distribute materials for services available and provided by the college. If employees have questions regarding what is and

is not appropriate, they should consult with their direct supervisor of the Human Resources department.

Staff shall take the initiative to seek directory advice for contractual, administrative and programmatic issues related to services, instructional activities, admissions, advising, marketing and training.

Staff shall pursue knowledge of current professional information related to Higher Education issues.

Staff members are expected to recognize the need for continuing education and shall take the initiative to obtain training, experience, or supervision to assure competency in their field.

Staff are expected to recognize that personal problems and conflicts may interfere with professional competence. Staff shall refrain from unprofessional behavior in which a personal problem may lead to inadequate professional service or harm to a student. Such staff are expected to seek competent professional assistance. The Millard College offers an Employee Assistance Program for all staff.

## **2. PROFESSIONAL CONDUCT**

### **Community Standards**

Staff will regard the legal/ethical standards of the community in which they work, especially those which may affect their ability to deliver and/or contract for professional services, recognizing that such violations of such legal/ethical standards on their part may damage their professional credibility, injure their own name, and/or the reputation of the agency, and therefore, substantially affect their ability to provide services. The Millard College will recognize the importance of due process and consider employees as innocent of legal/ethical violations until proven otherwise.

Staff shall abide by the required dress code, work hours, and other standards expected of their position.

## **3. PROFESSIONAL/COLLEAGUE RELATIONSHIPS**

- A. Staff shall act with due regard for the special competencies, and obligations of their colleagues and related professions. Staff shall maintain respect for the rights of privacy of their colleagues and contracted staff.

- B. Harassment & Discrimination – The Millard College is committed to providing a work environment that is free from sexual or personal harassment or any form of discrimination. Sexual or personal harassment and/or discrimination are a form of employee misconduct that undermines the integrity of the employment relationship, and is strictly prohibited.
- C. Personal relationships between colleagues are to be kept separate from the workplace and are not to be a part of any decisions that relate to either student activities or to any evaluative procedure. This includes the sharing of confidential student information that is not required. A violation of this expectation may result in disciplinary action to the employee up to and including termination.

#### 4. **EMPLOYEE/STUDENT RELATIONSHIPS**

The relationship between agency staff and students (defined for this entire section as any former or current consumer or contracted agency and their staff), will be professional with all interactions based on accepted professional principles.

- A. Fair and Equal Treatment - Staff shall treat all students with courtesy, impartiality, fairness, and equality. No staff shall grant special consideration, treatment, or advantage to any students beyond that which is available to any other student. Staff shall ensure that students shall not be discriminated against on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, familial status, amnesty or status as a covered veteran. All students shall be treated with dignity and respect at all times.
- B. Every effort shall be made to avoid the development of non-professional obligations in the contractual or direct service relationship.
- C. Contracting staff shall continually recognize their position of influence in the professional - student relationship. Any form of exploitation of the student by an employee is strictly prohibited.
- D. Dual relationships with students are prohibited, including, but not limited to, business or financial relationships, shared living, dating, and sexual intimacies.
- E. The relationship between the professional and the student shall never include conduct on the part of the staff which would be abusive (verbal or physical), negligent, threatening, intimidating, or damaging to the student in any way.
- F. After discussing with their staff, and prior to accepting contract responsibility for a student, a staff member having pre-existing social ties or other business or familial relationships with a student applying/seeking services, shall carefully evaluate their capacity to be professional and objective and will accept primary responsibility only with the approval of the director. When appropriate, that

student may be referred to another agency resource for services. Staff failing to follow this directive is subject to disciplinary actions.

**5. CONFLICT OF INTEREST**

No officer or employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in conflict with the discharge of his/her duties in the public interest.

**6. EMPLOYEE TRAINING**

- A. All employees of The Millard College shall receive one (1) hour of training annually to receive updates and review these important codes of ethical behavior.
- B. New employees shall receive this training before starting work.
- C. After receiving training, employees will sign and date documentation of training and attesting to conform to the ethical code of behavior.

## Employee Handbook Acknowledgment and Receipt

### I have received my copy of the Employee Handbook.

The employee handbook describes important information about The Millard College and I understand that I should consult my manager or Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with The Millard College voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or The Millard College can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

I understand and agree that, other than the President of the college, no manager, director or representative of The Millard College has any authority to enter into any agreement for employment other than at will; only the President of the college has the authority to make any such agreement and then only in writing signed by the President of The Millard College

This handbook and the policies and procedures contained herein supersedes any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with The Millard College. By distributing this handbook, the college expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by The Millard College and the college reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the President of The Millard College has the ability to adopt any revisions to the policies in this handbook.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at The Millard College is employment at will, which may be terminated at the will of either The Millard College or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by The Millard College or myself.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

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Employee's Name (print)

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Employee's Signature

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Date

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**



**The Millard College Employee Code of Ethics**

As an employee of The Millard College I agree to abide by the Employee Code of Ethics. I have received a copy of the Employee Code of Ethics and have had an opportunity to read and ask questions about the meaning and intent of any statement therein.

I understand that by my signature I am acknowledging receipt of the Code of Ethics. I understand that any violation of these codes may be cause for disciplinary action, up to and including termination.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
EMPLOYEE NAME (Printed)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DATE

Revised August 22, 2022  
Revised February 20, 2025