

Simmons University Employee Handbook

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Important Notice About the Simmons University Employee Handbook

This Handbook summarizes general information that is important in your work at Simmons University. The Handbook is intended to apply to all employees of Simmons University, including faculty. Some aspects of the employment relationship between faculty and the University are addressed in the Simmons University Faculty Policy Manual. In most respects, the Employee Handbook and the Faculty Policy Manual cover different subjects. In those areas addressed by both the Employee Handbook and the Faculty Policy Manual, the guidance in the Faculty Policy Manual shall be considered.

The University intends to apply the policies and practices described in this Handbook in a consistent manner. Nevertheless, the University reserves the right to modify, add to, delete from, and make exceptions to these policies and practices, without prior notice, as it deems appropriate. While the University will strive to consult with and inform the community in advance about policy changes, circumstances may require change without notice. In the event of a question about the meaning of any part of this Handbook, the best interests of the University will govern the final decision, and Simmons' interpretation will prevail.

Simmons expects each employee to read the Handbook and be familiar with its contents. If you have questions concerning the handbook, please ask your manager or a representative in Human Resources (HR).

Employment Policies & Procedures

EQUAL EMPLOYMENT OPPORTUNITY AND STATEMENT ON NON-DISCRIMINATION

As established in [Simmons' Non-Discrimination Policy](#), Simmons is committed to providing equal opportunity in all employment practices. Simmons does not discriminate on the basis of race, color, sex, sexual orientation, gender identity and expression, marital or parental status, religion, age, national or ethnic origin, socio-economic status, ancestry, disability, veterans' status, genetic predisposition, or any other characteristic protected by federal, state, or local laws.

We strive to recruit and retain a diverse workforce. Diversity enriches our understanding of the world and exposes us to a variety of opinions and experiences, thus enabling the administration, staff, and faculty to make the best possible decisions for Simmons University, our employees, and our students.

Simmons University supports the principle and spirit of equal employment opportunity for all persons, based on each individual's qualifications. In compliance with applicable law, the University administers its employment and personnel policies without regard to race, color, sex, sexual orientation, gender identity and expression, marital or parental status, religion, age, national or ethnic origin, socio-economic status, ancestry, disability, veterans' status, genetic predisposition, or any other characteristic protected by federal, state, or local laws.

Further, Simmons University strives to ensure that all decisions concerning hiring and promotion of faculty and staff, or the educational process of students, are based on considerations appropriate to an academic institution and not on factors such as race, color, sex, sexual orientation, gender identity and expression, marital or parental status, religion, age, national or ethnic origin, socio-economic status, ancestry, disability, veterans' status, genetic predisposition, or any other characteristic protected by federal, state, or local laws.

Simmons does not tolerate unlawful discrimination in the workplace. We expect every Simmons employee to cooperate fully in implementing our policy of non-discrimination and equal opportunity. If you believe Simmons' Non-Discrimination policy has been violated, you should report your concerns immediately to your manager, to your Dean or Vice President, to Simmons's General Counsel, or to a HR representative.

REQUESTING DISABILITY ACCOMMODATIONS

Simmons University will make reasonable accommodations to the known disability-related limitations of a qualified applicant or employee who has a disability. An employee experiencing difficulty performing their job because of their disability, or an applicant in need of a disability accommodation, is encouraged to seek assistance from Human Resources. For information on how

to request a disability accommodation, please review Simmons' [Protocol to Request Disability Accommodations](#) on the Simmons University Website.

All managers, supervisors and employees at Simmons acknowledge and understand:

Discrimination is prohibited: People with disabilities who are otherwise qualified may not be discriminated against in any areas of employment including, but not limited to, job application, compensation and promotional procedures, fringe benefits, and any other activities available by virtue of employment at Simmons.

Limiting, Segregating and Classifying: Persons with disabilities shall not be limited, segregated, or classified in a way that adversely affects their employment opportunities or status.

Associational Discrimination Prohibited: Simmons will not discriminate against any applicant or employee, with disability or not, because of the individual's family, business, social or other relationship or association with an individual with a disability.

Retaliation and Harassment Prohibited: Simmons will not coerce, intimidate, threaten, harass, interfere with, or retaliate against any individual for exercising rights under the ADA or 151B or for aiding or encouraging another person in the exercise of such rights. For more information, please review [Simmons' Non-Discrimination Policy](#).

Reporting: Employees are encouraged to bring issues or complaints related to the Protocol to Request Disability Accommodations or about the accommodation process to the attention of their manager, Vice President or Dean, HR, or the General Counsel.

RIGHTS OF PREGNANT WORKERS

Massachusetts Pregnant Workers Fairness Act

Employees have the right to be free from discrimination in relation to pregnancy or a condition related to the employee's pregnancy. For more information, please review the Simmons [Policy on Rights of Pregnant Workers](#).

PROFESSIONALISM AND ETHICS

Professional Appearance

Simmons generally follows a "business casual" standard of dress year-round. Some employees, due to the nature of their responsibilities, may be required to dress more formally on a regular basis and to adhere to a more formal standard of workplace dress than other Simmons employees. If you have questions about standards of dress for your position or department, please speak with your manager.

Professional Conduct

Simmons has a [Business Conduct Policy](#) which covers a variety of important issues that all employees need to know. All faculty and staff are expected to uphold their responsibilities as set forth in the Business Conduct Policy.

PROHIBITION OF SEXUAL HARASSMENT

We recognize the inherent dignity and worth of each member of our community, which includes the right to live, learn, and work in an environment free from Sexual Harassment, as defined in Simmons' [Sexual Harassment Policy for Students, Faculty, Staff, and Visitors](#). The Policy guides all community members in understanding prohibited conduct and the potential sanctions and outcomes for engaging in Sexual Harassment. In addition to defining prohibited conduct at Simmons, the Sexual Harassment Policy also:

1. Identifies how employees can report Sexual Harassment to the University, and the resources available on and off campus to aid them.
2. Details the process for assessing reports and complaints of Sexual Harassment and investigating and resolving complaints of Sexual Harassment that fall under the jurisdiction of Title IX and outside of it.
3. Identifies Simmons' Title IX Coordinator and Deputy Title IX Coordinators and describes their roles.

Importantly, the Policy classifies all University employees as Responsible Employees who must report Sexual Harassment to the Title IX Coordinator. The only exceptions are for: (1) staff who may assert a statutory privilege to maintain confidentiality (licensed psychologists, mental health counselors, social workers, clergy, and designated medical personnel) on behalf of a student/employee, and are acting within that privileged role, and/or (2) individuals the University explicitly designates as Confidential Resource Persons.

Employees may report Sexual Harassment in-person, by mail, by telephone, by electronic mail, or by any other means that results in the Title IX Coordinator receiving the report. Simmons' Title IX Coordinator may be contacted at:

Gretchen Groggel Ralston

AVP, Associate General Counsel

Title IX Coordinator

Simmons University
300 The Fenway
Boston, MA 02115

Phone: 617-521-2768

Email: <mailto:gretchen.groggelralston@simmons.edu>

Make a [Sexual Harassment Incident Report](#) online.

Employees may also report Sexual Harassment by submitting a Sexual Harassment Incident Report, or by way of [Ethicspoint](#).

Where expressly noted in the Sexual Harassment Policy, violations of the Sexual Harassment Policy, including, but not limited to the following violations, qualify as violations of the Employee Handbook and are subject to discipline, up to and including termination:

- Making false reports or statements, and/or submitting false information;
- Violating a Voluntary Resolution Agreement;
- Violating the rules of decorum established in the Policy;
- Failure to fulfill an assigned sanction, and
- Retaliation.

PROHIBITION OF OTHER TYPES OF DISCRIMINATION AND HARASSMENT, AND RETALIATION

It is a violation of Simmons' [Non-Discrimination Policy](#) to discriminate against any individual on the basis of that individual's race, color, sex, sexual orientation, gender identity and expression, marital or parental status, religion, age, national or ethnic origin, socio-economic status, ancestry, disability, veterans' status, genetic predisposition, or any other characteristic protected by federal, state, or local laws, herein called "protected categories." Prohibited discrimination includes harassment based on an individual's membership in any protected category.

Moreover, we are committed to making our programs and activities accessible to individuals with disabilities, including our online/digital services and offerings. We recognize that in the virtual/online learning environment, technology-dependent teaching and learning processes may create unique and unanticipated access barriers. We encourage individuals to [contact us](#) if an obstacle to access is found to exist.

In addition to defining prohibited discriminatory and/or harassing conduct at Simmons, Simmons' Non-Discrimination Policy also identifies how employees can report discrimination and harassment to the University.

Depending on the circumstances, conduct that may constitute discrimination and/or harassment may include, but is not limited to verbal, written, or graphic material that denigrates or shows hostility toward an individual or group, such as epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts, made on the basis an individual is a member of a protected

category. Depending on the circumstances, such behavior may not be severe or pervasive enough to create an unlawfully hostile working environment. Nevertheless, Simmons considers the behavior inappropriate and a violation of Simmons' Non-Discrimination Policy and will take necessary disciplinary action even when the behavior is not unlawful.

If you believe you have experienced, or witnessed someone else experiencing, discrimination and/or harassment by any employee of Simmons University, you should report the incident immediately to your manager, your Dean or Vice President, or to a Human Resources representative. Possible discrimination and/or harassment by others with whom Simmons has a business relationship, including contractors and vendors, should also be reported as soon as possible so that appropriate action can be taken. Although reports may be made verbally, employees are strongly encouraged to make any reports of discrimination and/or harassment in writing, as this facilitates the investigation process.

Additionally, Simmons University has established a hotline with EthicsPoint to enable employees to report anonymously and confidentially any policy violations. An employee may file a report directly on the [EthicsPoint website](#) or by calling the EthicsPoint call center at 1-888-260-5947.

The University strictly prohibits retaliation, which means no person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the Non-Discrimination Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Non-Discrimination Policy.

Any determination of responsibility on an allegation(s) of discrimination, harassment, and/or retaliation shall qualify as a violation of the Employee Handbook and may result in discipline, up to and including termination or exclusion.

CONFLICT RESOLUTION

During your career at Simmons, there may be times when you disagree or encounter problems with your manager or work colleagues, or you may feel that you have been treated unfairly. We suggest following these general guidelines for resolving such conflicts:

1. The best approach is for you to discuss the issue directly with the person, if you are comfortable doing so. In many situations, problems can be resolved at this level through candid, tactful and direct communication. If the issue involves potential discrimination or harassment, be sure to follow the procedures outlined in those policies and seek help and advice about your concern.

2. Raise issues in a prompt manner but be sensitive to timing. For example, if you know the person is facing a tight deadline or important meeting, you may want to delay your meeting with them until after the deadline has been met or the meeting has been held.
3. If you cannot resolve the problem with the person involved, discuss the problem with your manager.
4. If you cannot resolve the problem with your immediate manager or need additional information that they cannot provide, contact HR for assistance. HR will help you directly or provide guidance on the next steps you can take on your own.
5. If your problem remains unresolved, you are strongly encouraged to talk with your Dean or Vice President for your school or division. Be prepared to provide background information on the problem or issue, to discuss your attempts to resolve it, and to propose a recommended solution.

Simmons maintains an open-door policy, reflecting our respect for each individual in our community and our belief that everyone should have the right to discuss and even disagree with the administration. The process described above allows you to have access to the level of administration that has the authority to affect change and resolve problems. A representative from Human Resources is also available to consult at any step of this process.

CONSENSUAL RELATIONSHIPS

Relationships Between Employees and Students

Simmons University prohibits intimate, romantic, or sexual relationships between Simmons employees and Simmons students. The term “employee” includes Simmons administrators and staff at all levels, both full and part-time, as well as Simmons faculty of all rank, including professor, associate professor, assistant professor, and lecturer; and tenured, tenure-track, contract, or adjunct faculty. The term “student” includes, but is not limited to, any individual enrolled in an on- or off-campus program leading to the award of academic or course credit. Such enrollment may be for day or night programs, whether full or part-time, regardless of the number of hours or days attending the classes.

Simmons agrees with the statement of the American Association of University Professors (AAUP) that: “Sexual relations between students and faculty members with whom they also have an academic or evaluative relationship are fraught with the potential for exploitation,” can create real conflicts; are susceptible to an appearance of exploitation; and can impair the trust and integrity of the teaching, coaching, or other supervisory or evaluative relationship; and may cause a perception of favoritism or bias on the part of the staff. In addition, although these relationships may begin and remain consensual, they may be later characterized as non-consensual and could potentially lead to sexual harassment charges. The respect and trust accorded a professor by a student, as well as the

power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. This is true even if the student initiated the relationship. Relationships that begin on a consensual basis can deteriorate into unwanted situations. All Simmons employees, faculty, and staff, have a responsibility to our students and to the Simmons community to conduct themselves with integrity and in a professional manner at all times.

Any Simmons employee who engages in an intimate, romantic, or sexual relationship with a Simmons student is in violation of the Employee Handbook and subject to disciplinary action, up to and including loss of employment.

Exception: There is a narrow exception for employees who are married to Simmons students. The prohibition on consensual relationships shall not apply to a Simmons employee whose spouse enrolls at Simmons full or part-time, whether or not a tuition remission benefit is used. However, faculty should not be engaged in the evaluation of the academic work of a family member, including a spouse. When an immediate family member is enrolled in the same department employing the faculty member, the Dean shall be notified, and arrangements shall be made for the evaluation of the immediate family member's academic work.

Relationships Between Employees

Simmons strongly discourages employees (i.e., faculty and staff), with supervisory or evaluative authority, from engaging in romantic, dating, or sexual relationships with employees they supervise or evaluate, instruct, or advise, or with whom they are in a position to exercise authority over in any way. Even when both parties have consented, such a relationship can compromise professional integrity and may generate claims of unfair treatment by others and/or sexual harassment after the relationship ends. If such a relationship exists or develops, the manager or supervisor employee must notify their Vice President or Dean so that arrangements can be made for the unbiased supervision and evaluation of the employee. It is the Vice President's or Dean's responsibility, at that point, to notify HR to assist in handling these situations promptly and confidentially. Wherever feasible, it may require transfer or reassignment of one or more employees. It is the responsibility of both employees to cooperate in actions taken to eliminate any actual or potential conflicts of interest and to mitigate adverse effects on other employees and/or third parties.

Consensual relationships are prohibited when effective arrangements to remove the conflict and reduce the adverse effects on third parties cannot be made.

All violations should be reported to HR for investigation and appropriate administrative action, which could include disciplinary action up to and including loss of employment.

Retaliation against persons who report concerns about consensual relationships and/or who participate in any review of a matter involving a consensual relationship is prohibited and constitutes a violation of the Employee Handbook.

Please note: In the event an employee engages in a consensual relationship in violation of this section and the violation makes the employee the subject of a legal complaint, Simmons may decline to assist the individual employee in their legal defense against the allegation(s), and the individual employee, not Simmons, may bear any costs, fees or monetary obligations associated with their legal defense and the outcome of the matter.

GROUNDINGS FOR DISCIPLINARY ACTION

We expect all employees' behavior to be professional, ethical, appropriate for the workplace, and consistent with Simmons policies.

Failure to act in a professional and appropriate way may result in discipline. Discipline may range from a warning (verbal or written) to immediate termination of employment. Whether discipline is imposed, as well as the type of discipline imposed, is at the discretion of Simmons and may depend on several factors, including the severity of the offense, whether you have demonstrated a pattern of inappropriate behavior, and the impact your behavior or your continued employment may have on Simmons or on your colleagues. Your length of service to Simmons and whether or not you *intended* to engage in the inappropriate behavior may or may not be a factor, depending on the circumstances.

There may be times when an employee is suspended to allow Simmons sufficient opportunity to review the circumstances of the alleged offense and make a final decision. Simmons will make a decision on a case-by-case basis as to whether the suspension will be with or without pay.

It is impossible to list every type of behavior which is unprofessional and inappropriate conduct that may be grounds for discipline or loss of job. Below are some examples that may constitute grounds for discipline or loss of job. The following list is not exhaustive:

- Unlawful harassment or discrimination of any type
- Conduct that threatens or compromises the safety of others, including carrying or possessing firearms or other weapons on University property
- The sale, distribution, or possession of illegal drugs or other substances, including but not limited to those which are prohibited on university campuses by state and/or federal law (e.g., marijuana)
- The consumption of alcoholic beverages on campus during work hours outside of Simmons-sponsored events
- Keeping alcoholic beverages in Simmons workspaces/offices
- Serving alcoholic beverages to or purchasing alcoholic beverages for students or others who have not yet reached the minimum legal age to consume alcoholic beverages
- Off-campus behavior that adversely impacts the Simmons learning or work environment

- Misuse of University property (real, personal, intellectual or information technology), funds, money, or cash equivalents
- Submitting inaccurate information or in any way falsifying University documents, including, but not limited to, timekeeping records, employment records, student records, financial records, travel, and expense reports
- Falsifying educational, academic, professional or employment credentials
- Insubordination which can be reasonably characterized as repeated or serious or both
- Reporting to work or working under the influence of alcohol or illegal drugs or substances
- Breaching confidentiality or misusing information of a confidential nature
- Placing yourself in a position in which your personal interests and the interests of Simmons are in conflict
- Failure to comply with any federal, state, or local laws and regulations that apply to you and/or Simmons
- Failure to comply with one or more of Simmons University's policies and/or procedures
- Conduct considered inappropriate with students or colleagues
- Excessive tardiness, or repeated tardiness after one or more warnings, or stopping work before end of shift or approved work schedule
- Excessive absenteeism or abuse of paid leave
- Unreasonable or repeated failure to notify managers promptly of absences
- Theft of Simmons property or the property of another
- Intentional destruction of Simmons property or the property of another
- Fraudulent or dishonest conduct
- Conduct that violates any professional code of conduct that applies to you in the field within which you work
- Conduct that could or does cause Simmons reputational harm
- Breaching, disrupting, or accessing without authorization any part of Simmons' information technology systems or encouraging/enabling any other person to breach, disrupt or access without authorization any part of Simmons' information technology systems
- Unauthorized or inappropriate use of any Simmons social media account

If you have any questions about conduct at work, talk to your manager or to an HR Representative. Faculty should also consult the [Faculty Policy Manual](#) for information concerning their rights and responsibilities.

DRUG AND ALCOHOL-FREE WORKPLACE

Simmons is committed to maintaining a drug-free workplace. As required by federal law, we prohibit the illegal use of drugs and the abuse of alcohol by our employees, including student workers and interns. In addition, all Simmons employees must comply with federal and Massachusetts state laws as well as any relevant local statutes and regulations related to alcohol use, sales or serving of alcohol, especially to underage persons.

Simmons does not condone or permit the unlawful possession, use, consumption, or sale of illegal drugs or any controlled substance by employees on University property. For the purposes of this policy, a controlled substance is any illegal or prescription drug that, if abused, may lead to physical or psychological dependence. In addition, working while under the influence of a controlled substance is prohibited, unless use of the controlled substance is consistent with a physician's prescription and does not substantially impair the employee's ability to work satisfactorily or pose a risk to workplace safety.

Simmons expects all employees to conduct themselves in a responsible and lawful manner while on Simmons property or while conducting Simmons business off campus. Specifically, you may not operate any University-owned vehicle or equipment while under the influence of alcohol or controlled substances. Employees who use prescribed or over-the-counter medication that may impair their abilities to operate a vehicle or equipment should notify their manager in instances where that medication would interfere with their work responsibilities.

Simmons sometimes sponsors events where alcohol is served. Employees are expected to consume alcohol responsibly at Simmons functions, regardless of whether those Simmons-sponsored functions are held on or off campus. It is never appropriate to consume alcohol if you are under the legal drinking age, nor is it ever appropriate to provide alcohol to persons who are under such age.

If you plead guilty or are found guilty, or if you plead "no contest" to criminal charges associated with drugs or controlled substances, you are required by federal law to notify HR of the criminal matter and outcome immediately. Notification is mandated by the Drug-Free Schools and Workplace Act of 1988, which requires you to notify the University within five days of your conviction or plea. If you fail to notify HR as required by federal law, you may be subject to discipline and/or termination of employment.

Tobacco-Free Campus

Simmons is a tobacco-free campus. This community-wide initiative promotes the health and wellness of Simmons students, faculty, and staff by providing a living, working, and learning environment free of secondhand smoke. Learn more about this decision on the [Tobacco-Free Simmons page](#).

Simmons Property and Personal Property

Simmons will provide you with desks, lockers, and/or other places in which to keep your personal property during work hours. Please note that any space or equipment provided to you by Simmons remain the sole property of Simmons, which reserves the right to inspect University property at any time, with or without prior notice.

In addition to physical property, all communications sent from, received by, or stored on the University's voicemail or computer systems—including laptop computers—are also the property of the University.

The University cannot be responsible if your personal property is damaged, lost, or stolen. Damage, loss or theft of University or personal property should be reported immediately to the Public Safety Office. You will not be required to pay for damaged, lost, or stolen University property. You may, however, be disciplined if you should have exercised better judgment or taken appropriate precautions.

WORKING WITH SENSITIVE INFORMATION

Handling Confidential Information

In the course of your work at Simmons, you may have access to confidential information about Simmons, our students, their parents, our alumnae/i, our Trustees, our donors, our employees, or other business information. This information must be held in the strictest confidence to comply with the law, protect individual privacy and safeguard the University's reputation and operations.

When it is necessary to share confidential information with others in the scope of your job responsibilities, please follow these guidelines:

Be certain that the person with whom you intend to share information is approved to have access to it. If you are uncertain, ask your Manager, Vice President, or Dean. If you believe you cannot discuss your question or concern with your manager, Vice President, or Dean, please consult with the General Counsel.

Store and transmit information in a secure manner to ensure that it is not accidentally found or sent to unauthorized individuals. If you need to send confidential information electronically, check in advance to be certain that only the authorized individual has access to their email, and indicate clearly that the information is confidential.

Do not discuss confidential matters in public or in areas of the University where you are likely to be overheard.

Confidentiality Agreements

All staff are required to sign a Confidentiality Agreement as a condition of employment. If you have questions or concerns about confidentiality, speak with your manager, Dean, Vice President, or the General Counsel.

Conflict of Interest

All staff and faculty are expected to avoid actions or engagements that are in conflict with their position or that create an actual or perceived conflict between personal and/or external interests and the interests of Simmons. Please refer to the [Business Conduct Policy](#) for more information.

TECHNOLOGY POLICIES

Simmons has policies in place that govern the use of technology. All employees at Simmons should be familiar with the terms of these policies and you should consult with your manager, Dean or Vice President if you have questions about the terms of these policies and how they apply to the work you do at Simmons.

Technology policies are available in full on the [Simmons website](#). Questions about policies should be directed to the Technology Service Desk at (617) 521-2222.

Acceptable Computer and Network Use Policy

Simmons has an [Acceptable Computer and Network Use Policy](#) that governs the terms of use and expectations for all users of Simmons University computer and network resources. All faculty, staff and students are bound by this policy as a condition of using the University's computer and network resources, and every Simmons employee should be familiar with this policy, which addresses important topics such as password security, copyright infringement, installation of software, privacy concerns and prohibited computer and network uses.

Failure to comply with the Acceptable Use Policy may be considered a serious offense and may result in discipline or termination of employment.

Security and Privacy

Although Simmons takes security measures to block unauthorized access to employee's files and accounts, these systems should not be considered completely secure. All employees should use discretion when sending or storing highly sensitive or confidential material. Details about protecting data and electronic devices can be found in the [Information Security Policy](#).

In addition, a limited number of authorized Simmons University staff will occasionally monitor information on the University's network and/or computer systems for University-related purposes.

Use of Email for Personal Reasons During Work Hours

Simmons University discourages the use of email to attend to personal business during work hours, although we recognize that you may occasionally need to do so. Use of your Simmons email account to attend to non-Simmons business matters during work hours should be kept to a minimum, and the excessive use of email for non-Simmons matters during your work hours may be grounds for discipline. Some types of personal email are always prohibited, including commercial or political solicitations, chain letters, and materials of a sexual, discriminating, or harassing nature.

File Sharing at Simmons

File sharing is the act of using the internet to transfer music, movies, and other copyrighted works from one computer to another. Use of the Simmons network and Simmons computers to download or upload a file without the consent of the copyright owner of the music, movie, or other content in the file is a violation of the University's [File Sharing Policy](#).

Installation of Software

Federal regulations govern the licensing and use of computer software. The software you are provided by Simmons is properly licensed and should be used by you in compliance with the licensing agreement. No copy of software may be used on a Simmons computer or Simmons network unless a valid license to use that copy has been obtained, including shareware and software downloaded from the internet.

You are not permitted to make additional copies of any software without the express authorization and proper registration of the copy from the Office of Technology. Before any software can be used on Simmons computers or the network, the software must be virus tested. Disabling of University-installed virus protection software by users is prohibited.

INTELLECTUAL PROPERTY

Copyright Policy

As a community of scholars, Simmons University subscribes to the belief that intellectual property rights should be respected and honored, and that fair and appropriate use of published materials is both a legal and ethical obligation that members of the Simmons community must observe. It is the policy of Simmons that all members abide by U.S. Copyright law. Employees who willfully disregard U.S. copyright law and the Simmons copyright policy do so at their own risk and assume all liability for their actions. The full [Copyright Policy](#) is available on the Simmons website.

Intellectual Property Policy

Simmons University has a policy governing ownership of intellectual property that applies to faculty and staff at Simmons. The full [Statement on Intellectual Property Ownership](#) is available on the Simmons website.

Invention and Patent Policy

Simmons University has a policy governing the ownership of patents, which applies to faculty and staff at Simmons. The full [Invention and Patent Policy](#) is available on the Simmons website.

Workplace Standards

OUR VALUES

Our values are articulated in the Simmons Workplace Community Covenant:

"We the staff, faculty, and administration of Simmons University make up a community committed to teaching and learning. Regardless of our roles at Simmons, as members of a single community we seek to:

- *Respect each other as individuals and as colleagues,*
- *Respect diversity of all kinds within our community,*
- *Work collaboratively to foster positive morale,*
- *Promote direct communication to address issues or misunderstandings whenever they occur."*

We also strive to demonstrate these same values to the community beyond Simmons—the general public, alumni, donors, and potential donors, and prospective students.

DIVERSITY, EQUITY & INCLUSION

Our Commitment to Community

Simmons University is committed to inclusive excellence in all aspects of an individual's community experience. Our values, vision, and mission mandate that we strive to create an environment that is free from bias, prejudice, discrimination, and hurtful/hateful acts that can prevent each member from thriving in the Simmons community.

Our Value Statement

We honor the humanity, dignity, and individuality of each member of our Simmons community.

Our Vision for Our Community

Simmons University will be a warm, welcoming, inclusive community that appreciates, values, and respects the humanity, dignity, diversity, and contributions of all its members. We are committed to engaging one another to address the dynamic, evolving issues of our community and our world.

Our Diversity, Equity & Inclusion Mission

We seek to extend to the entire Simmons University community opportunities for learning, growth, success, and meaningful participation and to build a welcoming, diverse, and inclusive culture for our community. To that end, we will engage in ongoing work to combat racism, bias, and all forms of individual and institutional oppression.

We believe diversity is necessary in all aspects of an educational and residential environment to ensure inclusive excellence. As an academic community, rich with varied life experiences, perspectives, and values, we are uniquely positioned to facilitate the ongoing engagement and intellectual dialogue that honors the inherent and unique characteristics of each member of our community. This includes, but is not limited to, interrogating socially constructed concepts, and addressing issues of power, phobia, isms, or any other detractors to building and sustaining an equitable community.

Simmons will affirm diversity and inclusion by moving beyond tolerance and civility to a respect and appreciation that recognizes the social positioning of underrepresented and marginalized segments of the population.

Simmons values academic excellence, intellectual freedom, critical thinking, leadership, innovation, respect for the dignity of all individuals, and continuous improvement. We adhere to policies and practices that promote and support diversity and inclusion.

We prepare students to be well informed, open-minded, and sensitive to the values and diversity of others. We strive to foster an atmosphere where students can become actively engaged leaders in a changing, diverse society. We promote this goal through proactive and continual exchange of ideas among students, faculty, and the general University community.

WORK SCHEDULES

Simmons offers a variety of work schedules with the goal of meeting our business needs while providing you with the opportunity to balance your professional and personal life. The number of hours you work may affect the rate in which you advance and/or advancement opportunities, as well as your eligibility for benefits.

Standard Workweek & Business Hours

In general, Simmons's core business hours are 8:30 a.m. to 4:30 p.m., Monday through Friday. Certain schools or departments, however, may have different business hours. Your manager will provide you with information about your scheduled hours and the business hours of your department.

Attendance and Punctuality

Regular attendance of all employees is critical to University operations and an essential function of every position at Simmons. You are expected to arrive for work each day at the time agreed to with your manager and to work until the end of the workday, except when you are ill, on vacation or on approved leave.

If you are frequently absent or late, you may be subject to disciplinary action up to and including termination of your employment. You are required to notify your manager or supervisor as soon as you learn of your need to be absent. If your absence is not planned, you should telephone as soon as possible and speak directly to your manager or supervisor. Unless you are on an approved leave of absence, it is your responsibility to call in every day you are absent.

Long-Term Schedule Changes (for both exempt and non-exempt staff)

The University has the right to alter your scheduled work week on a long-term or regular basis. In these instances, your manager will attempt to provide you with at least one month's advance notice prior to the effective date of the change.

Facility Closings During Emergencies and Inclement Weather

There are times when emergencies, such as inclement weather or facilities failures, may disrupt regular University operations. When an emergency arises, the President or designee will make the decision whether to close Simmons for the day, close early or delay the start of business.

Simmons will disseminate notice of closures via email, phone, and text message. Employees will receive alerts based on their contact information in Workday, which can be self-updated at any time. Closing information may also be posted on the official [Simmons website](#).

The University's judgments for weather-related closings are based on the best information available to decision makers from the Boston office of the National Weather Service. Each employee should make their own decision about whether to travel to campus and report to work based on weather conditions. If Simmons is open, but you do not report to work, your absence will be charged either to your accrued balance or will be unpaid. Employees who decide not to report to work because of weather shall notify their manager as soon as possible in the morning.

If your position is exempt, your pay will generally not be affected by a decision to close Simmons or delay the start of business. If your position is non-exempt and Simmons is closed, you will generally be paid for your regular, scheduled work hours. If your job is non-exempt and Simmons is open, but you choose not to report to work because of inclement weather, you are to use available vacation time to be paid for the time you do not work or, if accrued time is not available, the time off will be unpaid.

Semester-end Campus Closures

Each year the President of Simmons decides whether Simmons may be closed, in whole or in part, between Christmas Day and New Year's Day. This decision on December closures will be announced in the holiday schedule that HR distributes every year. Some University offices may not be able to close during this time. Your manager will provide you with specific information about your department's coverage needs and its business hours during this period.

Non-Exempt Staff and Evening/Weekend Work (full-time staff)

In some instances, based on the needs of the University or individual departments, a non-exempt staff member may be required to temporarily adjust their schedule. For example, a staff member whose usual schedule requires them to work from 8:30 a.m. to 4:30 p.m., Monday through Friday, may be required to work into the evening on a given day or on a Saturday. In these instances, the standard pay policy applies.

However, if on a temporary basis, you are required to work a significantly different schedule from your usual schedule without at least two business days' notice, then you will be paid your regular rate for all time worked plus an additional one-half times your rate for all hours worked outside your usual schedule.

A "significantly different schedule" means that you have been required to work a different shift or on a day that you do not normally work. Please note that this extra pay only applies for short-term situations when your manager is not able to provide you with at least two business days' notice of the change in schedule.

Non-Exempt Staff and Holiday/Closed Day Work (full-time staff)

When a holiday falls on your regularly scheduled workday

If a University holiday or otherwise paid closed day (e.g., winter break, or when the school is closed due to inclement weather) falls on a day during your usual work schedule, the University makes every effort not to require you to work. However, in some instances, based on the needs of the University or your department, you may be required to report to work as usual although the University is observing a holiday or is otherwise closed. In such situations, you are eligible for extra pay. In addition to receiving your regular pay (holiday or otherwise) for that day, you will also be paid for your actual hours worked on that day. Please note that this only applies when you have to come in to work on a day when you would not normally have worked. For example, if the office is closed due to bad weather and you would not have come in at all, you would be eligible for additional pay if you were required to come to work. On the other hand, if the University is closing early and you have to stay past the revised closing time, you will not be entitled to any additional compensation provided the hours are within your normal work schedule. For purposes of determining overtime during weeks when you work on a holiday or closed day, all hours paid will be used.

If a University holiday or paid closed day falls on a day that you usually are not scheduled to work (e.g., your usual work schedule is Tuesday–Saturday, and there is a University holiday or paid closed day on a Monday), and you are asked to report to work, then upon approval by your manager, you may receive one of your usual workdays off as a substitute paid day off. You must coordinate with your manager to determine the substitute paid day off and it must be taken within two weeks of the actual holiday (before or after). Your manager may also decide that based on the needs of the department, division, or University that you will not be able to receive a substitute day off. In that situation, you will be eligible for extra compensation as described in the paragraph above. This does not apply to days when the University is unexpectedly closed for inclement weather.

Non-Exempt Staff and Holiday/Closed Day Work (part-time staff)

The University Holiday and Winter Break policy for Non-Exempt Staff described above also applies to regular part-time staff with the exception that they are eligible for a prorated number of holidays (or holiday hours) based on the number of hours they are scheduled to work.

It is important to remember that for part-time staff, holiday time should be considered in hour increments rather than days. We encourage part-time employees and their managers to consult with HR if you have questions or concerns on how HR is calculating your pro-rated time off for holiday and campus closures.

Remote Policy

Simmons University has policies that govern situations in which working remote may be appropriate for eligible employees on an ongoing or temporary basis. For more information, please see the [Campus Based Remote Work Policy](#) and [Non-Campus Based Employee Remote Policy](#) on the Simmons University Website.

WORKLOAD

Taking an Additional Job at Simmons

It is possible for an employee to hold more than one job at Simmons at the same time. Please consult with your manager to ensure that a second job will not interfere with meeting your responsibilities in your primary job, and with HR to ensure that we comply with wage/hour and other applicable laws.

In reviewing a request to hold two positions as Simmons, HR and the manager(s) shall take into consideration whether one position is classified as exempt and the other is classified as non-exempt. Typically, permission to hold two positions at Simmons is more easily obtained when both positions hold the same FLSA classifications.

Internal Applications

Employees who have been in their current position for at least one year and have earned a rating of at least Consistently Meets Expectations in their most recent annual performance review may apply for internal job openings. The length of employment requirement may be waived with the consent of HR but the requirement of satisfactory performance in the current job may not be waived.

If you are interested in applying for an open position within the organization, you are encouraged to have a discussion with your current Supervisor/Manager at some stage of the application or interview process. If you need assistance with this channel of communication, please contact HR. If you indicate an interest in a new position, your current position or status at the University will not be jeopardized. Employees who are on a Performance Improvement Plan [PIP] are not eligible to apply for other Simmons positions.

The University is committed to the development and promotion of its employees, as well as aligning employee strengths with the emerging business needs of the organization. However, internal candidates will not be guaranteed an employment offer for the new position even when external candidates possess comparable or greater qualifications.

All applicants for a posted vacancy will be considered on the basis of their qualifications and ability to perform the job successfully. Hiring managers are encouraged to liaise with HR to assist with managing internal applicant communications. Internal candidates who are not selected will be notified directly by either HR or the hiring manager.

Outside Employment

Non-faculty employees may work for another organization provided that it does not conflict or interfere with your Simmons' job responsibilities, schedule or performance. You may not perform any work for another employer during your Simmons workday, and you may not use Simmons equipment, materials, or staff to support your outside employment. For more detailed information about outside employment, please refer to the University's [Business Conduct Policy](#).

Faculty should consult the Simmons University [Faculty Policy Manual](#) for information concerning outside employment, conflicts of interest and conflicts of commitment.

SAFETY & SECURITY

Staying Safe on Campus

All members of the Simmons community should take an active role in their own safety and security and that of colleagues, both on and off campus. You should always secure wallets, handbags, and other items of value in your desk and never leave these items in plain view. You should report suspicious activity or thefts to Public Safety immediately. Public Safety also operates a lost and found center on the first floor of the Palace Road Building.

On campus, the Office of Public Safety coordinates security measures for the Simmons community. Simmons employs uniformed public safety officers who are on duty at campus locations 24 hours a day, seven days a week, during the academic year. Supervisors in the Office of Public Safety are appointed as Special Massachusetts State Police Officers and are authorized to make arrests and enforce the laws of the Commonwealth on Simmons University property. Members of the Simmons community should always be prepared to show their University ID card to University Public Safety staff when asked.

On-Campus Public Safety Phone Numbers & Locations

The administrative offices of the Office of Public Safety are located on the ground floor of the Palace Road Building, Room P106. You can contact Public Safety in an emergency by dialing extension 1111 on any campus phone, including outdoor phones at the front and rear entrances of the Library and Science Center and at the Fens entrance. From an outside line, Public Safety can be reached in emergency situations at 617-521-1111. For assistance with non-emergency situations, employees should dial extension 1112.

Workplace Safety & Work-Related Injuries

If you are injured during work or are involved in an accident on Simmons University’s premises or while traveling on University business, you should report any injury to your manager and HR immediately. Under many circumstances, Massachusetts’ State Workers’ Compensation law requires payment for medical treatment resulting from on-the-job injuries. A representative from HR can assist you in completing the necessary documentation with the University’s workers’ compensation insurer. To qualify for workers’ compensation, you must report any work-related injury or illness promptly.

Compensation & Employment Categories

EMPLOYMENT CATEGORIES

Categories of Staff	Description
Regular full-time	You are hired for an indefinite period of time, and you are regularly scheduled to work 40 hours or more per work week. You may work on a 12, 11, 10 or 9-month basis.
Regular part-time	You are hired for an indefinite period of time, and you are regularly scheduled to work less than 35 hours per

	work week. You may work on a 12, 11, 10 or 9-month basis.
Temporary (currently paid on a voucher)	You are hired to work for a specific and finite period of time.
Grant-funded	Your pay is funded through grants. Your continued employment may be contingent upon, among other things, continued grant funding. Ask your manager if you have any concerns.
Volunteer	You do not receive pay for hours worked, although you may receive an honorarium or other form of recognition for your efforts. You cannot be both an employee and a volunteer.

COMPENSATION

Staff Compensation: Introduction

This section of the Employee Handbook applies to non-faculty University employees and offers important information about staff compensation at Simmons. While this section sets out certain principles, nothing in it should be read as an entitlement to certain compensation or as a limitation to Simmons' discretion in making compensation determinations.

Staff Compensation Philosophy

Our employees are one of the University's most important resources and are essential to Simmons fulfilling its mission. Various compensation approaches can be used given economic and market realities. Generally speaking, we strive to reward performance, ensure internal equity and reflect market levels of pay. Appropriate levels of compensation enable us to attract, retain, and motivate qualified staff. Specifically, our goals are to:

- Provide compensation that reflects market pay rates to ensure competitiveness with our defined external markets, as resources are available
- Maintain internal equity by objectively evaluating jobs to ensure that a position's responsibilities are valued fairly relative to other jobs within the University

- Reward staff for performance and contribution to Simmons

Why We Have a Staff Compensation Program Pay-for-Performance (“Merit Pay”) Philosophy

Simmons is committed to linking performance and pay. The performance management program establishes individual goals, clarifies performance criteria, and provides an opportunity for objective review and feedback. The performance management program can be used to inform pay and promotional decisions.

Market-Based Pay Structure

Compensation at Simmons is based on our understanding of the market for similarly situated positions. It has been designed to enable Simmons to pay competitively with the organizations with whom we compete for staff.

For Simmons jobs that are specific to higher education, our market consists of a number of other higher-education institutions. For Simmons jobs that are found across a number of industries and are therefore not specific to higher education, our market consists of a broader industry group.

Salary Increases

Salary increases are intended to reward staff for performance that contributes to both the individual department’s goals as well as Simmons’s overall goals.

Salary increases can be shared “across the board” with employees or can be tied to individual performance. In addition, there are times when market adjustments are necessary for certain positions.

Compensation Program Elements

A number of elements create our compensation program administration: job descriptions, job grades, job titles and job evaluations.

Job Descriptions

Each person at Simmons is hired to do a specific job and each position or job has a Job Description. It is important that our job descriptions are current, accurate, and complete. Job descriptions describe the essential duties of a job and are used for a number of purposes, including:

- **Job Classification**—to ensure jobs are assigned to the appropriate pay grades and to the appropriate Fair Labor Standards Act (FLSA) status (exempt vs. non-exempt)
- **Market Pricing**—to assist in determining the competitive rate of pay for the job
- **Internal Equity**—to assist in ensuring comparable pay opportunities for comparable jobs within Simmons

- **Performance Appraisals**—to ensure that the employee and manager have a clear, shared understanding of the job’s essential functions
- **Recruiting**—to help identify the most appropriately qualified candidates and to provide prospective employees with a clear understanding of the job
- **Job Posting**—to ensure that the job posting accurately reflects the job’s essential functions and attracts the best qualified candidates
- **Dispute Resolution**—to assist in resolving legal and other employee relations issues that may arise.
- **Accommodations**—to ascertain if accommodations are needed to enable an employee to perform the essential job duties of their position.

The content of the job description enables us to assign a job grade to a position. Each job grade has a range of pay associated with it. An understanding of an employee’s performance and experience enables a manager to pay the employee appropriately within the range.

Job Grade (or Band) and Range

Our pay structure consists of twelve grades for non-faculty staff. Each position is assigned to a grade. Each grade has a range of compensation associated with the grade. This information can be found on the [Simmons website](#). Ranges are reviewed periodically using market data to ensure they are an appropriate tool for managers to make informed decisions concerning their team members’ pay.

Job Titles

A job title should clearly and accurately describe the roles and responsibilities of the position and be consistent with titling practices across the organization. Hiring managers may offer suggestions for position titles but the Office of Human Resources is responsible for the final determination of a job title.

Job Evaluation System: How are jobs assigned to a job grade?

Representatives from Human Resources (HR) work with managers to understand the content of the job and to ensure this content is accurately reflected in the job description. Using the job description, HR evaluates the level of the job by comparing the job to similar benchmark jobs on several different factors to determine the appropriate grade, such as:

1. Overall responsibilities
2. Planning and organizing
3. Independent Judgement/Decision making/problem solving

4. Knowledge and experience
5. Complexity

These job evaluation factors are evaluated from time to time to insure they remain the most relevant factors for our workforce at Simmons. From this exercise, a job grade is determined for the position. It is important to note that the grades are assigned to a job not an individual.

The range of pay associated with our grades (minimum, midpoint and maximum) is determined by a comparison to market levels of pay and changes periodically to reflect this review.

Generally, Employees are paid within the range of pay associated with the positions' grade.

Examples of appropriate pay within range:

- At minimum: Employee meets some or most of the criteria for the job and is developing knowledge and skills for the position. Job descriptions include the minimum level of experience and education needed to perform the job duties.
- Progressing through range: Employee advances through the range as they develop the full range of skills and experiences to be fully capable and independent.
- At maximum: Employee demonstrates full mastery of all aspects of position, a degree of breadth and depth of experience recognized as substantial. This is often an opportune time for a manager and employee to discuss professional development and advancement.

Managers

Managers play a critical role in the compensation of their team members because they work with employees to develop goals, provide feedback, and participate in compensation decisions for the staff.

Compensation for Part-Time Staff

Pay for regular part-time staff is managed under the same guidelines as for regular full-time employees, pro-rated for reduced work schedules.

If a part-time staff member in an exempt job works beyond the scheduled time, they are not eligible for overtime pay. If the staff member consistently works beyond the scheduled hours, their manager should discuss the reasons and determine appropriate solutions.

PAY ADMINISTRATION

Pay Schedule

Your pay schedule is determined by your job's exemption classification (see section below on "Legal Constraints on Compensation").

Exempt employees are paid semi-monthly, generally on the 15th for the first half of the month and on the last day of the month for the second half of the month. Non-exempt employees are paid bi-weekly. The Payroll Office can provide a list of scheduled pay dates.

Premium Pay, Special Circumstances

If you are to receive a shift differential, on-call pay or pay because of other special circumstances, your manager will inform you.

Legal Constraints on Compensation

In addition to Human Resources (HR) and management guidelines, various federal and state laws place constraints on compensation practices. The law sets out certain work rules and establishes minimum wage and overtime compensation. The law also governs child labor (work by persons under the age of 18). The Internal Revenue Code governs how and when taxes are deducted from your pay. Below is a brief summary of legal regulations that are most relevant to Simmons employees. Check with HR or Simmons General Counsel if you have questions about these requirements.

Exempt/Non-exempt Status and Overtime Pay

Federal and state laws require that overtime must be paid for certain jobs, but not all jobs. The term "exempt" refers to jobs that are exempt from legally required overtime.

The term "non-exempt" refers to jobs that are not exempt from legal overtime requirements. This means that employees who are classified as "non-exempt" are entitled to receive overtime compensation (time and a half) for each hour worked beyond 40 hours in a work week. At Simmons, overtime is calculated based on the number of hours you are paid in a work week. The overtime rate of pay is 1½ times the regular hourly rate. Employees may not unilaterally decide to work additional hours. Preapproval from management is required before overtime hours are worked.

In accordance with legal requirements, whether a job is classified as exempt or non-exempt depends solely on the job requirements and responsibilities. HR, guided by federal wage and hour laws and Simmons General Counsel, makes the final decision as to whether a job is exempt or non-exempt. Simmons managers do not have any discretion to change a classification from non-exempt to exempt or exempt to non-exempt.

Pay for All Time Worked (non-exempt staff only)

Federal and state laws require that staff in non-exempt jobs must be paid for all the time they work. If an employee works more than 40 hours in a work week, he or she will receive extra pay. Time worked between 35 and 40 hours will be paid at straight time; time worked in excess of 40 hours will be paid at the overtime rate, time and a half. If an employee works overtime hours but the

manager did not approve the overtime hour prior to the hours being worked, the overtime must nonetheless be paid to the employee even in the absence of prior approval. The employee may be disciplined, however, for failing to secure permission to work the overtime hours.

Non-Exempt Staff and Evening/Weekend Work (full-time staff)

In some instances, based on the needs of the University or individual departments, a non-exempt staff member may be required to work a work week that is different from his or her regular work week.

However, if on a temporary basis you are required to work a significantly different schedule from your usual schedule without at least two business days' notice, then you will be paid your regular rate for all time worked plus an additional one-half times your rate for all hours worked outside your usual schedule. For example, if your regular schedule is 8:30 a.m. to 4:30 p.m. and on short notice you work 12:30 p.m. to 8:30 p.m., then you would get your regular pay for your seven hours worked plus an additional half of your rate for the 4 hours worked outside of your normal shift between 4:30 p.m. and 8:30 p.m.

For purposes of the preceding paragraph, a "significantly different schedule" means that you have been required to work a different shift or on a day that you do not normally work. It does not mean working a couple of hours earlier or later than your usual schedule. Please note that this extra pay only applies for short-term situations where your manager is not able to provide you with at least two business days' notice of the change in schedule. For long-term and/or permanent schedule changes, please refer to the Work Schedules section on page 19.

Timekeeping

To plan work, manage budgets and track time off, Simmons requires all managers to maintain accurate records of time and attendance for their staff in Simmons's Time and Attendance System. Employees in non-exempt jobs are required to maintain daily time records. Employees in exempt jobs should record time away from work (e.g., vacation and sick time) as time is taken. These tasks are accomplished using Workday.

Managers must ensure that all staff complete online Workday submissions promptly and properly. Managers should review and approve all Workday submissions prior to the Payroll department for processing.

Compensatory Time

Simmons does not recognize "comp time". No Simmons employee—whether exempt or non-exempt—shall be granted "comp time" by a manager. It is illegal for employees in non-exempt jobs to be given comp time in lieu of overtime. In order to be consistent, the University has decided not to permit "comp time" for employees in exempt jobs. Managers have discretion to allow an employee to take extra time off, but this time shall be paid and cannot be "banked."

Additional Compensation and Discretionary Bonuses

At Simmons, an exempt staff member's annual base salary is full remuneration for the performance of regular duties. An exempt staff member's regular duties include those listed in the job description; those set by the manager each year as part of the annual goal-setting process for the staff member and the unit; and other duties and responsibilities that may be assigned by the manager to accomplish the mission of the school or unit.

Occasionally, a manager may request an exempt staff member to assume distinct duties and responsibilities, typically for an extended period of time, which fall outside the reasonable expectations associated with their current role. When such an assignment is contemplated, the manager may request that the exempt staff member be paid additional compensation for the time period in which the additional duties are performed. An additional Discretionary Compensation form should be submitted judiciously and prepared by the supervisor in advance of the staff member performing the work for which the additional compensation is sought. The Department Managers must approve the request in advance of the work. Examples of the Department Manager level of management include SVP, VP, and department head.

In addition, there are limited circumstances when exempt employees are eligible for discretionary bonuses.

If granted, additional compensation shall consist of either (1) a temporary adjustment to base salary; or (2) a one-time, lump-sum payment. Additional compensation is not to be treated as a permanent increase to an employee's base salary. For more information, please see the [Additional Compensation for Staff](#) policy.

PERFORMANCE MANAGEMENT & IMPROVEMENT

Performance management is an ongoing process that starts when expectations are set; feedback is shared; and performance is evaluated. It is important to understand what Simmons and your manager or Department Chair expect of you; how your performance will be evaluated; and your role in our performance management process.

Faculty should refer to the Faculty Policy Manual and each school's Implementation Guidelines for information pertaining specifically to faculty. This section pertains primarily to staff. We want you to:

- Understand your work responsibilities and what you are expected to accomplish in your job
- Understand how your professional responsibilities support Simmons's Strategic Plan
- Participate in setting goals and objectives for you and, sometimes, your department or work team

- Understand how your performance is evaluated
- Know what may happen if your performance does not meet expectations
- Learn how to improve your performance
- Participate in frequent communication and feedback about your performance

The University's performance management program has three basic steps:

Setting expectations: Your job description gives you an overview of your general responsibilities. You and your manager set SMART* goals and objectives consistent with your job description. Your job description, goals and objectives form the standards against which your performance will be evaluated.

Performance feedback: You and your manager have ongoing discussions about your performance. These discussions may be formal or informal and should occur throughout the year. You are encouraged to ask your manager for performance feedback at any time.

Performance evaluation: Simmons has an annual formal review process. You and your manager meet to summarize and document your performance for the previous year, using the University's performance review form. Both of you also develop goals for the next evaluation period. This is a time to focus on your career development.

* SMART goals are *Specific, Measurable, Attainable, Relevant and Time-lined*.

More About the Performance Review Process

Each year, Human Resources provides specific information about the University's formal performance review process (Step 3 above). This information includes timelines as well as the forms. There are several ways that you and your manager may conduct this process; the most common way is outlined below.

Self-Assessment

Typically, this process begins when you complete the written self-assessment of your performance review form. This is your chance to document how you view your performance and your contributions to Simmons. You should complete your self-assessment using the actual performance review form.

Completing your self-assessment in a thoughtful and timely manner demonstrates to your manager you take an active interest in your job performance and career at Simmons. It is also a useful tool for self-reflection. Human Resources offers coaching to provide tips and techniques on how to complete your self-assessment and manage your career at Simmons.

Performance Evaluation

The performance review process is a tool for mutual feedback. Do not hesitate, in a respectful manner, to give your manager feedback on what they could consider doing to support you and your work team more effectively.

New managers should reach out to HR to review the following components of completing an appropriate performance review:

- Reinforcing the importance of the performance management process and identifying areas of development for continued growth
- Reminding managers about Simmons's compensation philosophy and program to improve performance discussions with you
- Maintaining a level of consistency across Simmons in performance evaluations and ratings

In preparing for your review, your manager may also include feedback from people with whom you have interacted during the evaluation period. These persons may include internal or external customers; students; alumnae; and your work colleagues.

The next step in this process is for you and your manager to set goals and objectives for the upcoming year.

Your manager will then complete their portion of your performance review on the form(s) designated by HR. The review will indicate an overall performance rating. Once completed and reviewed by your Vice President, Dean or designee, your manager will meet with you to discuss the review. You should read the review carefully and discuss any areas of concern with your manager, such as:

- Areas where you excel and how you can continue to build on your successes
- Areas where you may disagree with your manager's assessment of your performance
- An action plan to address opportunities for improvement (you and your manager should do this together)
- Setting goals for the upcoming year (you and your manager should do this together)

Each employee should receive specific, objective feedback on their performance in a respectful manner. We ask that you sign your performance review to indicate that you have read and understood it. If you want, you may write a response, which will become part of your review.

A copy of your review and any comments become part of your personnel file.

Improving Your Performance

We hope that your career at Simmons will be exciting and challenging and that you will be successful in your job. It may happen, however, that your performance falls significantly and/or consistently short of meeting your manager's expectations. If that happens, our goal generally is to help you improve your performance.

In an effort to help you improve your performance, your manager may do a number of things, including:

- Meeting with you to explain the problem and get your perspective
- Coaching you on what you can do to improve your performance
- Formally counseling you and documenting these discussions
- Providing training and professional development
- Placing you on a Performance Improvement Plan ("PIP")

A PIP is a tool designed to turn around declining performance through realistic goal setting, progress reviews and frequent feedback. The period of time that you are on a PIP will be determined by your manager, in consultation with Human Resources. This period of time is based upon a number of factors, including the nature and severity of your performance problem; the impact of the problem on Simmons and others with whom you work (e.g., students, staff, faculty and alumnae); and the complexity of your job duties.

Being placed on a PIP is not necessarily the end of your Simmons career. Simmons employees have successfully completed PIPs and gone on to have meaningful careers at Simmons. A PIP is intended to alert you to serious deficiencies in your performance; to make you aware of what you must do to improve; and to give you ample notice that if your performance does not improve, your employment with Simmons may be terminated.

Generally, a PIP follows the steps outlined below:

Structure of a Performance Improvement Plan
Issue Identification: Your manager discusses job expectations with you and identifies the performance issue(s). Both you and your manager discuss how your performance can improve, and/or your manager coaches you on how to improve your performance. You affirm your commitment to improve, and your manager affirms their commitment to support you in this effort.
Written Plan: Your manager develops a written action plan and goals.
Progress Reviews: You and your manager meet to review your progress towards meeting the goals set for you. Your performance and progress continue to be documented. You must demonstrate a genuine effort to meet the expectations throughout the PIP.
Resolution: One of two things will happen at this point. Hopefully, you have achieved your goals and have sustained consistent, solid performance during the entire duration of the PIP. If so, your PIP ends, and your employment continues. If, however, you have not achieved your goals and/or you have not sustained solid performance throughout the duration of your PIP, your employment with Simmons may be terminated. Solid performance must be sustained even after you have successfully completed the PIP.

Throughout the PIP process, Human Resources is available to provide guidance to both you and your manager, as requested. These consultations may be held jointly or separately.

A Performance Improvement Plan is not appropriate for every employee or every situation. There will be occasions when Simmons will not follow the PIP program.

A Performance Improvement Plan may not be the appropriate course of action if it is unlikely to assist you in correcting your work performance problems. For example, if you are unable or unwilling to perform the essential components of your job, progressive discipline in the form of a PIP would not be the appropriate course of action. A Performance Improvement Plan may also not be appropriate if you express (by words or actions) a resistance to constructive feedback or an unwillingness to address the performance issues identified as areas of concern by your manager. A PIP may also not be appropriate when there has been a serious disregard of professional duties or when the issues are related to your behavior.

Progressive discipline before termination may also not be appropriate if your position requires you to:

- Exercise a high level of judgment and discretion regularly and reliably
- Demonstrate consistently effective management and leadership
- Participate productively in a confidential capacity as part of a management team where the actions or inactions of an individual employee may seriously impair the ability of the department or unit to carry out its mission or goals

The decision to follow or omit a Performance Improvement Plan lies with your manager and your Vice President or Dean, in consultation with Human Resources. You may be disciplined or discharged without the benefit of a Performance Improvement Plan or some other course of constructive development.

Managing Your Career at Simmons

At Simmons, you are responsible for managing your own career. Your manager will typically provide support, feedback, and guidance. The performance review process is a great opportunity to discuss your career aspirations with your manager. Feel free to ask your manager what support, work opportunities, or training they can provide to help you accomplish your career goals. Additionally, assistance may be available from Human Resources.

PAYROLL

Pay Schedule

Your pay schedule is determined by your job's exemption classification. Exempt employees are paid on the 15th and the last business day of the month (usually the 30th or 31st); however, if either of those pay dates fall on a holiday or a Sunday, employees are paid on the preceding business day. Non-exempt employees are paid bi-weekly on Friday. Check with the Payroll Office to get a list of scheduled pay dates.

Impact of Leaves of Absence on Compensation

Generally, if you are on a leave of absence when pay adjustments are made (usually on January 1 of each year), you will not receive a salary increase at that time. When and if you return from your leave, your manager will consider whether to adjust your pay. However, if you are on an approved FMLA leave of absence at the time that pay adjustments are made, you will be eligible for a salary adjustment. In this case, your manager may deliver your performance evaluation after you return from leave.

Timekeeping

Federal and state wage and hour laws require that Simmons keep accurate records of hours worked for every non-exempt employee. All non-exempt employees must complete and submit timecards each pay period in Workday, which will be reviewed and approved by supervisors and then upon approval are sent to the Payroll Office for processing. Falsification of timekeeping reports is a serious violation of University policy and may result in immediate termination of employment.

To plan work, manage budgets and track time off, Simmons requires all managers to maintain accurate records of time and attendance for their staff in Workday. Employees in non-exempt jobs are required to maintain daily time records; employees in exempt jobs should record time away from work (e.g., vacation and sick time) as it is taken.

Direct Deposit

You can have your entire net pay, or portions of pay, deposited into checking and savings accounts in up to three banking institutions.

Obtaining Employment Records

Simmons employees are entitled to review and obtain a copy of their employee records, including their health records. Employee health records are confidential and kept separate from general employee files. Health records include medical information and documents related to family, medical leaves of absence, workers' compensation, short- and long-term disabilities, and information received from health care providers.

If you want to review your file, you should submit a written request via email to HR. A representative from HR will arrange a time to review your records during business hours within five days of your written request. You may also request that a copy of your records be photocopied and provided to you.

Faculty should consult the [Faculty Policy Manual](#) for information regarding access to their employment/staff records.

Benefits

As part of your total compensation, the University provides a comprehensive package of benefits. For up-to-date information on Simmons's benefits and eligibility, visit the [Benefits & Compensation website](#).

ELIGIBILITY

At Simmons, benefits eligibility for you and your dependents is based on the number of hours you are scheduled to work. In general, full, and part-time regular staff and faculty expected to work 20 hours or more per week can participate in Simmons's benefits. For more information, please visit the

[Benefits & Compensation website](#) or contact Benefits & Compensation by phone at 617-521-2084 or email benefits@simmons.edu.

INSURANCE COVERAGE

Orientation & Enrollment

Benefits orientation is provided to all new employees and existing employees, upon request. New employees can enroll in benefits during the first 30 days of employment. Existing employees can enroll in, or update, their benefits during annual open enrollment periods or as a result of certain life events.

Benefit Changes Due to Life Events

When certain events occur in your life--for example, getting married or having a baby--you can make changes to your benefits coverage outside of open enrollment. These qualified life events allow you to make changes to your coverage within a 30-day window of the event. Visit the [Benefits & Compensation website](#) for more information about qualified life events.

Health & Life Insurance

Simmons offers health insurance through Blue Cross Blue Shield of Massachusetts, along with a dental plan, vision plan, health savings account, and life & disability insurance. For detailed plan information, visit the [Benefits & Compensation website](#).

Mail Service Prescription Drug Program

Blue Cross Blue Shield of Massachusetts allows you to save money on prescriptions you and your family regularly use. You may be able to order up to 90-day supply for the price of one co-payment. Learn more at [Express Scripts](#) or by calling 1-800-892-5119.

Supplementary Life, Group Automobile, and Homeowner Insurance Programs

Liberty Mutual provides a variety of services for Simmons employees. You may purchase car and homeowner/renter's insurance at discounted rates and pay the premiums through the convenience of payroll deductions over the course of the year. There are no finance charges, and no down payment is required. You may also purchase supplemental life insurance for you, your spouse and/or your dependents.

Other services include workplace auto damage appraisals, registry runner service, and a roadside assistance program. Call Liberty Mutual for more information at 508-682-6006 (current contact information is available in the Benefits Office).

Contract Staff and Contingent Staff

Consultants, temporary agency workers and interns are not considered employees of Simmons and therefore are not eligible for benefits, holiday pay or any other services or programs available to Simmons employees.

WELLNESS PROGRAMS

Simmons is committed to supporting the health and well-being of our employees. The [Wellness@Simmons initiative](#) is part of our overall benefits strategy to being a healthier community.

Blue Cross Blue Shield of Massachusetts (BCBSMA) Fitness Benefit

As a participant in a BCBSMA health insurance plan, you and your family may receive up to \$150.00 per calendar year toward membership at a health club or a reimbursement of \$150.00 per calendar year for participating in an approved weight loss program. Contact HR for more information. The limit is one per family per year.

Employee Assistance Program

The Simmons Employee Assistance Program (EAP) is offered through AllOne Health. AllOne Health provides short-term counseling and referral services for you and members of your family living in your household. Simmons University employees can consult with an AllOne Health counselor for up to three sessions per issue annually. These sessions are free, confidential, and voluntary. The program provides assistance with a variety of common personal problems, emotional concerns, legal problems and budget and debt issues. In addition, AllOne Health provides work/life referral services that can assist you in balancing the stresses of work and family life.

Benefits-eligible faculty and staff can access the EAP by calling the confidential number 1-800-451-1834 or visiting the [Benefits & Compensation website](#).

Professional Assistance with Substance Abuse

If you are seeking professional assistance for alcohol or substance abuse through counseling or a more formal rehabilitation program, we encourage you to contact our Employee Assistance Program ("EAP") through AllOne Health by calling the confidential number 1-800-451-1834 or visiting the [Benefits & Compensation website](#).

At the University's discretion and depending on the circumstances, Simmons may offer an employee the opportunity to participate in and successfully complete a rehabilitation program in lieu of termination of employment. Generally, however, this option may be offered when the employee admits to a problem before they have engaged in inappropriate behavior at work or demonstrated poor job performance.

If you participate in a Simmons University health plan, you or a covered dependent may receive coverage for licensed drug and alcohol rehabilitation facilities and outpatient counseling. Please refer to your health benefits Summary Plan Description for more details.

Fit at Simmons

The Fit at Simmons program is designed to provide University employees with opportunities to incorporate regular exercise into their lives and to adopt a healthy lifestyle. Classes and events are

regularly available on campus. For more information, and class descriptions and schedules, please visit the [Fit at Simmons website](#).

Athletic Facilities

The [William J. Holmes Sports and Fitness Center](#) is located on our residence campus and is available to employees. The Center includes basketball courts, gym, track, pool, and additional fitness facilities.

[Daly Field](#) is a multi-use, outdoor athletic complex in Brighton, MA. The complex includes fields for several Simmons University teams as well as a walking track and walking/biking path open to the public.

EDUCATION BENEFITS

Tuition Waiver (excludes all Simmons Online 2U enabled courses)

All regular benefit-eligible full-time and eligible part-time employees may take courses at the University; undergraduate courses are free of charge and graduate courses are at a cost share for those hired on or after July 1, 2020. Following is important information regarding this benefit.

- Employees and eligible family members may take courses on a space-available basis.
- Eligible family members may only take undergraduate courses, there is no graduate course benefit for family members.
- Employees are not automatically entitled to take courses, particularly if the course is offered during your regular work hours. Your manager does not have to approve your taking a course if she or he feels that it will interfere with the performance of your job responsibilities or that your absence will hamper the operations of your department.
- Regular benefit-eligible full-time employees are eligible to take 1 course (up to a maximum of 4 credits) in each semester, including one course in each summer session(s), during the first year of your employment.
- Regular benefit-eligible full-time employees are eligible to take 2 courses (up to a total of 8 credits) in each semester including one course in each summer session after you have completed one year of service as a regular benefit-eligible full-time employee. Your one-year anniversary of your start date must fall on or before the last day of the class registration period.
- Benefits-eligible employees who work less than full-time (less than 40 hours) may take one course (up to 4 credits) in the fall and spring semesters.
- Employees may take any undergraduate or graduate course with the following exceptions:

- All of Simmons' graduate schools or programs may limit the number of courses a non-matriculated employee may take.
- Excludes all Simmons Online 2U enabled courses.
- If you or your eligible family member wishes to matriculate into an undergraduate program, then you or the family member must submit an application for admission and meet all applicable admission requirements. Check with each school to learn its specific admissions requirements. Because the Simmons undergraduate program is single-sex, male employees, and/or eligible dependents may take undergraduate courses on a non-degree basis, but they may not matriculate into the undergraduate program.
- Employees on a PIP ("Performance Improvement Plan") generally will not be permitted to take courses.
- If you are hired on or before June 30, 2020, graduate classes are free of charge.
- If you are hired on or after July 1, 2020, graduate classes are at a cost share:
 - 0 up to 3 years of service = 25% discount on tuition
 - 3 years up to 5 years of service = 50% discount on tuition
 - 5 years + years of service = tuition covered at 100%

There are limits on the number of courses you may take:

Employee status	Spring Semester	Fall Semester	Summer Session
Regular benefit-eligible full-time, less than one year of service	1 course (up to a maximum of 4 credits)	1 course (up to a maximum of 4 credits)	2 courses, one in each summer semester (up to a maximum of 8 credits)
Regular benefit-eligible full-time, more	2 courses (up to a maximum of 8 credits)	2 courses (up to a maximum of 8 credits)	2 courses, one in each summer semester (up

than one year of service			to a maximum of 8 credits)
Regular benefit-eligible part-time	1 course (up to a maximum of 4 credits)	1 course (up to a maximum of 4 credits)	
Adjunct	1 course (up to a maximum of 4 credits) in the semester the adjunct faculty member is actively teaching with Simmons		

COF Cross Registration

Through Simmons' partnership with the Colleges of the Fenway (COF), full-time benefits-eligible employees may enroll at another COF institution in one undergraduate course per semester, on a space-available basis, at no cost following completion of one year of employment in a full-time benefits-eligible position. Taking a course at another institution will be in place of and not in addition to a course at Simmons. Simmons does not offer a dependent cross registration benefit with the COF institutions.

For details including the procedure to enroll in a COF course, refer to the COF web site at:

colleges-fenway.org/cross-registration/employee-cross-registration-guidelines

Tuition Benefits for Family Members (excludes all Simmons Online 2U enabled courses)

After you complete one year of service at Simmons, your spouse or domestic partner and/or dependent child (as defined by the IRS) are eligible to take undergraduate courses at Simmons free of charge. For each employee, only one dependent child may be enrolled at any one time. The University will require proof of dependency for the child before enrollment is approved. Your spouse/domestic partner and dependent child can be registered simultaneously with no maximum credit restriction. There is no benefit for graduate courses for family members.

Tax Considerations

You are responsible for the tax consequences of participating in the tuition benefit program. This means that you are responsible for paying applicable taxes on tuition benefits for yourself, your spouse, or your domestic partner, and/or dependent child.

Generally, there are no taxes on undergraduate courses unless for a domestic partner given, they are not considered your Federal tax dependent. Graduate courses may be considered taxable income. If

your graduate tuition benefit exceeds \$5,250 per calendar year, and if you believe that your course is related to your job, you may request an exemption from federal and state taxes. To request the exemption, complete the form titled *Graduate Tax-Exempt Certification*, available on the Benefits website and return with your completed Tuition Eligibility forms to <mailto:hr@simmons.edu>. The completed form must be filed with the Human Resources and Office of Student Financial Services by the end of the second week of classes.

IRS Publication #508 (*Tax Benefits for Work-Related Education*) discusses what qualifies as work-related education. This publication can be downloaded from the IRS web site (irs.gov).

If federal taxes apply, they will be processed through Payroll.

If the value of your graduate course(s) exceeds \$5,250, taxes will be charged at the rate of 39.95%, calculated as follows:

Federal Income Tax	27.00%
Social Security Tax	6.20%
Medicare Tax	1.45%
State Tax	5.30%

Total	39.95%

Compensation

If you are a non-exempt employee and take an approved course during work hours, you will not be paid for this time. If your manager allows you to make up time, you will be paid for all hours worked as indicated on your timesheet.

Tuition Exchange Program

The Tuition Exchange Program (“TEP”) is a reciprocal scholarship program for dependent children of faculty and staff employed at hundreds of participating institutions of higher education, including colleges and universities in Massachusetts. The goal of the TEP is to attract and retain employees in the field of higher education by making careers at colleges and universities more attractive. TEP provides an opportunity for a dependent child of full-time faculty and staff to receive partial or full tuition scholarships for undergraduate education at one of the TEP member institutions. A full description of the TEP program, including eligibility information, can be found [here](#).

COMMUTING

MBTA Pass Program & Subsidy

The University offers a generous MBTA-Pass discount program. All benefits-eligible faculty and staff are eligible for subsidized MBTA passes, paid for via payroll deduction. Please visit the [Benefits & Compensation website](#) or contact MBTA@simmons.edu for further information about this program.

Parking

The University has limited parking for benefits-eligible employees.

The cost for the available on-campus and off-campus parking spots can fluctuate each year. For complete information including rules and regulations, please visit the [Parking website](#).

Partnership with MASCO/CommuteWorks

As a member of MASCO (Medical Academic and Scientific Community Organization), Simmons employees are eligible to take part in the commuting alternatives programs run by CommuteWorks. You can find a complete list of the commuting options available on the [Commuting Alternatives website](#).

WORK-LIFE RESOURCES

Bookstore

The [Simmons University Bookstore](#) is located on the ground level of the Main College Building. Office supplies can be purchased and charged to your office's budget number. The Bookstore also carries a variety of other items.

Spiritual Life

The [Office of Spiritual Life](#), in Room W009 in the Main College Building, is open to all members of the Simmons Community.

Discounted Entertainment

Employees can purchase discounted movie tickets, Aquarium passes, Red Sox tickets and more from the Student Information Desk. The Info Desk is located in the lower level of the Main College Building in the Student Activities Center.

FINANCIAL SERVICES

Retirement Plan

Simmons offers retirement plans that can help build toward your future financial security as you prepare for life after work. We offer different retirement plans depending on your job type and hire date. Visit the [Benefits & Compensation website](#) for more information about enrollment and available plans.

Fenway Card

The Fenway Card allows students, faculty, and staff to enjoy the benefits of prepaying for services by opening an account at the Campus Card Office. You can use it to pay for items at the bookstore, and food from Dining Services locations. Visit the [Campus Card Office site](#) for more information about the Fenway Card.

Employment References and Verification

For Staff: Providing external employment verification and references for non-faculty employees is the responsibility of HR. To protect the privacy of all our employees and the interests of Simmons, you should refer all requests for references or letters of recommendation to HR. It is their practice to confirm dates of employment, job title(s) and in limited circumstances, most recent salary.

If you are a manager, and you want to provide additional information about a former employee's work performance, you should consult with HR for advice on how best to proceed when giving references about current or former employees. When asked to provide an employment reference for current or former employees, you should first obtain specific, written permission from the former or current employee to provide such references.

For Faculty: Providing external employment verification and references for faculty are typically the responsibility of the faculty member's Dean.

Time Away from Work

VACATION, HOLIDAYS, WINTER BREAK, AND SICK TIME

Information regarding the accrual, scheduling and use of vacation time for non-faculty can be found on [HR website](#).

JURY DUTY

Simmons recognizes an employee's civic duty to appear as a juror or witness in court. If you are summoned or subpoenaed to appear in court, you will receive normal compensation for the first three days of juror service and the first day of witness service. Beyond that, you will receive normal compensation less amounts paid to you for service as a juror or witness.

You should notify your supervisor as soon as you become aware of your court obligations so that arrangements can be made to accommodate your absence. Because court duty often does not require a full-time commitment, employees are expected to report to work on days or reasonable portions of days when attendance in court is not required.

LEAVES OF ABSENCE

Simmons supports the reasonable use of leaves of absence (LOAs) and sick time so that you can balance the demands of work, family, and personal life more effectively.

There are various types of leaves available to Simmons employees (see descriptions below). If you want to initiate a leave (other than a sabbatical), you should consult with an HR representative to determine which leave may be appropriate for you and the University.

When you request a leave, HR applies a two-step analysis:

- HR determines what type of leave (or leaves, as some leaves run concurrently) applies to your specific situation.
- If your leave request is approved, HR determines whether all or part of your leave is paid or unpaid.

SIMMONS SPECIAL COVID LEAVE

Simmons Special COVID Leave provides full and part-time faculty and staff up to 80 hours of paid leave through June 30, 2021. For more information on this temporary leave option, please review the [Simmons Special COVID Leave for Faculty and Staff](#).

LONG-TERM DISABILITY (LTD)

The following is a summary of the Simmons Long-Term Disability (LTD) Policy, which is offered to full and part-time benefits-eligible staff and faculty. The full policy is available on the [Working at Simmons website](#) or can be found [here](#). In the event of any discrepancy between the summary below and the plan document, the plan document rules.

If you have a serious health condition that makes you unable to perform all or some essential functions of your job for longer than 26 weeks, you may be eligible to receive long-term disability (LTD) pay. The amount of LTD coverage is based on your salary. LTD coverage provides 60% of your basic monthly earnings, up to a maximum of \$15,000 per month. The LTD insurance carrier will provide you with an application for LTD coverage. Simmons's LTD insurance carrier makes the final determination as to whether you will receive LTD benefits. Simmons does not provide LTD benefits if the LTD insurance carrier decides that you are not entitled to them. You will need to provide all documentation and information, including information from your physician, requested by the LTD insurance carrier.

Generally, after 26 weeks of inactive employment, you are no longer eligible to participate in the University's benefits plans. You are, however, eligible to continue in your current health insurance plan (if you elected to have coverage) under COBRA, provided that you pay the entire premium. If you are considered a person with a disability by the Social Security Administration, your eligibility

under COBRA may be extended up to 29 months. The fact that you have been approved for and/or are receiving long-term disability payments does not entitle you to any job protection or reinstatement rights.

SHORT-TERM DISABILITY (STD) COVERAGE AND INCOME PROTECTION

If you become seriously ill, injured, or disabled and are unable to work because of a serious health condition, you may be eligible to receive salary continuation payments.

The following is a summary of the Simmons Short-Term Disability Policy. The full policy is available on the [Working at Simmons website](#) or can be found [here](#). In the event of any conflict between the summary below and the plan document, the plan document rules.

If you are a full-time employee and become seriously ill, injured, or disabled, and your health condition is expected to last more than seven consecutive days, but fewer than 26 weeks, you may be eligible to receive salary continuation payments while you recover. An employee must be employed for one year to be eligible for this benefit. The amount you receive will depend on the length of your illness and your length of service. Generally, eligible employees hired after July 1, 2000, will receive 60% of their salary during their extended illness, injury, or disability for up to 26 weeks.

Employees hired before July 1, 2000 may be eligible to receive more than 60% of their salary (depending upon their length of service) during the first eight weeks of their extended illness, injury, or disability. Employees who are entitled to receive salary continuation payments, regardless of their date of hire, will receive 60% of their salary if their medical condition prevents them from returning to work after eight weeks. All payments are dependent on providing sufficient medical documentation of their condition.

Pending approval from Simmons, payments under this policy begin following the seventh consecutive day of an illness or injury, regardless of whether the injury was foreseeable or not. During the initial seven-day period, the employee must first use their available sick days and then their available vacation days. If the employee has no available sick or vacation days, the initial period shall be unpaid.

Short-Term Disability benefits are available for a maximum of 26 weeks in any 52-week period. The 52-week period is measured from the date of the initial injury or illness.

Short-Term Disability benefits are calculated as a percentage of the employee's regular pay.

If you are approved for Short-Term Disability benefits, your benefits for the first eight weeks of disability leave are based upon your years of service:

Date of Hire		Percentage of Pay Up to 8 Weeks	Percentage of Pay After 8 Weeks
On/After	July 1, 2000	60%	60%
On/Between	July 1, 1999– June 30, 2000	65%	60%
On/Between	July 1, 1998– June 30, 1999	72%	60%
On/Between	July 1, 1997– June 30, 1998	79%	60%
On/Between	July 1, 1996– June 30, 1997	86%	60%
On/Between	July 1, 1995– June 30, 1996	93%	60%
On/Before	June 30, 1995	100%	60%

Employees may supplement this compensation with accrued sick time and or vacation time to bring their pay to 100%.

The process for determining length of time off for a disability will be determined by a third-party administrator, Liberty Mutual. The first step is to submit necessary documentation provided to you by Simmons. Your physician will then submit your medical documentation directly to Liberty Mutual Insurance Group, who will then advise Simmons as to how long you may remain out of work based on the medical documentation provided. All subsequent medical documentation from your physician will be sent directly to Liberty Mutual.

Supplemental Disability Income

Because the University's Short-Term Disability benefits for many employees does not replace 100% of your pay, Simmons faculty and staff may be eligible to purchase supplemental short-term disability insurance through an outside vendor with costs of the supplemental insurance being paid through payroll deductions.

MILITARY LEAVE

We support employees who serve our country by fulfilling military obligations. Eligibility for military leave extends to part-time employees but not to temporary workers who have no realistic expectations of ongoing employment. When you are notified that you have been scheduled for reserve duty, reserve training, or active duty, you should immediately notify your manager and HR. Whenever possible, all military leave requests should be submitted in writing and include the following:

- Documentation detailing the specifics of the request, including departure date and return date.
- Documentation from the military indicating the dates of service.
- A written statement from you indicating that you intend to return to work at the end of your leave.

The written request for leave must be submitted as soon as you receive orders that indicate that a leave may be necessary. If your period of duty is extended during the leave, you must notify the University of the need for an extension of the leave immediately upon learning of the extension. If the possibility of a leave or of the need to extend a leave is known to you, you should verbally notify your manager and HR of that possibility as soon as possible.

Reserve Duty and Training

You are entitled to take military leave to fulfill your obligations in the military reserves or as part of active-duty training. Simmons will pay the difference between your regular pay and the pay that you receive from the military for the first two weeks or 10 days of your reserve duty or active training duty. The remainder of your leave will be unpaid unless you choose to use your accrued, unused vacation.

Active Duty

You are entitled to take a military leave of absence of up to five years because of active duty in the United States uniformed services, in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

If you are called to active duty, the University will pay the difference between your regular pay and the pay that you receive from the military for the first 60 days of your leave. During the remainder of your leave, you may choose but are not required to use accrued vacation to supplement your military pay (you may use vacation days on a partial basis). An employee who is classified as exempt from overtime pay should not perform any work for the University during any week when the employee is absent, and the employee's pay has been reduced.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing for reasonable travel time. Employees on longer military leave must submit a timely application for reinstatement in accordance with the USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed, or in a comparable position, depending on the length of military service in accordance with the USERRA. Employees will be treated as though they were continuously employed for purposes of determining benefits based on length of service. Employees who serve in the military for 30 days or more consecutive days will not have the employment terminated, except for cause for six months after they return to work. This period protection extends to one year for employees who serve 181 or more consecutive days. Returning employees will also be afforded all job protections as required by the USERRA.

For military leaves of 31 calendar days or less, Simmons will continue your health insurance benefits under the same terms and conditions as if you were actively employed at the University. For longer leaves, eligible employees may elect COBRA-like coverage for a period of up to 24 months. If you elect to continue your health plan coverage, the University will pay a portion of your insurance premium for up to 24 months (the same portion as if you were actively employed). Upon reemployment, you will be reinstated in the University's health plan without a waiting period. Additional questions about the continuation of health insurance benefits during a military leave should be directed to HR.

As is the case with other paid leaves of absence at Simmons, you will accrue vacation time while on Simmons paid military leave.

If you are enrolled in the retirement plan, and if you return from military leave to work at the University, we will make those contributions to the Plan that would have been made had there been no break in your employment. If you are not enrolled in the retirement plan because you have not completed the waiting period, the time spent in military service will count toward eligibility for enrollment in the plan.

FAMILY AND MEDICAL LEAVE

Important: Due to the new Massachusetts' Paid Family Medical Leave (PFML) law that went into effect 01/01/21, this section is currently under construction. Please reach out to benefits@simmons.edu for updated information. The PFML Notice can be found [here](#).

The Simmons University Family and Medical Leave Act (FMLA) Policy offers detailed information about your rights and responsibilities for requesting and using leave under this federal law. You can review the full policy [here](#) or on the [Working at Simmons website](#), and we invite employees who have questions about leave rights to seek advice from HR.

Qualifying for Leave

Employees are eligible for FMLA leave if they have been employed by Simmons University for at least 12 months and have worked 1,250 hours in the prior 12 months.

Your Leave Entitlement

Eligible employees have the right to up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. Leave may be taken for one, or for a combination of the following reasons:

- to care for the employee's newborn child after birth, or placement for adoption or foster care within one year of birth or placement;
- to care for the employee's spouse, child, or parent (but not in-law) who has a serious health condition;
- for the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one or more of the essential functions of their job; and/or
- for emergency foreign deployment of members of the armed forces, whether they are the employee's spouse, child, or parent.

An eligible employee who is a covered service member's spouse, child, parent or next of kin may also take up to 26 weeks of unpaid FMLA leave in a single 12-month period to care for the service member with a serious injury or illness.

How to Apply for FMLA Leave

If you anticipate the need for an FMLA leave, you should follow the steps below to apply.

1. At least 30 days in advance, or as soon as practical if the need for leave is not foreseeable 30 days in advance, tell your manager and notify HR that you are requesting FMLA leave. Set up a meeting with HR to discuss.
2. At that meeting, you will be provided with documentation (e.g., medical certification) to be completed by you and/or a medical provider so Simmons may consider your request. Typically, the certification must be returned to Simmons within 15 days of the request. This documentation is needed to determine if the leave qualifies for FMLA protection and the anticipated timing and duration of the leave.
3. Once the documentation is considered complete, you will be advised if your leave will be designated as FMLA-protected and the amount of leave counted against your leave entitlement. If it is determined that the leave is not FMLA-protected, the HR representative will notify you and provide the reason for your ineligibility for FMLA leave.

Generally, you must pay the costs of providing medical certification. If the University requests that you obtain a second medical opinion, the cost for obtaining that opinion will be paid by the University. If you take FMLA leave for your own or a covered family member's serious health condition for which medical certification is initially required, you may also be required to provide subsequent medical certifications. You must pay for any such certifications.

How Much Leave You Can Take through FMLA and When It Begins

Employees are entitled to a maximum of 12 weeks of leave during a 12-month period or a total of 26 weeks when the leave is for care for a covered service member, as described below as "Military Caregiver Leave" through the FMLA. The 12-month period is a rolling period measured backward from the date you use any FMLA-related leave. Each time you take FMLA-related leave, your remaining leave entitlement will be the balance of the 12 weeks not used during the immediately preceding 12 months.

If both spouses are employed by Simmons, they are entitled in certain instances, to a maximum of 12 total weeks of leave through FMLA during any 12-month period for the birth of a child, placement of a child for adoption, or foster care for a parent with a serious health condition. For other covered purposes, each spouse may take up to the balance of 12 weeks of leave via the FMLA.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment; incapacity due to pregnancy; or incapacity due to a chronic condition.

Military Family Medical Leave Entitlement

Eligible employees whose spouse, son, daughter, or parent is on "covered active duty" or "called to covered active duty" status (or has been notified of an impending call or order to "covered active duty") in the Reserve component of the Armed Forces for deployment to a foreign country in support of a contingency operation, or Regular Armed Forces for deployment to a foreign country, may use their 12-week leave entitlement to address certain qualifying needs. Qualifying needs may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

The FMLA also includes a Military Caregiver Leave, which entitles an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member (current member or veteran of the National Guard, Reserves or Regular Armed Forces) with a serious injury or illness incurred or aggravated in the line of duty to take up to 26 workweeks of unpaid FMLA leave during a single 12-month period to care for a family member.

A covered service member is either:

- A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness. These individuals are referred to in this policy as “current members of the Armed Forces.”; or
- A veteran who was discharged or released from military service under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as “covered veterans.”

The FMLA definitions of a “serious injury or illness” for current Armed Forces members of the Armed Forces and covered veterans are distinct from the FMLA definition of “serious health condition” applicable to FMLA leave to care for a covered family member.

Notice and Scheduling Your FMLA Leave

When the need for leave via the FMLA is foreseeable at least 30 days in advance, you must give the University at least 30 days’ advance notice. If the need for leave is not foreseeable at least 30 days in advance, you must give notice as soon as you reasonably can. When the need for leave is flexible (e.g., you are having elective surgery or some other non-urgent medical procedure), you are expected to schedule your leave at a time that minimizes disruption to the University’s operations, subject to your healthcare provider’s approval.

Intermittent/Reduced Schedule FMLA Leave

Intermittent leave or a reduced schedule for an FMLA-qualifying event is available to you if such an arrangement is certified to be medically necessary.

Intermittent leave can be used for other types of approved FMLA-related leave, in increments of at least one hour. You should record the time you take as intermittent leave in Workday. If your medical treatment is planned, you must try to schedule such treatment in a way that does not unreasonably interrupt your department’s operations. Intermittent leave should be scheduled in consultation with your manager.

Pay and Benefits

Generally, FMLA leave is unpaid. You are required, however, to use your earned but unused sick time, if applicable to the circumstances of the leave. You may also, but are not required to, use accrued vacation time while on unpaid FMLA leave.

If and when your FMLA leave extends beyond seven consecutive days, you may be eligible to be paid in accordance with the University's Salary Continuation Policy (often referred to as the "STD" Policy) provided you meet the medical requirements of that policy. You also may be eligible for workers' compensation or statutory short-term disability benefits depending on your work location. Receiving disability benefits or Workers' Compensation benefits does not extend the maximum amount of leave time to which an employee is eligible under the FMLA.

If applicable, during an FMLA leave, Simmons will maintain your health coverage under any group health plan on the same terms as if you had remained actively employed. If paid time off is substituted for unpaid leave, your share of the premiums will be deducted from your pay as a regular payroll deduction. During any unpaid portion of FMLA leave, you will be required to pay the employee share of any applicable insurance premiums by delivering the payment to the Payroll Office so that it is received by the health insurance provider no later than the 1st day of each month. If your payment is more than 30 days late, you may lose coverage.

Group life insurance and long-term disability insurance also will be maintained during FMLA leave, subject to the same cost sharing applicable to active employees. While you are on unpaid FMLA leave, you do not accrue vacation time. Employees on FMLA leave do not receive pay for holidays that occur during their leave.

The use of FMLA leave cannot result in the loss of any employment benefits that accrued before the start of an employee's leave.

Restoration Rights

You generally have the right to return to your position or an equivalent position at the end of your FMLA leave if your leave does not exceed 12 weeks in a 12-month period. If you request leave beyond 12 weeks, your request may be approved, but the additional leave will not be job protected unless you are covered by another state and/or federal law or regulation. In determining whether to extend your leave, your management team will consider the business needs of your department, your performance, the effect of an extension on other employees and your department's budget constraints. In limited circumstances, employees may be entitled to additional leave based on other laws.

If you become aware of changed circumstances that will foreseeably increase or decrease your need for leave via the FMLA, you must notify Benefits & Compensation (<mailto:benefits@simmons.edu>) of that change within two business days.

An employee will not be entitled to more favorable employment terms as a result of taking FMLA-related leave than they would have had if no leave had been taken. Thus, an employee who takes leave via the FMLA will be subject to any pay or benefit reductions or other adverse actions, including layoff, that the employee would have experienced if they had not been on leave.

Returning from FMLA-Related Leave

As your anticipated return-to-work date approaches, please keep your manager informed of your plans. If you took FMLA leave because of your own serious health condition, you will need to provide, on or before your return to work, a written certification from your healthcare provider stating that you can resume working. This certification should be sent directly to Benefits & Compensation (benefits@simmons.edu).

If there are any limitations on your ability to perform any aspect of your job upon your return to work, your healthcare provider must describe, in a written statement, what the limitations are, why they exist and their expected duration. Documentation about your limitations must be received and approved by Benefits & Compensation (benefits@simmons.edu) before your anticipated date of return.

Dishonesty Provision

Simmons expressly prohibits dishonesty, and/or providing false or misleading information to support a leave request. Any employee making false statements or statements materially incorrect with the intent of misleading Simmons University and/or falsifying or omitting information, either verbally or in written format (including electronic format) will be disciplined, up to and including termination.

Medical Records

Documents relating to medical certifications, re-certifications or medical histories of employees or employees' family members will be maintained separately and treated as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel or government officials.

Additional Information

Details about the FMLA are available on the [U.S. Department of Labor poster concerning the FMLA](#).

PARENTAL LEAVE

Important: Due to the new Massachusetts' Paid Family Medical Leave (PFML) law that went into effect 01/01/21, this section is currently under construction. Please reach out to benefits@simmons.edu for updated information. The PFML Notice can be found [here](#).

Qualifying for a Parental Leave Under Massachusetts Law

If you do not qualify for leave pursuant to the FMLA because of the birth or adoption of a child, you may be eligible for leave under state law as explained below. You are eligible for a parental leave under Massachusetts state law if you have been employed by Simmons University for at least three months and are a regular, full-time employee.

Massachusetts Parental Leave Entitlement

Eligible employees have the right to eight weeks of unpaid, job-protected parental leave upon giving birth, or the placement of a child under the age of 18, or under the age of 23 if the child has a mental or physical disability, for adoption with the employee. The Massachusetts Parental Leave benefit also grants leave to a non-birth parent for the purpose of bonding with the child after birth. If an employee is also eligible for leave through FMLA, the leave under Massachusetts law will run concurrently with the FMLA-related leave.

Please note: If two parents of the same family work at Simmons, they shall only be entitled to eight weeks of Massachusetts Parental Leave for the birth or adoption of the same child.

Notice and Scheduling Your State Parental Leave

When the need for leave is foreseeable, you must give the University at least two weeks advance notice of your anticipated date of departure and intention to return. Notice must be given both to your manager and to HR. If the need for Massachusetts Parental Leave is not foreseeable, you must give notice to the University as soon as practical.

Qualifying for a Parental Leave Under the Simmons Parental Leave Policy

After three months of benefit-eligible employment at Simmons, new parents (birth mothers, other parents, and adoptive parents) are eligible for a two week or 10 day paid parental leave. Any such paid leave will run concurrently with FMLA-related leave and parental leave under Massachusetts law. For birth mothers, this paid leave will start after the completion of any paid disability benefits, they may be entitled to receive for purposes of giving birth.

Birth parents and adoptive parents who want to take advantage of this paid Parental Leave benefit should notify HR and their manager as soon as the dates for the leave become known. Paid parental leave should generally be used within 90 days of the birth or adoption of a child. Parental leave should be taken in full-day increments. To facilitate academic planning, faculty members who want to take advantage of this leave option should notify their Vice Presidents, Deans and HR of their intent to take this leave.

The Simmons paid parental leave benefit is a leave per birth or adoption and is not per child born or adopted. (For example, upon the birth or adoption of twins, the eligible Simmons employee would be entitled to only one paid Parental Leave, not two.)

Bereavement Leave

If a member of your immediate family dies, and if you are a regular full or part-time employee, you may take up to three workdays off with full pay to attend the funeral (or other services) of the deceased. An immediate family member is defined as a father, mother, sister, brother, spouse, son, daughter, grandparents, grandchild, parent-in-law, or other family member with whom you live. If you seek additional time off or seek time off for bereavement purposes concerning the loss of someone who is not an immediate family member, you may use accrued vacation time, or subject to your manager's approval, unpaid time off. If you are exempt from overtime eligibility, any unpaid time off must be taken in full day increments.

Domestic Violence Leave

Massachusetts has enacted Domestic Violence Leave for employees. According to this law, you are entitled to as many as 15 days of job-protected leave to address domestic violence issues affecting you or members of your family. The leave is unpaid, unless any paid leave that is applicable is used, and certain notice and documentation obligations apply. All Simmons employees are covered by this law and there are no eligibility requirements.

You may take Domestic Violence Leave to attend to health, safety or legal issues related to domestic violence, stalking, sexual assault and certain other abuses that affect you or certain family members (except that no such leave is available to an abuser). Covered family members include a spouse, child, or parent (including those related by marriage). It also includes a sibling, grandchild, or grandparent, a domestic partner, and any person with whom the employee has a child or with whom the employee has a guardianship relationship.

When possible, you should give your manager and HR advance notice of the need to take leave. But, in the event of imminent danger, the employee can take up to three days after leave has begun to notify the employer. The employee may take up to 30 days after the leave to provide documentation to HR, which may take a variety of forms, including medical records, court or law enforcement documents or a sworn statement. All reasonable efforts will be made to keep documentation regarding the need for such leave confidential.

PERSONAL LEAVE

At the University's discretion, we may grant a limited, personal leave of absence without pay. During any such leave, you may not do anything that conflicts with the interests of the University. You should submit to your manager a written request for a personal leave and explain in detail the reasons you are seeking a leave and anticipated return to work date. Requests are considered and approved by your manager in conjunction with HR. The length and conditions of the leave will be determined on a case-by-case basis. The University is not obligated to hold your position open for you. Employees must use up their vacation balance before being awarded a Personal Leave.

SMALL NECESSITIES LEAVE

If you are eligible for leave via the FMLA, you are also eligible for leave under the Massachusetts Small Necessities Leave Act. Under this law, you are entitled to take up to 24 hours of leave during a 12-month period under the following circumstances:

- To participate in school activities directly related to your child's educational advancement such as parent-teacher conferences or interviewing for a new school;
- To accompany your child or an elderly relative to routine medical or dental appointments, such as check-ups or vaccinations; or
- To accompany a relative, age 60 or older, to appointments for other professional services related to their care, such as interviewing for the relative's admission to a nursing home.

We will require that you use earned sick time and/or accrued, unused vacation time for this purpose. If you do not have accrued, unused vacation, your Small Necessities Leave time may be unpaid. Small Necessities Leave is in addition to, not a replacement for, leave under the FMLA. You must give your manager a notice of seven days when the Small Necessities Leave is foreseeable. Employees should request this time off through Workday.

SABBATICALS

The [Simmons Faculty Policy Manual](#) offers information about sabbaticals for faculty. Sabbaticals are not available to staff.

Leaving Simmons

When your employment with the University ends, we hope that you will be able to look back on your Simmons experience as positive and productive. You should be aware of several things as you prepare to leave the University.

Please note that at Simmons, your employment (with the exception of tenured faculty and persons with employment contracts), is at will. This means that you are free to end your employment with the University at any time and for any reason, and the University retains the same rights. The University President is the only person who may make an exception to at-will employment, and the exception must be in writing and signed by the President.

Special information for employees who hold grant-funded positions can be found at the end of this section.

RESIGNATION

If you resign, you are encouraged to provide a letter of resignation to your manager stating your desired departure date and your reason(s) for leaving. Both you and your manager should promptly notify HR of your resignation and desired last day of employment.

Simmons may treat an oral statement that you intend to leave your position as the equivalent of a written one. The fact that you have not submitted a letter of resignation does not prevent Simmons from concluding that you no longer want to be employed by Simmons. In addition, repeated statements about job dissatisfaction and/or your intention to resign from your position may be treated as a statement of resignation, which your manager may accept at their discretion.

Employees are encouraged to give no less than two weeks' advance notice of their resignation. If you hold a senior/director-level position, you are strongly encouraged to provide more than two weeks' notice to ensure a smooth transition for your department. Immediately upon your notice of resignation, you should confer with your manager, Vice President or Dean to agree on a timetable that respects and accommodates both your needs and those of your department.

In some positions and in some circumstances, giving more than two weeks' notice may not be necessary or appropriate. In the event that you provide more than two weeks' notice, and your manager concludes that some or all of the additional notice period is unnecessary, your last day of paid employment may be two weeks from the date you give notice.

If you advise your manager that you will be resigning from your position at some future date (perhaps to return to school full-time or to relocate to another city/state some months later), your manager is not required to keep you in your current position through that future date. In some departments, and in some positions, employee transitions work best in certain months than in others due to the responsibilities and operational needs of the department. If it is in the best interests of Simmons and your department that the training and transition of your replacement occur at some time before your desired last day of employment, your date of resignation may become effective sooner.

If your job involves access to proprietary, confidential, financial, or technical information about Simmons, or in other limited circumstances, you may be asked to leave your position immediately upon submitting your notice of resignation. If you are asked to leave your position immediately in response to your notification of resignation, Simmons shall provide you with two weeks' pay in lieu of notice.

Simmons managers are responsible for notifying HR that they have received a statement of resignation within three business days from learning of the intended resignation. Simmons managers are responsible for conferring with HR prior to confirming the last day of employment with the departing employee.

JOB ABANDONMENT

If you miss three consecutive days of work, and if you do not notify your manager of the reason(s) for your absence, Simmons may conclude that you have resigned from your position. If your condition or circumstances prevents you from notifying your manager yourself, you should ask a family member to notify your manager for you.

INVOLUNTARY TERMINATION

There will be occasions when the University must terminate an employee's employment. Below is important information if your employment is terminated involuntarily. Faculty should refer to the [Faculty Policy Manual](#) for information concerning their rights regarding continued employment at Simmons.

Unemployment Compensation

If you live and work in the Commonwealth of Massachusetts, and if you have not been terminated for gross misconduct as defined by the [Massachusetts Division of Unemployment Assistance](#) ("DUA"), and you meet other eligibility requirements set by the DUA, you may be eligible to receive unemployment compensation. Eligibility for such compensation is determined by the DUA and not by Simmons. Simmons cannot make any representations to you that you will be eligible to receive unemployment compensation. If your employment is terminated, HR will inform you of how to contact the DUA to file a claim for unemployment benefits.

If you reside in a state other than the Commonwealth of Massachusetts and are terminated from your Simmons employment, your right to receive unemployment compensation may be different. Information about your rights and the terms and conditions for receiving unemployment assistance if you live outside of Massachusetts is available at the [United States Department of Labor website](#).

Please note: Unemployment compensation is typically not available to persons who voluntarily resign from their employment without sufficient cause. What constitutes "sufficient cause" is determined by the DUA. Simmons will contest DUA payments to you if you voluntarily resign from your position.

RETIREMENT

You may have a Tax Deferred Annuity Plan account and/or a Defined Contribution Retirement Plan account through TIAA. To learn about next steps and get information, please call TIAA at 800-842-2252 (Monday-Friday, 8 a.m.-10 p.m., Saturday 9 a.m.-6 p.m.). Generally, when you terminate employment at the University, you can:

- Leave your account(s) with TIAA until you are ready to withdraw your balances. This is subject to federal regulations such as Minimum Required Distributions that may require collecting on benefits after a certain age threshold.

- Roll over these accounts into a new employer's retirement plan.
- Roll over part or all of your accumulations to other retirement savings vehicles.
- Receive retirement income from a range of TIAA income options.
- Withdraw the balances in your accounts (could have tax implications).

EXIT POLICIES

Exit Packet

Shortly before your last day of work, an Exit Packet from HR will be mailed to your home address listed in Workday. This packet contains important information about continuation of certain benefits as well as information about unemployment insurance in the event you qualify to receive it.

Exit Interviews

Simmons will provide departing faculty and staff the opportunity to provide insight on their working experience at Simmons via an online survey or a meeting at the employee's request.

University Property

When your employment ends, you must return to your manager all Simmons property, including but not limited to:

- Your Simmons I.D. card
- Parking pass(es)
- Credit, travel, and phone cards
- Office and desk keys
- Computers, laptops, and other office equipment
- Books, files, and manuals

Your Vacation and Final Pay

When staff leave the University, they will be paid for all accrued, unused vacation. If you resign from your position and you are a non-exempt employee, you will be paid your accrued, unused vacation pay on the next regularly scheduled non-exempt employee payroll date after your last check has been processed. If you resign from your position, and you are an exempt employee, you will be paid your accrued, unused vacation pay on the next regularly scheduled exempt employee payroll date after your last check has been processed. If your employment is involuntarily terminated, you will receive this payment on or before your last day of employment.

AFTER LEAVING SIMMONS

Continuation of Health Benefits

Your rights under the federal law known as COBRA take effect under a variety of circumstances. The information below pertains exclusively to your COBRA rights upon the termination of your employment at Simmons.

The Consolidation Omnibus Budget Reconciliation Act (commonly known as COBRA) permits you and your covered dependents the opportunity to continue your group health insurance coverage when it would otherwise end because:

- Your employment was terminated, unless your termination is the result of gross misconduct; or
- Your work hours were changed from a benefits-eligible position within the University to an ineligible position within the University.

For the purpose of COBRA, these circumstances are known as qualifying events. In the case of one of these events, you and/or your covered dependents will be eligible to continue health insurance coverage by acting within 60 days from the date of the COBRA notification. Generally, except during open enrollment periods, you cannot change the type of membership you have; you may simply continue the health insurance you had before the qualifying event.

If your coverage ends because your employment was terminated or work hours reduced, you may choose to continue your health care coverage for up to 18 months. If you or one of your covered dependents has a disability, you or the dependent(s) may be able to extend this period up to 29 months if the U.S. Social Security Administration determines that you or the covered dependent(s) had a disability within the first 60 days of continuation of coverage.

Coverage will end before the periods stated if:

- You fail to pay Simmons University any required premium on a timely basis. In such a case, your coverage will terminate at the end of the period for which you were paid; or
- You or a covered dependent become employed and are eligible for benefits under another plan unless the new plan limits or excludes coverage for a pre-existing condition.

Health Savings Accounts

If you have balances in your Health Savings Account through Simmons, you can continue to maintain the balances and send in claims to the vendor (Bank of America). Please note that if you maintain a balance, you will be charged the administration fee (about \$4/month) that is otherwise absorbed by the University for active employees.

Dependent Care Reimbursement Account

When your employment terminates, your dependent care account with Benefit Resource Inc. (BRI) will include only the payroll deductions for dependent care up to the date of termination, if dependent care services were provided during this period. As with active employees, a terminated employee has until the end of the plan year (June 30) plus a 90-day grace period to submit claims for services rendered up to your termination date for reimbursement.

Medical Care Reimbursement Account (including Limited Purpose FSA)

When your employment terminates, you are entitled to submit claims to Benefit Resource Inc. (BRI) for the period during which you were enrolled in the plan (up to the date of your termination). Unlike the dependent care reimbursement account, you are allowed to submit claims to BRI for all eligible expenses equal to the amount of the total annual election for the plan year, as long as these expenses were incurred up to the date of termination. As with active employees, a terminated employee has until the end of the plan year (June 30) plus a 90-day grace period to submit claims for reimbursement.

In some cases, you may decide to elect COBRA coverage for medical care reimbursement. COBRA will cover the period only from the date of termination to the end of the current plan year (June 30). If you elect COBRA coverage, you must submit to the Benefits Office each month a check representing the total for each month's medical care reimbursement deduction.

OTHER INSURANCE COVERAGES

Group & Supplemental Life Insurance

Your group life insurance will end on the last day of your employment. You may apply to convert your life insurance coverage to an individual policy. You must apply within 31 days of the date your employment ends, and you are responsible for paying the entire premium cost of the individual policy. You will see forms in your exit packet for the two options available for continuing life insurance. You must complete these forms and submit them directly to Liberty Mutual.

Disability Insurance

Your group disability insurance will end on your date of termination. If you have a supplemental policy with Colonial Insurance and you want to make arrangements for direct billing, contact Colonial at 1-888-623-6236, ext. 83.

Long-Term Care Insurance

Your insurance will end on your date of termination. If you have a long-term care policy with Tucker and Shepley Benefits and you want to make arrangements for direct billing, please contact Tucker and Shepley Benefits at 617-342-7223.

OTHER BENEFITS

Retirement Benefits

You may have a Tax Deferred Annuity Plan account and/or a Defined Contribution Retirement Plan account through TIAA. To learn about next steps and get information, please call TIAA at 1-800-842-2252.

Generally, when you terminate employment at the University, you can:

- Leave your account(s) with TIAA until you are ready to withdraw your balances. This is subject to federal regulations such as Minimum Required Distributions that may require collecting on benefits after a certain age threshold.
- Roll over these accounts into a new employer's retirement plan.
- Roll over part or all of your accumulations to other retirement savings vehicles.
- Receive retirement income from a range of TIAA income options.
- Withdraw the balances in your accounts (which could have tax implications).

Tuition Benefits

If you are enrolled in a course(s) when your employment ends, you may complete the coursework for that semester if, by the termination date, you have completed four weeks of classes. If your employment ends before the fourth week of classes, you must pay the full tuition for the class.

If your spouse, domestic partner, or child is enrolled in a Simmons course or participates in the tuition exchange program, they may complete the semester as related to our tuition benefit policies. After the end of the semester in which your employment ends, you, your spouse, domestic partner, or child is no longer eligible for tuition benefits according to Simmons policies.

Employment References

If you want an employment reference to be given, you must ask your future employer to contact HR directly. Generally, only a representative from HR will provide employment references for former Simmons employees, and will confirm the dates you worked for Simmons, your title and in limited circumstances, most recent salary. If you want more information to be shared with a potential employer, you should discuss your needs with your manager and a representative from HR.

COMPLETING GRANT-FUNDED POSITIONS

Grant-funded positions are time limited and depend on sufficient grant funding. When funding is used up or not renewed, employees whose positions are eliminated are not eligible for severance pay but may apply for Unemployment Compensation with the Massachusetts Department of Unemployment Assistance. Simmons will accurately report the reason for your lack of employment

and will not contest these claims. However, the final determination of your eligibility for unemployment compensation is made by the State of Massachusetts.

When the ending of funding is foreseeable, Simmons shall work to provide grant-funded employees with as much as two months' notice before the end of the funding. Grant-funded employees facing job loss are welcome to apply for another position within Simmons, but Simmons is not required to continue their employment when the grant funding ceases.