

# KANSAS CITY ART INSTITUTE



## STAFF HANDBOOK

### **Mission Statement**

Preparing gifted students to transform the world creatively through art and design.

### **Vision Statement**

To be an innovative leader in art and design education.

Revision Date: July 1, 2018

## Table of Contents

<b>SECTION 1 – INTRODUCTION</b>	5
Purpose	5
Employment At Will	5
<b>SECTION 2 – EQUAL EMPLOYMENT OPPORTUNITY</b>	6
Equal Employment Opportunity	6
Policy Against Discrimination and Harassment	6
Disability Accommodation	8
Whistleblower Policy	8
Open Door Policy	9
<b>SECTION 3 – EMPLOYMENT CLASSIFICATION, WORK SCHEDULES &amp; COMPENSATION</b>	10
Confirmation Letters	10
Employee Classifications	10
Pay Periods and Pay Days	10
Work Week Standards	11
Breaks	11
Work Time Reporting – Nonexempt Employees	11
Overtime for Nonexempt Employees	11
Exempt Employees Duties/Hours Worked	12
Payroll Deductions	12
Attendance	13
Performance Management	13
Transfers and Promotions	14
Correction Action	14

Separation from Employment	14
Personnel Records	15
<b>SECTION 4 – GENERAL PROVISIONS RELATED TO EMPLOYMENT</b>	16
Employee Conduct	16
Conduct Guidelines	16
Conflict of Interest	17
Consensual Relationship and Nepotism Policy	19
Electronic Equipment and Systems	20
Family Educational Rights and Privacy Act (FERPA)	22
Alcohol at Events	22
Personal Automobiles Policy	22
Personal Property	22
Parking	23
Key and Access Identification Card	23
Copyrights and Royalties	24
External Communications	24
Children in the Workplace	24
Minors On and Off Campus and Reporting Child Abuse	25
Surreptitious Recordings	25
Travel and Business Expense Reimbursement and Purchasing	25
<b>SECTION 5 – SAFETY AND HEALTH</b>	26
Employee Safety and Health	26
No Smoking Policy	26
Drug and Alcohol Policy	26

Weapons on Campus	27
Emergencies and Inclement Weather	27
<b>SECTION 6 – LEAVE AND TIME OFF</b>	29
Vacation	29
Sick Leave	30
Family and Medical Leave (FMLA)	32
Holidays	34
Bereavement	35
Military Leave	36
Leave of Absence without Pay	36
On the Job Injuries	37
Jury Duty or Witness Duty	37
Voting	37
<b>SECTION 7 – BENEFITS</b>	38
Benefits and Eligibility	38
Consolidated Omnibus Budget Reconciliation Act (COBRA)	39
Employee Assistance Program	39
Tuition Assistance	39
Staff Training and Development	40

## SECTION 1 - INTRODUCTION

Welcome to the Kansas City Art Institute! We're glad you are here. We have been an innovative leader in art and design education for over one hundred and thirty years, and we are a dedicated group of people committed to preparing gifted students to transform the world creatively through art and design. In 1885, an enterprising group of Kansas Citians with a mutual appreciation for art decided formed a Sketch Club. They had no idea this Sketch Club would lay the groundwork for an institution that would become a distinguished four-year college of art and design.

Notable names associated with the Kansas City Art Institute include Walt Disney, who took Saturday classes here as a child; painter Thomas Hart Benton, who taught here from 1935 to 1941; multimedia artist Robert Rauschenberg, who studied fashion design at KCAI; sculptor, conceptual artist and writer Robert Morris; celebrated, present-day performance artist, noted fabric sculptor and more recent KCAI graduate, Nick Cave, and the list goes on.

Our work environment is friendly and professional with opportunities for you to grow and develop your strengths. Our benefits are comprehensive and among the best – both in our industry and relative to others. These are just some reasons this is a great place to work.

### **Purpose**

This handbook has been written to serve as a guide for Kansas City Art Institute's (KCAI) staff and replaces all previous versions. This handbook contains only general information and guidelines, and is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for particular benefits or the applicability of a policy or practice to you, you should address your specific questions to the Human Resources department. Neither this handbook nor any other company document confers any contractual right, either express or implied. The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will make every effort to inform you of any changes as they occur.

### **Employment At Will**

While it is hoped that any employment relationship with KCAI is successful, either the employee or KCAI may terminate the relationship at any time, for any reason, with or without cause or notice, and this handbook should not be construed as creating a contract or any other type of relationship. Only the President has the authority to enter into an agreement with any employee for employment other than at-will and such agreement must be in writing. This staff handbook is not a contract guaranteeing employment for any specific length of time.

## SECTION 2 – EQUAL EMPLOYMENT OPPORTUNITY

### Equal Employment Opportunity

KCAI provides equal employment opportunities to all applicants and all employees in accordance with the law. KCAI strictly prohibits discrimination on the basis of race, color, national origin, ancestry, sex, age, creed, religion, disability, marital status, parental status, veteran status, sexual orientation, or any other factor protected by law. This policy applies to employment, promotion, demotion, transfer, recruitment, hiring, reduction in force, discharge, discipline, rates of pay or other forms of compensation, selection for training, and any other employment-related decisions.

Employees in violation of this Equal Opportunity Policy will be subject to disciplinary action, up to and including termination.

### Policy Against Discrimination and Harassment

KCAI is committed to a campus environment in which all individuals are treated with respect and dignity, where each individual has the right to a positive atmosphere that promotes equal opportunity. Kansas City Art Institute prohibits discrimination and harassment based on race, gender, gender identity, color, religion, sex, sexual orientation, national origin, age, physical or mental disability, marital status, parental status, genetic information, citizenship status, veteran status, or any other characteristic prohibited by federal, state or local law.

This policy has been developed to ensure that all members of the campus community can be in an environment free from discrimination, harassment, and retaliation. Every reasonable effort will be made to ensure that all concerned are familiar with this policy and aware that any complaint of a violation will be investigated and resolved appropriately.

Alleged violations that are student to student in nature will be handled according to the policies and procedures listed in the student code of conduct. Alleged violations that are employee to employee, or employee to student will be handled according to the appropriate procedures as dictated by Human Resources. Alleged violations that are student to employee in nature will be reviewed by Student Affairs and Human Resources to determine the appropriate course of action and resolution.

Notwithstanding the above, alleged violations involving sex discrimination and sexual harassment, regardless of the status of the parties, will be adjudicated pursuant to the [Sexual Misconduct, Sex Discrimination, and Sexual Harassment policy](#) and accompanying procedures.

Anyone who wishes to make a complaint, or has questions or concerns about this policy, may contact the individuals listed below, suggestions are given based on whether the complainant is

a student or employee. Supervisors must report instances of discrimination or harassment that they witness or become aware of.

Students:

- Assistant Dean of Students: 816.802.3419
- Dean of Student Affairs: 816.802.3397
- Director of Safety and Security: 816.802.3399
- Director of Continuing Education (CE): 816.802.3488

Employees:

- Vice President of Human Resources: 816.802.3434
- Executive Vice President for Administration: 816.802.3431

Examples of discrimination and harassment include, but are not limited to:

- Treating someone differently because they are, or are perceived to be, a member of a particular group
- Telling inappropriate jokes, or insulting a person, or group of people
- Not allowing a person, or group of people, to participate in a program or activity
- Attempting to force your beliefs on someone who does not share them
- Making fun of, or denying participation to, a person with a disability
- Threatening behavior, or other actions directed at a person or group of people that could cause a reasonable person to experience fear

Bullying of any kind, including that related to any protected class, whether direct, indirect, in person, or online is also prohibited.

Prohibition of Retaliation

Intimidating, coercing, or acting in any manner consistent with the intent to achieve reprisal against someone who has engaged in protected activity is defined as retaliation. Protected activities include:

- Reporting discrimination or harassment (related to protected class)
- Filing a complaint
- Assisting someone in making a report, or filing a complaint
- Participating, in any manner, in an investigation
- Protesting any form of discrimination or harassment (related to protected class)

Individuals accused of violating a policy may be held responsible for any retaliation that is done by a third party if they are found to have directed or caused the third party to engage in the retaliatory behavior.

KCAI will also not tolerate any person retaliating against another, and any person who feels that retaliatory action has been taken should report that action to the Assistant Dean of Students,

Dean of Student Affairs, Vice President of Human Resources, or the Executive Vice President for Administration/CFO.

**KCAI's Commitment to Effective Anti-Discrimination and Anti-Harassment Policies.** If any member of the KCAI community feels KCAI has not met its obligations under this policy, the person should contact the Vice President of Human Resources. Effective anti-discrimination and anti-harassment policies depend on everyone, working together, to address this very important subject.

## **Disability Accommodation**

It is the policy of KCAI, consistent with state and federal law, not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions, and privileges of employment.

Every effort will be made to reasonably accommodate qualified individuals with a disability unless doing so causes an undue hardship to KCAI or a threat to themselves or others in the workplace. Contact Human Resources with any questions or requests for accommodation.

## **Whistleblower Policy- Finance Fraud & Financial Irregularities**

KCAI has a responsibility to safeguard its assets and protect its funds. All members of the KCAI community (Board Members, Executives, Faculty, Staff, Students) have a responsibility to report known or suspected financial irregularities.

**Reporting Responsibilities.** Financial irregularities may be criminal acts and subject to prosecution under the law. Therefore, KCAI faculty, staff and students are encouraged to report, in accordance with this Policy, any misconduct by KCAI employees, or actions of other parties that may result in financial loss or other harm to KCAI, of which they may become aware.

**Procedure and Regulations.** Any suspected misconduct, including, but not limited to, suspected thefts, misappropriations or other financial irregularities, may be reported to any of the following:

- Chairman of the Board
- President
- Executive Vice President for Administration
- Vice President of Human Resources
- Any Member of President's Cabinet

The recipient of a report has the responsibility for initiating an investigation into the matter or directing the matter to a suitable individual for investigation when such action is appropriate. If



an investigation is appropriate, the investigation should determine the validity of the charges. After some investigation, any of the aforementioned individuals may authorize further investigation and shall have the authority, after notification of the President, to consult with outside officials if appropriate.

**Confidentiality.** A reporting person may request that a report made under this policy be handled as confidentially as possible under the circumstances. Although KCAI will attempt to handle all such reports with discretion and due regard for privacy, other obligations and considerations may preclude KCAI from maintaining confidentiality in all circumstances.

**Anonymous Reports.** A reporting person may make an anonymous report. However, it should be understood that any investigation may be hampered or be impracticable if the reporting person cannot be identified and questioned about the allegations and related facts.

**No Retaliation.** No individual who in good faith reports a violation or suspected violation shall thereby suffer harassment, retaliation or adverse employment and/or academic or education consequence. An employee who retaliates against someone who has made a report in good faith under this policy is subject to disciplinary action, up to and including dismissal from KCAI. Individuals who believe they have suffered retaliation may report to the Vice President of Human Resources.

## **Open Door Policy**

KCAI encourages an "Open Door Policy" whereby all employees and other relevant parties may seek resolution by talking through misunderstandings, concerns, and/or differences. Each and every employee has the right to bring such matters forward without fear of reprisal.

The employee should first bring employment concerns to the attention of the immediate supervisor. If discussions with the immediate supervisor do not bring resolution, or if the employee, for any reason, is hesitant to bring an employment concern to the attention of the immediate supervisor, the employee may consult with the Vice President of Human Resources.

Depending on the nature of the situation, the Vice President of Human Resources will advise the employee of suggestions, alternatives, and/or appropriate subsequent actions.

Confidentiality shall be maintained to the extent practicable with these procedures unless the employee desires that confidentiality not be maintained.

## **SECTION 3 – EMPLOYMENT CLASSIFICATION, WORK SCHEDULES & COMPENSATION**

### **Confirmation Letters**

KCAI uses a system of confirmation letters to its staff for clarifying the employer/employee relationship, facilitate financial planning, and meet KCAI's changing program, organizational and personnel needs. Letters of Confirmation are not contracts and are not to be construed as creating a contractual relationship. Employees receiving Confirmation Letters containing an ending date of employment are still subject to dismissal of employment and may be separated from employment before the ending date.

### **Employee Classifications**

There are two categories of employment: exempt and nonexempt, both of which could be full-time or part-time. Each employee is classified as either nonexempt or exempt, according to federal and state wage and hour laws, with a full-time or part-time status. Position descriptions are developed for each position outlining job duties, expectations, qualifications, classification, and status of the position.

Questions concerning classification or status should be directed to the Vice President of Human Resources.

### **Pay Periods and Pay Days**

All exempt employees are paid on a semi-monthly (twice a month) pay cycle – the 15<sup>th</sup> and the last day of the month. If those days fall on a non-banking day, payday will be the business day before the normal scheduled payday.

All nonexempt employees are paid on a bi-weekly (every other Friday) pay cycle. If a Friday falls on a non-banking day, payday will be the business day before the normal scheduled payday.

Nonexempt employees use an electronic time keeping system and all hours must be recorded on the individual electronic time card. Managers are required to approve and finalize all time records every other Monday of payday week.

Exempt Staff must record leave hours on the electronic time keeping system for any time off they take.

## **Work Week Standards**

The standard workweek at KCAI begins Monday and ends Sunday. Normal business hours are 8:30 a.m. to 5:00 p.m. with one unpaid hour off for lunch, for a total of 7.5 hours per day, or 37.5 hours per week for full-time employees in Administrative and Academic support offices. Unpaid lunch periods are usually taken between 12 Noon and 1:00 p.m. except when department needs require the staggering of lunch periods. If a nonexempt employee is required to work through a lunch period, he or she will be paid for the time worked. Department directors/managers are responsible for identifying and managing varying work schedules depending on the needs of each department.

Safety and Security full-time employees are scheduled to work 40.0 hours per week, 8.0 hours per day. Work and break schedules are established by the Director of Safety and Security and may vary according to department needs.

Employees are required to promptly notify their immediate supervisor in case of inability to report for work at the scheduled time.

## **Breaks**

Employees are offered two paid 15 minute breaks during the day. Breaks are a “use-it or lose-it” benefit and are not intended to be used for altering the daily work schedules such as coming in late or leaving work early, or to extend the lunch period except on rare occasions approved by the supervisor. Break times should be staggered according to department needs.

## **Work Time Reporting – Nonexempt Employees**

All nonexempt employees are required to accurately track time via the electronic time keeping system for all hours worked during the pay period. These electronic records are used to calculate regular and overtime pay. At the end of the pay period, managers are required to electronically approve recorded time attesting to its correctness before Payroll processing.

Each scheduled work day must reflect either the number of hours worked for the day, along with the lunch period deduction, or one of the available leave codes with notes specified.

## **Overtime for Nonexempt Employees**

All nonexempt employees assigned to work 37.5 hours per week will receive their regular rate of pay for hours worked in excess of 37.5 up to and including 40.0 hours in the workweek. Nonexempt employees will receive their regular rate of pay plus one and one-half times their regular rate of pay for hours worked over 40 hours in a workweek. Paid leave such as vacation,

sick, holiday, bereavement, and/or jury duty does not constitute time worked and will not be counted for overtime calculations.

Overtime must be approved in advance by a supervisor or manager. If overtime is worked it must be reported accurately via the electronic time system and must be paid. Nonexempt staff cannot ask or be asked to work overtime without pay or to work overtime in exchange for "comp time." Similarly, a nonexempt staff member may not voluntarily work overtime without pay. Any employee being asked to work and not report the hours worked, should immediately report the incident to the Human Resources office.

## **Exempt Employees Duties/Hours Worked**

Exempt employees are excluded from the overtime provisions of federal and state wage and hour laws. Exempt employees are hired in their respective professional positions in the belief that they bring to each position advanced training and experience, thus providing the specialized skills commensurate with the responsibility and demands of each position.

KCAI, consistent with the concepts expressed in the Fair Labor Standards Act, expects exempt personnel to readily meet workload demands, which may require working hours in excess of 40 hours per week. Salaries paid to exempt employees are intended to compensate those employees for all hours worked in a week, regardless of whether those hours are more or less than 40. Non-chargeable time off may be occasionally granted by the supervisor but an exempt employee should not expect an "hour for hour" exchange.

Exempt employees are required to accurately record the use of vacation and sick leave via the electronic time system when taken.

## **Payroll Deductions**

KCAI does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions required by law, e.g., income taxes, garnishments, court orders;
- Deductions for employee benefits when authorized by the employee;
- Absences from work for one or more full days for personal reasons other than sickness or disability;
- Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- Offset for amounts received as witness or jury fees, or for military pay; or

- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

An exempt employee that begins working for KCAI mid-week, or ends employment mid-week, will only be paid for actual hours worked during those weeks. In addition, an exempt employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA).

Any exempt employee who believes that an improper deduction has been made from their pay should immediately report the concern directly to Human Resources. The report will be promptly investigated and if it is found that an improper deduction has been made, KCAI will reimburse the employee for the improper deduction.

To the extent consistent with state and federal law, KCAI may deduct the amount of any obligations owed KCAI by the employee or his/her dependents.

## **Attendance**

Punctual and regular attendance is an essential responsibility of each employee at KCAI. All employees are expected to arrive on time, ready to work, every day they are scheduled to work. Tardiness or absence may cause problems for fellow employees and supervisors. When an employee is absent, others must perform the work, which diminishes the smooth functioning of the department.

All employees should request time off as far in advance as possible prior to the needed time off. Time off without pay cannot be taken unless paid time banks have been exhausted and then the request is subject to management approval. Excessive absenteeism or tardiness may result in disciplinary action, up to and including termination.

An employee who is absent without notifying their supervisor or Human Resources before the scheduled work time or as soon as practicable under the circumstances (e.g., a serious accident) may be subject to corrective action up to and including termination for unauthorized absences.

## **Performance Management**

Performance management is an important process of communication and normally requires personal discussions between the supervisor and the employee. Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted annually. These reviews include a performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year.

## **Transfers and Promotions**

Open positions are posted on KCAI's website. All employees are invited to apply for any vacant, approved and announced KCAI position without fear of reprisal for having made application. As a gesture of common courtesy, an employee interested in applying for a vacant position should first advise his/her immediate supervisor of the intent to apply for the position. The interested employee shall apply for the position in accordance with the application instructions stated in the announcement.

## **Corrective Action**

When an employee fails to meet job expectations, and depending on the nature of the infraction, the supervisor may have a documented verbal discussion with the employee. If performance issues continue, the supervisor, after consulting with Human Resources, may issue a written warning to the employee outlining the performance issue(s) and the corrective action necessary to improve performance, and the possible consequences for not meeting the performance goals. This written warning may or may not be the final warning depending on the nature of the infraction.

If an egregious/serious infraction occurs at any time during the course of employment, the supervisor shall consult with the Vice President of Human Resources prior to taking further action. Further action could include termination of employment. The supervisor and/or Human Resources has the right to terminate employment at any time during the Corrective Action process.

An employee may consult with the Vice President of Human Resources at any time during this process in order to state the employee's perspective and to seek any further clarifications or understandings that may be needed. Consultation with the Vice President of Human Resources shall be without fear of reprisal and confidentiality shall be maintained to the extent practicable.

## **Separation from Employment**

Employment at KCAI is at will and may be terminated at any time with or without notice or corrective action, for any reason including, but not limited to, poor performance, poor attendance, or failure to follow KCAI rules, guidelines or expectations.

All employees voluntarily resigning from KCAI are asked to submit a written resignation to their supervisor, with a copy to Human Resources, at least 10 working days (not counting vacation,

holidays or other paid time off) prior to their last date of employment. Employees who provide the proper notice will be considered to have resigned in good standing and will generally be eligible for rehire, and will be eligible for prorated vacation payout.

Upon separation of employment, any eligible vacation payout will be prorated based upon vacation time earned (including any carryover amount from previous fiscal year), less vacation time used, and will be paid to the employee on the next payroll cycle. An employee is not eligible for vacation payout unless the employee has worked at least six months. Unused sick leave is not paid out upon separation of employment.

Should it become necessary because of business conditions to reduce the number of employees or work hours, this will be done at the discretion of KCAI management.

In most cases, Human Resources will conduct an exit meeting on or before the last day of employment to collect all KCAI property, such as ID badge, keys, etc. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

To the extent permitted by state and federal law, the employee shall resolve to the satisfaction of KCAI all outstanding financial obligations prior to receiving a final check.

## **Personnel Records**

Employee files are maintained by Human Resources and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis. Personnel file access by current employees can be done by appointment, and files must be reviewed in the Human Resources department.

All requests for employment verifications, references, and release of employment information should be referred to and conducted by Human Resources. In the case of credit references, the employee must authorize, by their signature, the release of actual salary/earnings.

All KCAI employees are responsible to notify Human Resources of any change in address, telephone number, marital status, number of dependents, and immigration status.

## **SECTION 4 - GENERAL PROVISIONS RELATED TO EMPLOYMENT**

### **Employee Conduct**

Employees are expected to maintain a high degree of professionalism and be ethical in all relationships related to employment at KCAI. Mindful that they represent KCAI, employees shall always conduct themselves in accordance with the highest ethical principles.

Proper operation of KCAI requires that employees provide responsible service and use the designated organizational channels when seeking decisions and policy determinations. Employees of KCAI are bound to observe, in their official acts, the highest standards of ethics and morality and faithfully discharge the duties of their positions regardless of personal considerations.

Employees shall take precautions to guard the reputation and name of KCAI, and shall never abuse their professional contacts or positions, nor cause discredit or embarrassment for their institution or colleagues or for their profession in any way.

Employees should not act in any way to breach the law, nor should they ask others to do so.

No employee shall engage in any business or transaction or shall have a financial interest, direct or indirect, which may create a conflict of interest with KCAI.

An employee shall not disclose confidential information concerning the business, personnel, or students of KCAI.

### **Conduct Guidelines**

All employees are expected to conduct themselves in an appropriate and professional manner. The following are examples of appropriate behavior:

- Perform their duties in an efficient and diligent manner in accordance KCAI's business practices, carrying out specific work related instructions;
- Maintain a professional attitude;
- Dress appropriately for the department/position;
- Report to work on time, and observe breaks and lunch periods, and give proper notice to the supervisor if absence from work is necessary;
- Honor the confidentiality of files, records and documents;
- Be truthful and give all pertinent facts when preparing records;
- Observe organizational channels;
- Address all human relations issues with patience, tact, and diplomacy;



- Follow all safety practices and report all job-related accidents promptly to Human Resources;
- Avoid gossiping and furthering rumors;
- Use tools, machines, cars, and other KCAI equipment carefully, and cooperate in keeping them, and all KCAI property, clean and safe;
- Exercise discretion in personal guests and telephone calls while at work;
- Schedule office social functions only before or after working hours or during the lunch hour unless otherwise approved by management.

The following are examples of inappropriate behavior that will result in disciplinary action, up to and including termination:

- violation of substance and alcohol abuse policy
- the possession of firearms or other dangerous weapons on the college property
- insubordination or the refusal by employees to follow a supervisor's reasonable instructions
- assault or threat of violence against any person, including inciting or participating in riots and disturbances
- theft, destruction, defacement, or misuse of college property
- illegal gambling on college property
- submission of false or misleading information, or unauthorized altering of any college record or report
- failure to wear assigned safety equipment or failure to abide by safety rules and policies
- engaging in sexual or other harassment
- plagiarism
- use of the college's electronic resources to intentionally display, hold, send, view, print, download, retransmit, distribute or otherwise communicate content which the college may deem to be inappropriate, obscene, sexually explicit, or pornographic is prohibited
- conduct that materially injures the college or its reputation
- any violation of KCAI policies

This list is not all-inclusive and KCAI reserves the right to discipline and/or terminate an employee for conduct other than that described above. Employees who fail to meet the college's expectations or commonly understood standards of acceptable behavior, or who violate KCAI policies and procedures may be given verbal and/or written notices. Discipline for violation of performance standards or KCAI policies may range from reprimand to immediate termination.

## **Conflict of Interest**

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs at KCAI. At times, an employee may be faced with situations in which business actions taken on behalf of KCAI

may conflict with the employee's own personal interests. Company property, information or business opportunities may not be used for personal gain.

**Outside Employment.** No employee of KCAI should engage in any activity, employment, business, professional work, or enterprise, which is inconsistent, incompatible, or in conflict with efficient performance of the employee's duties, functions, and responsibilities as an employee or creates a conflict of interest.

A full-time employee wanting to engage in outside employment on a continuing basis should request permission of the supervisor noting the nature of employment, the name of the prospective employer and the schedule. This includes employees who are interested in performing services outside of their position description.

**Business Transactions by Employees.** A conflict of interest transaction is a transaction with KCAI in which an employee has a direct or indirect material interest. There can be a conflict of interest if the person involved has an employment or compensation relationship with, or equity interest in, the entity with which KCAI is dealing or if the person involved is performing professional or other services for KCAI. The absence of monetary or tangible benefit is not controlling. An indirect conflict exists if a family member or a business relationship, each from time to time determined by the Board of Trustees, has such an interest. Finally, mere access to information which can be used for individual profit can create a conflict.

An employee who knows or becomes aware of a conflict of interest between an employee and KCAI, should immediately notify the President in writing.

**Donations, Gifts-in-Kind, Gift from/Relations with Outside Suppliers.** KCAI uses every effort to purchase goods and services from suppliers on a competitive basis taking into account quality, service, range of services or products available, performance, timeliness, cost effectiveness, innovation and other factors, as appropriate. KCAI has built, and desires to retain, a reputation on integrity, fair dealing and high ethical standards in its business relationships. Equipment and gifts-in-kind can only be accepted as a donation to KCAI if approved by both management and the President.

**Employees must not:**

- solicit anything of value in any form or amount, or accept anything of more than token value, from an existing or prospective supplier in return for KCAI business, service or confidential information;
- cause, or to be involved in the decision making as to, the purchase of goods or services from a supplier with whom he or she has a close personal or business relationship; or

- act in such a way as to create the appearance of any impropriety or demonstrate a lack of high ethical standards.

The following are guidelines for assistance in complying with this policy:

- No employee may accept gifts having more than a token value (generally \$75 or less) from any existing or prospective supplier of KCAI. Unsolicited holiday food gifts and entertainment of nominal value, such as business meals, are generally excluded from this policy.
- Anyone who has any questions about this policy or what conduct is acceptable should ask the President or Executive Vice President for Administration of KCAI in advance. Offers of gifts or solicitations that are in violation of the policy should be reported to the President of KCAI.

## **Consensual Relationship and Nepotism Policy**

Due to the inherent risk of favoritism, bias, coercion, exploitation, and/or conflicts of interest that may arise from some relationships, (KCAI) prohibits romantic or sexual relationships between students and employees (including faculty). This includes relationships that occur when KCAI is not in session or the employee or student is on leave. Examples include, but are not limited to:

Faculty and student  
Adjunct and student  
Teaching assistant and student  
Staff and student

KCAI also prohibits romantic or sexual relationships between members of the KCAI community when one of those individuals has an advisory, supervisory, or managerial responsibility over the other (collectively referred to as “supervisory relationship,” defined below.)

Additionally, KCAI prohibits family members from working in a supervisory relationship with other family members employed by KCAI. Family member is defined as any of the following: relationships by blood (parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece and first cousin) and relationships by marriage (husband, wife, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner or significant other of the above mentioned.)

**Definition of Supervisory Relationship.** For the purpose of this policy, a “supervisory relationship” is defined broadly. “Supervisor” in a supervisory relationship is defined as the individual who has an educational, advisory, or managerial responsibility over the other.

Supervisory relationships include, but are not limited to:

- manager and report, direct or indirect
- adviser and advisee
- staff member and student
- student resident and individuals who supervise the student living environment
- student and individuals who participate with students on trips and excursions
- contract employee and student
- purchaser and vendor

These examples are illustrative and not exclusive. Supervisory relationships may be formal or informal.

**Pre-Existing Relationships.** If an individual with a pre-existing romantic or sexual relationship joins the KCAI community, and one of the people in the relationship is a student, each person must notify the Dean of Student Affairs immediately. The Dean of Student Affairs in consultation with the Title IX Coordinator will take steps to minimize the impact on the student's educational experience at KCAI. The steps can range from no action, to the recusal of the employee or faculty member from matters involving the student, to changes in the employee's or faculty member's job requirements, teaching, advising, service, or other duties. Failure to comply with this disclosure requirement is a violation of this policy and grounds for appropriate corrective action, up to and including dismissal from KCAI.

New employees with pre-existing relationships with current employees should notify the Vice President of Human Resources immediately. In situations where two employees in a direct reporting line become romantically or sexually involved, both parties are required to disclose their relationship to the Vice President of Human Resources.

**Reporting a Violation of this Policy.** Reports of a violation of this policy should be submitted verbally or in writing and can be made to anyone in a managerial position, e.g. Chair, Directors, or Vice President.

## **Electronic Equipment and Systems**

KCAI provides computers and related equipment and communications systems including email, voicemail and internet access for employee use in performing job duties. All equipment, software and systems remain the property of KCAI and employees should have no expectation of privacy regarding their use. KCAI reserves the right to bypass passwords to access communications.

The following are guidelines as to prohibited use of KCAI systems:

1. Using another person's personal computer ID or user name to log into the network.

2. Attempting to defeat the network or Internet security mechanisms in order to utilize unauthorized system resources or access unauthorized files.
3. Any action intended to disrupt normal system and network services.
4. Unauthorized use or copying of copyrighted software. The software provided with KCAI systems is purchased under licensing agreements that place legal restrictions on its use and copying. (See **Electronic Equipment and Systems/Copyrighted Computer Software.**)
5. Use of KCAI's electronic communications or KCAI hosted web pages for any illegal or unauthorized act or to violate any state or federal laws, including laws governing the creation, dissemination or possession of illegal documents or images, such as:
  - Harassment based upon race, color, national origin, ancestry, sex, age, creed, religion, disability, marital status, parental status, veteran status, sexual orientation, or any other factor protected by law
  - Fraudulent, threatening, harassing or obscene email graphics, or other similar electronic communication.
6. Peer-to-Peer (P2P) file sharing services to download and host copyrighted music and movies. KCAI disclaims any responsibility and/ or warranties for information and materials residing on non-college systems or available over publicly accessible networks.
7. Excessive personal use that does not involve job performance.
8. Network files should be deleted when no longer needed to make disk space available and avoid repeated backups of unneeded files. NOTE: if files are not deleted after a given period of time they will be deleted by the Campus Technology Department. (Time is determined by hardware allocations and restrictions.)
9. Printer resources are limited and laser printing is expensive. Users should preview documents before printing, print as few draft copies as possible, and print only one final copy. Photocopiers should be used to make multiple copies.
10. To avoid "junk email", users should consider the level of interest of the targeted audience before sending electronic mail to large groups.
11. KCAI group email accounts shall be used for Kansas City Art Institute business only.
12. Users of computers in public use areas should avoid disturbing other users.

Violations of KCAI's policy may result in cancellation of accounts, denial of access to facilities, removal of web links and/or removal of hosted pages, disciplinary action, or other administrative action by the Kansas City Art Institute.

Users are cautioned that although KCAI will act to maintain as secure a computer facility as possible, the level of security must be commensurate with costs and the desire to provide access that is both wide and convenient. Users of computer systems should be aware of various risks including the possibility of attempts by persons to deliberately breach system security, of unauthorized access by personnel with physical or supervisory access to systems, and the occurrence of inadvertent accidents, such as printing to the wrong network printer, that could expose sensitive data. Therefore, users are expected to use judgment and act on their own behalf in protecting highly sensitive or confidential data, whether on individual systems, the network or Internet.

## **Family Educational Rights and Privacy Act (FERPA)**

No employee of KCAI may release personal information about any student to a third party. Any inquiries must be directed to the Registrar.

## **Alcohol at Events**

Alcohol is only permitted on campus and at KCAI-sponsored events off campus in connection with officially sponsored special events by the H&R Block Artspace, KCAI Crossroads Gallery, the Advancement and Alumni Office, Continuing and Professional Studies, and the President's Office. At these special events, alcohol must be served only by a licensed bartender. Missouri law prohibits the consumption of alcoholic beverages by persons under the age of 21, and employees must not facilitate underage drinking. Employees are responsible for their own conduct and any decisions to drive following an event.

## **Personal Automobiles Policy**

In the event of an accident, the individual's insurance provides primary coverage. KCAI liability insurance does not provide protection for employees (including student workers) while using personal automobiles on KCAI business since state laws require individual automobile owners to carry liability insurance. KCAI insurance is secondary only for the benefit of KCAI and not the individual.

## **Personal Property**

Employees who bring personal property to the campus do so at their own risk. KCAI does not provide insurance for the loss or damage of personal property. Employees are deemed to have consented to search any property brought onto the campus including vehicles, backpacks or handbags.

## **Parking**

Parking spaces are limited at KCAI during normal business hours, Monday – Friday, and is on a first come/first serve basis unless otherwise reserved or designated on the campus. General parking is available on the surrounding city streets and in the KCAI designated section of the All Souls Unitarian Church parking lot. Visitor parking is reserved for visitors only. KCAI may at any time designate any area, reserved or unassigned, as restricted parking to accommodate special meetings or events.

Vehicles must be properly registered with the college and have a valid, properly displayed parking sticker. Stickers are available from the Security Department free of charge.

Vehicles not properly registered and identifiable, are subject to immediate towing and impoundment, at the owner's expense, by the KCMO Police Department. KCAI and/or KCMO police may take any action it deems appropriate at any time concerning parking violations on the campus, including ticketing and administering fines. Repeated violations will be subject to further corrective action including fines, city tickets (at the vehicle owner's expense), towing at the owner's expense, restriction from parking on campus, and impoundment at the owner's expense. Appeals must be addressed to the Director of Safety and Security. Second appeals will be addressed by the Executive Vice President for Administration and will be final.

## **Key and Access Card/Identification Card**

Building Keys - Plant Services is responsible for making all keys requested by a supervisor and approved by management. If approved, the Key Request Form is sent to the Director of Facilities, and once the keys are made, they will be delivered to the recipient who will sign receipt of the keys.

Keys are not to be transferred from one individual to another nor are they to be loaned or given to students.

ID Badges and Building Access Cards – All faculty, staff, and students are issued ID badges and a building access card for the building(s) in which they need access. Lost cards must be reported to the Safety and Security Department as soon as possible to be deactivated and to maintain the security of KCAI's property. The Director of Safety and Security, or their designee, is responsible for the distribution and inventory of all access and ID cards.

All building access cards, ID badges, and keys must be returned to the Human Resources office as soon as they are no longer needed or upon separation from employment.

KCAI may charge individuals for any cost incurred as a result of lost or unreturned building access cards, ID badges, or keys.

## Copyrights and Royalties

Copyrightable, patentable, or commercially valuable material produced by employees as part of their job duties or responsibilities or in the course and scope of their KCAI employment or which result from projects specifically funded in whole or in part by KCAI, shall belong to KCAI.

All rights to, and royalties from, computer software, including computer programs, computer data bases, and associated documentation (herein "computer software"), whether copyrightable or patentable, produced by staff employees as part of or with the use of KCAI facilities, shall belong to KCAI, regardless of the source of funds used to produce the computer software.

Reproduction of any copyrighted materials that has not been placed in the public domain or of software that has not been distributed as freeware, without the consent of the copyright holder is prohibited as set forth in the laws governing copyright. Violation of U.S. copyright laws can lead to civil damages as well as criminal penalties, including fines and imprisonment, and is prohibited by KCAI.

**Copyrighted Computer Software.** KCAI purchases and licenses the use of computer software from a variety of outside companies. KCAI does not own the copyright to this software or its related documentation and, unless authorized by the software developer, does not have the right to reproduce it for use on more than one computer. KCAI employees may use the software on local area networks or on multiple machines only in accordance with the license agreement. KCAI employees may not make, acquire or use unauthorized copies of computer software.

## External Communications

All external communications concerning KCAI shall be handled through the KCAI Communications Department. If an employee is contacted directly by a member of the media, refer the person to the Communications Department for further information. Unauthorized public comments to the media may be harmful to KCAI and may subject the employee to disciplinary action as appropriate.

## Children in the Workplace

KCAI recognizes there may be brief and casual visits of children to the workplace. However, there may be times when employees occasionally experience difficulties with childcare arrangements but still have pressing work responsibilities that require the employee to be at work. KCAI will permit children in the work environment on an infrequent basis under the following conditions:

- a. The operations of the area are not compromised.



- b. The responsibilities of the employee are not compromised.
- c. Other employees are not expected to care for the child.
- d. The presence of a child in the workplace should be immediately reported to Human Resources for each day the child is present.

KCAI will not permit a child in the workplace if for any reason KCAI believes the presence of the child is inappropriate.

## **Minors On and Off Campus and Reporting Child Abuse**

Members of the KCAI faculty, staff, and administration, including student employees and volunteers who are working with minors related to any KCAI sponsored activity or program on or off campus, have an obligation to notify the KCAI Human Resources Department and the Children's Division of the Missouri Department of Social Services if they witness child abuse, neglect, or if they have reason to believe that child abuse or neglect has occurred. Reports are to be made to:

KCAI Office of Human Resources (816-802-3434)

Children's Division of the Missouri Department of Social Services (800-735-2966)

## **Surreptitious Recordings**

KCAI recognizes free and uninhibited exchange of ideas, concepts, opinions and communications as being critical not only to the learning and creative environment but also to the work environment. KCAI prohibits the recording of conversations and/or meetings with audio and/or video recording devices, including but not limited to cellular telephones and other electronic devices, unless all parties are informed in advance and all are agreeable to the recording taking place or unless the recording is otherwise permitted by a specific policy or procedure.

## **Travel and Business Expense Reimbursement and Purchasing**

The Business Office maintains the most current Travel and Expense Reimbursement and Purchasing guidelines and procedures. Under no circumstances should any college employee use the name of KCAI to obtain discounts for sales tax exemption for privately purchased materials and/or services. All questions relating to employee purchases and expense reimbursements should be referred to the Business Office.

## **SECTION 5 – SAFETY AND HEALTH**

### **Employee Safety and Health**

KCAI strives to provide safe working conditions to protect employees against workplace hazards; therefore, KCAI will provide safety equipment and safety training to the extent required by applicable law. It is the obligation of all employees to observe safety regulations, practice safety at all times, utilize safety equipment as prescribed, and to report safety hazards or other unsafe conditions to their supervisors or the Director of Safety and Security.

The Director of Safety and Security encourages and solicits the assistance of the entire campus community in attempting to make the campus a safe place to create, learn, live, work, and play. Safety and Security information is available from the KCAI Office of Safety and Security, located on the third floor of the Vanderslice building.

All job related accidents or illnesses (including student worker accidents), no matter how trivial, must be reported to the Human Resources Office before the conclusion of the next business day. Employees must fully cooperate with any investigation into the cause of injury.

Accidents to volunteers or the public must be reported immediately to KCAI's Safety and Security Department (816-931-6666).

### **No Smoking Policy**

In an effort to limit the potential exposure of the campus community to the effects of secondhand smoke, reduce the risk of fires on campus and provide a healthy, respectful working and learning environment, smoking is prohibited in enclosed workspaces, offices, and indoor public areas of the campus. Smoking on campus property is permitted only in designated outside Smoke Zones. Employees using these areas are expected to dispose of any smoking debris safely and properly. Smoking is the burning or lighting of tobacco product and any other smoking device or equipment that includes, but is not limited to cigarettes, cigars, electronic smoking devices, e-cigarettes, and pipes. Violations of this policy may lead to disciplinary action, up to and including termination.

### **Drug and Alcohol Policy**

It is KCAI's intent to provide a drug-free, healthy, and safe educational environment and workplace. KCAI recognizes that the misuse of alcohol and other drugs pose major health problems, are potential safety and security problems, and can adversely affect job performance. KCAI is committed to complying with the Drug-Free Schools and Communities Act (DFSCA) Amendments of 1989.

In addition to complying with DFSCA, any employee of KCAI working under a federal grant/contract must also notify Human Resources within five (5) calendar days if he/she is convicted of any criminal violation occurring on KCAI premises.

As a result of this commitment, KCAI forbids the unlawful use, manufacturing, selling, dispensing, or possession of illegal/illicit drugs and/or alcohol on KCAI property, while conducting business-related activities off KCAI premises, or as part of any KCAI activity. These rules assure that KCAI is in compliance with all applicable federal, state, and local statutes, regulations, and ordinances.

Employees must not report to work under the influence of illegal drugs or alcohol. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner and it does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Violations of this policy may also have legal consequences.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all KCAI policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause KCAI any undue hardship.

Employees with questions, concerns, or issues about this policy or related to drug or alcohol use in the workplace should raise their concerns with their supervisor or KCAI's Vice President of Human Resources, without fear of reprisal.

## **Weapons on Campus**

As an institution of higher education and in accordance with state law, KCAI does not permit the carrying of a weapon, the removal of a weapon from a vehicle, or the brandishing of a weapon anywhere on KCAI premises. Violations of this policy may result in disciplinary action, up to and including termination.

## **Emergencies and Inclement Weather**

KCAI Safety and Security utilizes the Emergency Alert System (EAS) notification system to contact the campus community during an emergency. EAS is a personal connection to real-time updates, instructions on where to go, what to do, or what not to do, who to contact and other important information. Emergency alerts may be disseminated via:

- Text messaging to subscriber cell phones (Qtext)

- Electronic distribution through email
- Posting of hard copies in public areas
- Posting on KCAI websites (internet and intranet)
- Local media outlets
- Voice message distribution through KCAI phone system

Contact KCAI Safety and Security Department for more information on the EAS.

**Emergencies on campus.** Watch for EAS alerts and always follow the directions of KCAI Safety and Security personnel and, if present, any city authorities. In the absence of KCAI Safety and Security personnel or city authorities, follow the directions of executive staff or a supervisor in charge.

**Emergencies off campus.** Watch for EAS alerts and listen for any TV and radio announcements; call KCAI's main number, 816-472-4852, for any recorded messages; contact your immediate supervisor if not contacted by them; check the college website at: [www.kcai.edu](http://www.kcai.edu) or contact KCAI Safety and Security at 816-931-6666.

**Inclement Weather.** Decisions to close KCAI due to inclement weather will be made by the President or designee. Announcements for closing the office and classes will be sent via EAS alerts and/or KCAI email. For office and class closings:

- Watch for EAS alerts.
- TV and radio stations will be contacted prior to 6:00 a.m. if the campus closes. Check throughout the day for evening classes.
- Call 816-472-4852, KCAI's main number where the message will be changed if the college is closed.
- Call KCAI Safety and Security (816-931-6666).
- Check the KCAI website's calendar of events for that particular day. If the college is closed, information will be posted there.
- Call immediate supervisor to check the status.

When KCAI remains open, employees who feel they are unable to arrive at work at their regular schedule or want to leave work early due to inclement weather will be expected to charge their time away from work to vacation. If vacation time is not available, the time missed will be unpaid.

## SECTION 6 – LEAVE AND TIME OFF

### Vacation

All full-time employees assigned to work more than 10 months per year are eligible to earn vacation at the following rates:

<u>Vacation Accrual Base Level</u>	<u>Maximum Vacation Carryover</u>
3 weeks or 15 days (0-8 years)	4.5 weeks
4 weeks or 20 days (8+ years)	6.0 weeks
5 Weeks or 25 days (VP and above)	7.5 weeks

Vacation “banks” are front-loaded at the beginning of each fiscal year (July 1<sup>st</sup>) and time must be taken within that fiscal year with minimal carryover based on the rate schedule above. New employees with a hire date of the 1<sup>st</sup> - 15<sup>th</sup> of the month will receive a pro-rated lump sum of vacation beginning with that month. New employees with a hire date after the 15<sup>th</sup> day of the month will receive a pro-rated lump sum of vacation beginning with the next month. This same methodology will be applied to other situations, such as separation from employment.

The following is an example of the application of this policy:

Vacation Accrual Base Level 7/1/15	Vacation Used by 6/30/16	Vacation <u>Carryover</u> on 7/1/16	Vacation <u>Base</u> Loaded 7/1/16	Total Vacation <u>Bank</u> on 7/1/16	Vacation Used by 6/30/17	Vacation Bank on 7/1/17 <i>(Capped @ 150%)</i>	7/1/17 Calculation
4 Weeks	Zero	2 Weeks	4 Weeks	6 Weeks	3 Weeks	6 Weeks	3 Wks Remain + 4 Week Base = 7 – 1 Week (to 150% Cap) = 6

Vacation pay will be paid at the employee's base pay rate in effect at the time vacation is taken.

Full-time staff who are assigned to work 10 months or less per year are not eligible for vacation. Any time taken off during the fall and spring work schedule will be without pay in accordance with applicable law with the exception of holidays and sick leave.

Employees should request vacation time as soon as possible, preferably no less than one month in advance of the time off. Requests should be made electronically through the human resources information system (HRIS). Requests should normally be for no more than two weeks

in length except under unusual circumstances. In the event vacation requests conflict, preference will be given to the needs of KCAI, and then to seniority (length of service).

In the event of an employee's death, KCAI will pay the entire amount of the employee's unused, accrued vacation to the primary beneficiary listed on KCAI's Group Life Insurance policy.

Length of Service. Full-time employees who transfer to a part-time position will be paid out their earned vacation (part-time employees are not eligible for vacation). Full-time employees who transfer to a part-time position and then transfer back to full-time will be granted a vacation schedule based on their length of service and by computing their part-time employment to full-time equivalent for any period exceeding six consecutive months.

Vacation time, if available, must be used for any approved leave. If vacation time is not available, vacation may be denied or time may be granted without pay at the supervisor's discretion. Time off without pay in lieu of paid vacation time, when vacation time is available, is not allowed.

Separation from Employment. Earned and accrued vacation time will be prorated and paid only in the case of voluntary separation from employment provided that the employee has worked six months and has given the required notice. Vacation time cannot be used to fulfill the notice period.

Employees that have worked a minimum of six months, then leave KCAI in good standing, and are rehired for full-time employment, will have a vacation schedule reinstated based on the following years of service:

<u>Absent from KCAI</u>	<u>Vacation Service Credit</u>
Less than 5 years	Full credit
5 years - less than 10 years	75% credit
10 years - less than 15 years	50% credit
15 years or more	No credit

For example, a former employee reemployed after an absence from KCAI of 7 years who had 8 years and 8 months (104 months) of prior service would receive 6 years and 6 months (75% of 104 months = 78 months) of service credit for purposes of computing vacation. This policy is only for purposes of computing vacation time and does not apply to seniority (length of service) that is measured from the effective date of rehire.

## **Sick Leave**

Employee may use sick leave only in the event of a bona fide illness, disability, or illness within the immediate family, or under the provisions of the Family and Medical Leave Act (FMLA), this includes medical and dental appointments that cannot otherwise be scheduled during non-

working hours. The immediate family of the employee shall include: spouse/domestic partner, mother, father, child, brother, sister (including step, grand, foster, and in-law) or as deemed appropriate by management.

Full-time employees working more than 10 months per year earn sick leave at a rate of one day for each month of service up to 130 days. Full-time employees who are assigned to work 10 months or less per year earn sick leave only for the months worked.

Sick leave “banks” are added to employee records at the beginning of each fiscal year (July 1<sup>st</sup>) and time taken throughout the year is deducted from the record. Used sick leave is compensated at the employee’s current base pay rate. Unused sick leave is carried over to the following year for a maximum accrual of 130 days. Sick leave is recorded and tracked electronically through the HRIS portal. Non-exempt (hourly) employees should report sick time accurately on the electronic time system for that pay period. Exempt employees should report the sick time on the electronic time system.

New employees hired between the 1<sup>st</sup> - 15<sup>th</sup> of the month will have a pro-rated lump sum of sick leave added to the record beginning with that month. New employees hired after the 15<sup>th</sup> day of the month will have pro-rated sick leave added to the record beginning with the next month. This same methodology will be applied to other situations such as official retirement from KCAI.

When illness occurs in excess of available sick leave, the employee must charge the absence to vacation leave (if available). Otherwise the absence will be without pay in accordance with applicable law. Any absence due to illness lasting three or more days may require a physician’s note.

An employee's supervisor must be notified when an absence occurs. The employee should notify the immediate supervisor as soon as possible prior to the employee's regular shift, or as soon as reasonably possible. Failure to do so may be cause for denying sick leave with pay.

When an authorized holiday falls within an employee's sick leave period, holiday pay is granted for the holiday, providing the employee is eligible for holiday pay, and sick leave is charged only for the remaining sick leave days.

Generally, upon separation from employment, staff will not receive payment for unused sick leave. However, staff that leave in good standing and have reached the age of 59½ years old at the time of separation, will receive 25% of available, pro-rated, unused sick leave through the normal payroll process.

For those times when available sick leave and vacation have been exhausted, KCAI offers a short-term disability insurance benefit to eligible employees at 60% of salary for a limited time

to provide some degree of income protection. Employees should contact the Human Resources office for more information on the short-term disability policy.

KCAI considers absences due to pregnancy or childbirth and temporary disability resulting therefrom the same as any other temporary disability for all job-related purposes including commencement, duration and extensions of leave, payment of disability income, accrual of seniority and any other benefit or service and reinstatement, and under any fringe benefit offered to employees by virtue of employment. The provisions of the Family and Medical Leave Act (FMLA) also apply for eligible employees. Leave necessitated by pregnancy or childbirth conditions will be granted under the same terms and conditions that sick leave is provided to all employees. All arrangements on such leave with respect to effective date and return date, and a review of all employee rights, should take place with the Human Resources Office prior to the effective date.

## **Family and Medical Leave (FMLA)**

The Kansas City Art Institute (KCAI) will comply with the Family and Medical Leave Act (FMLA.) KCAI posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the FMLA in the hallway outside of the Human Resources Office in Vanderslice Hall.

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

Employees with questions about what illnesses are covered under this FMLA policy or under KCAI's leave policy are encouraged to consult with the Human Resources office. If you have any questions, concerns, or disputes regarding this policy, you must contact the Vice President of Human Resources.

Eligible staff members are those who have been employed by KCAI for at least 12 months and who have worked at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. This eligibility therefore applies to most full-time staff members and certain part-time staff members. Leave may be granted for up to a maximum of 12 weeks during any 12-month period, for any one or more of the following qualifying reasons.

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.



### **Exigency Leave**

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

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active military duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be of the of the following:

- a. Short-notice deployment
- b. Military events and activities
- c. Child care and school activities
- d. Financial and legal arrangements
- e. Counseling
- f. Rest and recuperation
- g. Post-deployment activities and additional activities that arise out of active duty, provided the employer and employee agree, including on timing and duration of leave.

### **Military Caregiver Leave**

Eligible employees are entitled to FMLA leave for up to 26 weeks to care for eligible family members, if the family member is a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list.

In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

### **General Leave Information**

KCAI will measure all eligible periods of leave (12 weeks or 26 weeks) on a rolling 12 month period. Each time an employee takes a qualified FMLA leave, the company will compute the amount of leave the employee has taken under this policy in the past 12 months and subtract it from the available leave, and the balance remaining is the amount the employee is entitled to take at that time.

Family and Medical Leave Request forms are available from the Human Resources Office. A request for leave should take place at least 30 days in advance unless the need for such leave is not foreseen. The Human Resources Office will respond in writing to the request.

KCAI will require certification for all FMLA leave, using the appropriate Department of Labor forms. The employee must respond to the requested certification within 30 days of the employer's request or provide a reasonable explanation for the delay. KCAI will respond in writing to the employee within 5 business days of receiving the requested certification. KCAI may directly contact the health care provider for verification of clarification purposes, using a Human Resources professional, health care professional, or management official. KCAI will not use the employee's direct supervisor for this contact. Before KCAI makes direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies

in the medical certification. In compliance with HIPAA Medical Privacy rules, KCAI will obtain the employee's permission for clarification of individually identifiable health information.

KCAI has the right to ask for a second opinion if it has reason to doubt the certification. The company will pay for the employee to get a certification from a second doctor, which KCAI will select. KCAI may deny FMLA to an employee who refuses to release relevant medical information records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, KCAI will require the opinion of a third doctor, and KCAI will pay for that opinion. The third opinion will be considered final. The employee will provisionally be entitled to leave and benefits under the FMLA pending the second and/or third opinion.

In certain circumstances, employees may take FMLA leave intermittently, by taking leave in blocks of time or by reducing their normal work schedule. Intermittent leave may be taken to care for a seriously ill family member, or because the employee is seriously ill and unable to work a full schedule. Employees needing leave on such a basis must attempt to schedule their leave so as not to disrupt KCAI operations. KCAI may assign the staff member to an alternative position that better accommodates a reduced leave schedule. Intermittent leave is not available after the birth or placement of a child or adoption or foster care, unless related to the serious health condition of the mother or child. Thus, qualifying reasons "a" and "b" have a maximum duration of 12 consecutive calendar weeks immediately following the start of the approved leave.

Leave will normally be unpaid unless there are paid or partially paid leave benefits (e.g., sick leave and vacation) for which the employee is eligible and, if available, KCAI will require the use of these benefits.

The use of available sick leave and vacation time will be required for any qualifying reason. An employee's eligibility for benefits under KCAI's Self-Insured Short-Term Disability Plan will be considered for leave due to an employee's own serious health condition that makes the employee unable to perform the functions of his or her position after the determination of any other required benefits.

Existing coverage under KCAI's Group Health/Dental/Vision Plans, Group Life/AD&D Plans, Group Long Term Disability Plan, and Voluntary AD&D Plan will be continued during an approved leave provided the employee continues to timely pay his or her appropriate portion of any insurance premiums (through payroll deduction or other timely payment). Further, KCAI will normally continue appropriate premiums on TIAA/CREF retirement annuity contracts provided there is paid leave sufficient to cover the employee's portion of annuity premiums. Insufficient paid leave will result in premiums not being continued to TIAA/CREF until such time that the employee is returned to full pay status.

KCAI may require an employee on leave to report periodically on his or her or a family member's status and the employee's intent to return to work. In addition an employee may be required to present a medical release prior to returning to work. Upon return from leave an employee will ordinarily be returned to their same or equivalent position.

## **Holidays**

The following days will be observed as KCAI paid holidays. The President, in his or her discretion, may include other "Bonus Days":

New Year's Day  
Martin Luther King, Jr. Day  
First Monday of Spring Break  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Friday Following Thanksgiving  
Christmas Eve Day  
Christmas Day  
Day Following Christmas Day  
New Year's Eve Day

**Eligibility.** All regular full-time employees are eligible for holiday pay provided they are in full pay status on the scheduled workdays preceding and following the holiday. "Pay status" includes leaves with full pay or an excused absence. An employee who has an unexcused absence on the workday before or after a holiday will not be paid for the holiday.

**Weekend Holidays.** Holidays that fall on a Saturday will normally be celebrated on the preceding Friday. Holidays that fall on a Sunday will normally be celebrated on the following Monday. The President has final say on when the holidays will be celebrated.

**Holiday Pay.** Holidays shall be paid at the employee's regular straight time rate of pay.

If an employee is scheduled to work on a holiday and does work, straight time will be paid for the holiday, plus straight time for the hours worked on the holiday. This does not apply to those employees hired mainly to work holidays and special periods, e.g., security officers who have less than regular full-time appointments.

Working on holidays must have prior approval. Holiday pay will also be granted if the holiday falls on a normal day off for eligible employees who work non-standard schedules.

From time to time the President may declare early closing. These hours are available only to employees working during the early closing, and should be recorded in the electronic time keeping system as "President extra days." These hours will not be counted as hours worked. Additionally, employees already scheduled off on early closing days are not eligible for these hours.

## **Bereavement**

Full-time employees may take a leave of absence with pay due to a death in an employee's immediate family. The immediate family of the employee shall include: spouse/domestic

partner, mother, father, child, brother, sister (including step, grand, foster, and in-law) or as deemed appropriate by management. Part-time employees may be allowed to alter their work schedules to accommodate bereavement.

An employee may receive bereavement leave of up to five working days based on the family need for the employee. Bereavement leave granted may be a partial day to one day for death in the local geographic area, two or three days for any needed regional travel, and four or five days for any distant travel. KCAI may request verifiable documentation of the death, normally a copy of the memorial program. Vacation time may be granted if additional time is needed.

Employees must notify their supervisor as soon as reasonably possible to obtain approval for bereavement leave. Failure to do so may be cause for denying leave with pay.

Employees wanting to attend funerals of non-immediate family members may use vacation if available and must request the time off in accordance with the Vacation policy.

## **Military Leave**

Employees that serve in the uniformed services of the United States, the State of Missouri, or the State of Kansas will be granted military leave for active duty, active duty for training, inactive duty for training, National Guard duty, state guard duty, and time taken off for an examination to determine fitness to do any of the above. The leave will be without pay except that KCAI requires that any available vacation time must be paid during the military leave.

When possible, a request for military leave should be made to the employee's supervisor and the Vice President of Human Resources prior to the beginning of the leave. The employee also should discuss the expected length of leave and the anticipated return date with the supervisor and the Vice President of Human Resources. The employee may elect to continue health insurance coverage. Contact Human Resources for information regarding health insurance and other benefits.

An employee returning from military leave will be reinstated in accordance with the provisions of the federal Uniform Services Employment and Reemployment Rights Act of 1994, or the Missouri or Kansas military leave laws, depending on whether the employee is serving in the federal or state military service. To be eligible for reinstatement, the employee must give KCAI notice of intent to return within certain time limits as specified by those laws. Please see Human Resources for details regarding eligibility for reinstatement and the requirements for notifying the KCAI of the employee's intent to return.

## **Leave of Absence without Pay**

Leave of absence without pay may be granted for reasons that appear to be proper and in the best interest of KCAI. The employee should make a written request to management, and

submit to the Human Resources office, as far in advance of the leave as possible and at a minimum of five working days prior to the effective date of the request. Leaves without pay will be granted at management discretion.

## **On the Job Injuries**

All injuries should be reported to Human Resources within 24 hours of the incident. A regular full-time employee who suffers an on the job injury or illness covered by Worker's Compensation will use available sick leave and then available vacation leave (if necessary) for any portion of normal earnings not covered by Worker's Compensation. Missouri Law generally provides for 2/3's of regular weekly earnings through Worker's Compensation Benefits. If no sick leave or vacation is available to make up the difference between Worker's Compensation benefits and regular pay, or if the available leave is exhausted during the Worker's Compensation period, only Worker's Compensation benefits will be paid, and the employee will be considered as being out of pay status since no pay is being received from KCAI.

An employee on Worker's Compensation leave who is not also being paid from KCAI sick leave or vacation time for an equivalent of full pay is out of pay status with KCAI and therefore not eligible for holiday pay.

## **Jury Duty or Witness Duty**

Jury duty includes actual jury duty service and all hours spent in preliminary examination and interviews required prior to such service up to 40 hours per week and will be considered hours worked for pay and benefit purposes.

Employees will receive their regular rate of pay while on jury duty, and may retain any compensation paid by the court, and must submit a copy of the court summons to Human Resources. On any day when an employee on jury duty status is not required to report to the court, or is released from court early, the employee is expected to report to work at KCAI.

## **Voting**

Employees are encouraged to vote before or after working hours. If not possible, an employee should request and receive permission to vote during the working day from his/her supervisor at least one day prior to election day, and time off will be paid, not to exceed three hours. Time off to serve as an official election judge shall be granted with pay.

## SECTION 7 - BENEFITS

Full-time employees during the regular academic year (August 15 – May 15<sup>th</sup> or Commencement), are eligible for benefits. The benefit calendar year is January 1 through December 31. There will be an open enrollment period occurring once a year on a specified date prior to January 1, which allows qualifying employees to elect coverage or make changes to existing benefits.

Requested changes throughout the year must comply with federal and/or state regulations, may require proof of insurability by the insurance company, and are subject to the insurance company's final decision. Contact Human Resources for further information.

KCAI may change, alter, amend, discontinue or implement benefit programs at its discretion with or without prior notice at any time. Employees should contact the Human Resources office to obtain the most current benefit plan documents.

### Benefits and Eligibility

<u>Benefit</u>	<u>Eligible</u>
Art Store Employee Discount	On Employment
Credit Union	On Employment
Dental Insurance	1 <sup>st</sup> of month following date of hire
Disability Insurance: Short Term	1 <sup>st</sup> of month following date of hire
Long Term	1 <sup>st</sup> of month following date of hire
Flexible Spending Account	1 <sup>st</sup> of month following date of hire
Life Insurance Plans: Group Term Life Insurance Supplemental Life Insurance	1 <sup>st</sup> of month following date of hire
Group Accidental Death & Dismemberment (AD&D) Insurance	1 <sup>st</sup> of month following date of hire
Group Health Insurance	1 <sup>st</sup> of month following date of hire

Retirement Program	1 <sup>st</sup> of the month following date of hire; one year from date of hire for KCAI match
Travel Insurance	On Employment
Other Voluntary Insurance	1 <sup>st</sup> of month following date of hire

## **Consolidated Omnibus Budget Reconciliation Act (COBRA)**

In compliance with federal law commonly known as “COBRA”, KCAI normally provides the opportunity for separated employees to continue certain benefits at the separated employee's expense.

Also qualifying under “COBRA”, in cases of legal separation, divorce, death of the employee, Medicare entitlement of the employee, or a dependent child ceasing to be a dependent by health and/or dental insurance carrier definitions, continuation coverage for dependents may be extended. It is the responsibility of the employee to report changes in family status, a legal separation, a divorce, or a dependent child ceasing to be a dependent to the Human Resources Office in order to assure rights under “COBRA.”

Contact Human Resources for further information on benefits.

## **Employee Assistance Program**

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. KCAI wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges.

For questions or additional information about this program, employees may contact the Human Resources office.

## **Tuition Assistance**

Full-time employees are eligible for tuition assistance up to a total of 6 credit hours per semester for the KCAI degree program, credit and non-credit courses, which includes Continuing Education (CE), or credit courses at other designated institutions.

Regular part-time employees are eligible for tuition assistance after one year of regular, consecutive service (temporary and on call personnel are excluded) up to a total of 6 credit hours per semester in the degree program or credit and non-credit courses in CE at KCAI only.

After the employee's first year of service, the spouse or dependent children of a full-time employee are eligible for tuition assistance for credit or non-credit courses at KCAI or credit courses at other designated institutions. The spouse of a full-time employee may enroll part-time or full-time depending on the provisions of the designated institutions.

Tuition assistance for dependent children (dependency is determined by the KCAI Financial Aid Office from federal standards used for the administration of financial aid) of full-time employees are generally intended for full-time study; however, dependent children of KCAI employees may take non-credit courses through CE. KCAI and other institutions may request a copy of the employee's federal tax return.

Please note that tuition assistance does not include the cost of any related fees or supplies. Please contact KCAI Admissions Office or Human Resources for more information.

## **Staff Training and Development**

Emphasis is placed on hiring fully qualified staff and encouraging them to broaden their capabilities as related to their contributions to KCAI. Employees may be required by supervisors, for the benefit of KCAI, to participate in training activities found in the local community. Such required training will be considered work time and employees will be paid their normal rate of pay for attending any such required training. Additionally, employees may be allowed to spend part of their work day attending such seminars or training sessions which are job related and which are approved by management. This training also will be considered work time and employees will be paid their normal rate of pay for attending such training during the work day.

### **Staff Development Grants**

Staff development grants are granted to provide additional opportunities for professional development through financial awards. Full time staff are eligible to apply after completion of one year of service to KCAI. Proposals are reviewed and all awards shall be made by July 1 of each year for use prior to June 30 of the following calendar year.

Awards are viewed as being of direct benefit to the individual, but also as promoting the growth and expertise specifically related to the individual's area of responsibility with KCAI. Employees should contact the Human Resources office for application guidelines and procedures.

### **Training**

To help supplement department resources, additional limited funding may be available for staff training through the Human Resources Office. These funds are separate from the staff development grant funds and should be requested separately through Human Resources.



Interested staff should contact the Human Resources office for additional information on funds available and the request process.

**In-Service Training on campus.** KCAI may provide an opportunity for on-campus training by means of in-service training. From time to time meetings will be held to provide training in skill development, communication, new business concepts, and human relations. Suggestions for in-service training should be submitted to the Human Resources office.