



*Mukogawa Fort Wright Institute*

# *PERSONNEL POLICIES*

*December 1, 2010*

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## 1) **INTRODUCTION**

This Personnel Policy and Procedure Manual is intended to be a source of information and a general statement of the personnel policies of Mukogawa Fort Wright Institute. Mukogawa Fort Wright Institute, MFWI, in accordance with acceptable management principles, will periodically review and revise the policies, practices and procedures included in this manual.

The policies stated in this manual are guidelines only and are subject to change at the sole discretion of MFWI as are all other policies, procedures, benefits, or other programs of MFWI. This manual is not a contract, expressed or implied, guaranteeing employment for any specific duration. Although we hope employment will be long term, either the employee or Mukogawa Fort Wright Institute, as an “AT WILL” employer, may terminate this relationship at any time, for any reason, with or without cause or notice. An employee’s status as an “AT WILL” employee may only be changed by a written contract signed by the Executive Vice President of MFWI. Please understand that no supervisor, manager, or representative of Mukogawa Fort Wright Institute has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the foregoing.

The policies contained herein supersede any and all prior manuals, written documents or oral representations issued by MFWI that would otherwise contradict the “AT WILL” nature of your employment.

### **.01 Background and Purpose of MFWI**

MFWI is a branch of Mukogawa Women’s University (MWU) located in Nishinomiya, Japan. MWU which has a Junior College Division, Graduate School, and six research institutes, is a part of Educational Corporation Mukogawa Gakuin, (ECMG). ECMG also has a University Kindergarten and University Junior and Senior High Schools.

### **.02 Philosophy**

MFWI has adopted the following founding philosophy and educational principles of Mukogawa Gakuin:

#### **FOUNDING PHILOSOPHY**

*Pursuant to the founding spirit of Japan, Mukogawa Gakuin aims at fostering the growth and development of capable women who are endowed with high intelligence, refined sensibility, and noble virtues as the builders of a peace loving nation and society.*  
(Adapted from MWU's Handbook)

Believing that the dedication and unity of purpose of its employees will be a key to the success of MFWI’s unique bi-cultural educational program, MFWI expects all its

employees to understand the foregoing founding philosophy, and that all employees should be sensitive to the cultural differences and the unique nature of MFWI's students.

**.03 Mission Statement**

**THE MISSION OF MUKOGAWA FORT WRIGHT INSTITUTE**

- 1) to improve students' communicative competence in English
- 2) to facilitate the students' and the American community's reciprocal understanding of each other's culture and lifestyle
- 3) to provide each of our students with a broad and comprehensive level of individual support to maximize their academic and personal development through our educational and residential life programs

**.04 Application of Personnel Policies**

These personnel policies shall apply to all MFWI employees unless a particular policy states otherwise. There may be additional policies and procedures appropriate to specific departments or types of employment. If an employee is a contract employee, and the terms and provisions of an employee's contract differ from these policies, the terms and provisions of the contract shall control. A contract employee's employment agreement may, by specific reference, incorporate any of the terms and provisions hereof which would not otherwise be applicable to contract employees.

**.05 Employee Questions**

Employees having questions or seeking clarification of policies should first contact their immediate supervisor and, if necessary, then either the Executive Vice President or CFO/Director of Operations. These designated individuals shall report to the President of MFWI regarding personnel policy matters.

*See Appendix A for the MFWI Organizational Chart.*

**.06 Employee Acknowledgement**

All current employees that have computer access will receive an electronic version of the MFWI Personnel Manual via e-mail. Hardcopies will be available upon request. New employees will be given a hard copy. All employees must sign an acknowledgement that they have received and will read the most current version of the MFWI Personnel Manual. The signed acknowledgement will be kept in their personnel file. Additionally, the MFWI personnel manual will be accessible through the MFWI website ([www.mfwi.edu](http://www.mfwi.edu)) under the Help and Support link, and the universal forms folder.

2) **EQUAL OPPORTUNITY STATEMENT**

MFWI believes that equal opportunity for all employees is important for the continuing success of our organization. In accordance with state and federal law, MFWI will not discriminate against an employee or applicant for employment because of race, disability, color, creed, religion, sex, marital status, age, national origin, ancestry, citizenship, sexual orientation, veteran status, or non-job related factors in hiring, promoting, demoting, training, benefits, transfers, layoffs, terminations, recommendations, rates of pay or other forms of compensation. Opportunity is provided to all employees based on qualifications and job requirements.

3) **ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY**

**.01 Anti-Discrimination**

MFWI does not discriminate against employees, potential, present or former, based upon race, disability, marital status, color, sex, age, national origin, ancestry, citizenship, sexual orientation or veteran status.

**.02 ADA Compliance**

MFWI welcomes applications from people with disabilities and does not discriminate against them in any way. MFWI complies with the Americans with Disabilities Act (ADA) of 1990. Requests for accommodations are to be made to the CFO/Director of Operations.

**.03 Anti-Harassment**

MFWI will not tolerate any form of harassment – verbal, physical or visual – of any employee, student, or other person by its employees. Harassment may consist of rude or obscene language or gestures, unwelcome sexual advances, abusive comments of a sexual or racial nature, or the creation of a hostile work environment.

In addition to the above listed conduct, "sexual harassment" can also include the following examples of unacceptable behavior:

- \* Unwanted sexual advances;
- \* Offering an employment benefit (such as a raise or promotion or assistance with one's career) in exchange for sexual favors or threatening an employment detriment (such as termination, demotion, or disciplinary action) for an employee's refusal to engage in sexual activity;
- \* Visual conduct such as leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters;
- \* Verbal sexual advances, propositions or requests;

- \* Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations;
- \* Physical conduct such as touching, assault, impeding or blocking movements.

If you have any questions about what constitutes harassing behavior, you may ask your supervisor or other management official. Violation of this policy will subject an employee to disciplinary action, up to and including immediate discharge. Any employee who believes he/she may have suffered any form of harassment, whether sexual or otherwise, should immediately report the matter to his/her supervisor. If you do not feel that the matter can be discussed with your supervisor for any reason, you should contact the Executive Vice President or CFO/Director of Operations. You will not be penalized in any way for reporting a harassment problem. All complaints of unlawful harassment that are reported to management will be investigated and, as promptly as possible, corrective action will be taken where warranted. All complaints of unlawful harassment that are reported to management will be treated with as much confidentiality as possible, consistent with the need to conduct an adequate investigation.

#### 4) **IMMIGRATION REFORM AND CONTROL ACT OF 1986**

The Immigration Reform and Control Act of 1986 requires that MFWI of Spokane employees be authorized for employment in the United States. Therefore, only individuals lawfully authorized for employment in the U.S. will be employed.

In conjunction with the Immigration Reform and Control Act of 1986, MFWI must collect certain information on INS Form I-9 and review certain documentation concerning the employment authorization of individuals hired after November 6, 1986. This information and documentation will be used only for compliance with the Immigration Reform and Control Act of 1986 and not for any unlawful purpose.

#### 5) **CLASSIFICATIONS OF EMPLOYEES**

The term “employee(s)” without further clarification, as used in all sections of this policy statement shall have reference to any employee, or all employees, of MFWI without regard to which of following classifications of employment are applicable to such employees:

##### **.01 Full-time Employees**

A "full-time" employee is an individual, other than a contract employee, who has been hired to work forty (40) hours per week on a regular basis. A “full-time” employee is eligible to receive the benefits described in Section 8 & Section 9 only after the successful completion of the “Introductory Period” described in Section 6.02.



**.02 Part-time Employees**

A “part-time” employee is an individual, other than a contract employee, normally scheduled to work fewer than 40 hours per week on a regular and budgeted basis. A “part-time” employee is not eligible to receive benefits described in Section 8.

**.03 Temporary/Seasonal Employees**

A “temporary or seasonal” employee is an individual, other than a contract employee, employed for a specific project and/or time period. A temporary/seasonal employee is not eligible to receive benefits.

**.04 Contract Employees**

A “contract” employee is an individual, such as teacher or resident advisor, who is employed pursuant to written contracts between MFWI and such employees. A contract employee “may” be entitled to benefits described in the BENEFITS section of this Personnel Manual to the extent provided by the terms and provisions of his or her contract.

**6) EMPLOYMENT EXPECTATIONS**

**.01 Hiring Procedures**

Vacant positions may be posted simultaneously both within and outside MFWI. Applicants will be prescreened and interviews will be scheduled for selected qualified candidates. References will be contacted and background checks and drug testing will be completed with the permission of the applicant. Certain positions may also require a pre-employment physical.

When a person is hired MFWI shall provide to the employee a written employment proposal specifying that person's date of hire, job title, job description or classification and starting salary or hourly wage. The employment proposal shall not be considered as a contractual employment agreement; it is understood that the terms and conditions of employment are as established by these personnel policy statements.

**.02 Employment Status and Introductory Period**

New employees shall serve an introductory period of three (3) months during which time they can demonstrate their qualifications to their Department Director. New employees are not eligible for benefits until after the successful completion of the introductory period. During this period, employees are entitled to holiday pay.

Employees who are reassigned to another classification or are promoted incur a new introductory period and will receive written notice of such change. This employee may expend Vac/Sick leave if they have been with MFWI for 6 months of continuous full-time employment.

**.03 Orientation**

New employees may receive an orientation to their new position, covering responsibilities and duties, benefits, safety rules and regulations, and other appropriate items. The respective Department Director shall be responsible for this orientation. New employees will also meet with the Finance Director or their designee to go over any applicable benefit information.

**.04 Secondary Employment**

Secondary employment will not be prohibited except in those cases where it conflicts or appears to conflict with the best interests of Mukogawa Fort Wright Institute or its students.

**.05 Conflicts of Interest**

All business decisions are to be made solely on the basis of a desire to promote the best interests of MFWI. Employees shall not engage in activities that may create a conflict of interest with the goals and objectives of MFWI or have any business dealings, business affiliations, purchasing arrangements, or other financial dealings for personal gain which may be contrary to the interests of MFWI. Disclosure is required concerning all relationships and business affiliations which might give rise to a conflict of interest with MFWI.

**.06 Personnel Records**

A personnel record will be established and maintained for each employee. The record shall be kept in confidence and will be maintained by the Finance Director or their designee. An employee may review with the Director his or her own personnel file by making a mutually agreed upon appointment to do so.

**.07 Dress Code**

Appropriate attire is assumed for all staff and may be defined at the discretion of MFWI. Questions may be referred to and resolved by the appropriate Department Director.

**.08 Professional Development**

The ongoing professional development of the employee as well as orientation to the identity and role of MFWI is the mutual responsibility of the employer and the

employee. MFWI provides the climate in which professional growth and development are seen as important and provides opportunities for staff development as deemed appropriate based on the employee's position. Attendance at workshops, seminars and conferences requires the approval of the CFO/Director of Operations or Executive Vice President and must be within budget constraints.

#### **.09 Seniority**

Seniority is the status acquired by the staff member through length of service in the position held. Seniority, while taken into consideration, is of secondary importance to demonstrated work performance. In situations such as promotions, reductions in force, abolition of a position due to reorganization, budget costs and program changes, seniority may be considered when job performance factors are relatively equal between two or more employees.

#### **.10 Promotions**

Advancement to a more responsible position will be based on merit and ability to meet job requirements. Consideration will be given to the promotion of a qualified employee when filling a vacant position. Promotion will be based upon an evaluation of past performance and capacity to assume additional responsibility.

#### **.11 Absenteeism and Tardiness**

MFWI expects all employees to assume responsibility for their attendance and promptness. Employees will be evaluated on their attendance. Chronic absenteeism may be grounds for termination.

#### **.12 Performance Evaluation**

Each employee's performance may be reviewed and evaluated in writing by their Department Director at the end of the introductory period and annually thereafter. An evaluation may also be done when there has been a significant change in the performance or job duties of the employee.

Performance evaluations constitute one element of the personnel file. The complete personnel file, along with proven skills and experience, will be reviewed when considering continuation of employment, transfer or reassignment to another classification, promotion, demotion, termination or reduction in force.

All evaluations are to be in writing. The employee, Department Director and either the CFO/Director of Operations or Executive Vice President shall review the evaluation and sign it signifying it has been read. The employee will be given a copy of the evaluation and an opportunity to file a statement within five (5) working days on the designated evaluation form covering any points of disagreement. Such a statement, along with all the evaluations, shall become an integral part of the personnel record.

7) **COMPENSATION, HOURS OF WORK AND PAY POLICY**

**.01 Compensation**

To the best of its ability, MFWI will pay salaries, hourly wages and other benefits which are just compensation for the work, responsibility and performance.

**.02 Hours of Work**

Each Department Director will establish the hours of work per day and per week on the basis of the needs of the department. Overtime is paid for non-exempt employees who work more than 40 hours in any work week. Overtime is paid at one and one-half times the normal hourly rate. The workweek is from Monday at 12:01 AM to Sunday midnight. Overtime must be approved by the Department Director prior to being worked. Employees working unauthorized overtime may be subject to disciplinary action.

**.03 Call-In Pay for Employees working Non-exempt Positions**

When employees are required to report to work as the result of a call-in, they must be paid for a minimum of four hours of work. Call in hours are paid as straight time unless the employee's hours exceed the positions standard work week, in which case they are paid according to policy.

**.04 Exempt and Non-exempt**

**a.) Exempt**

Employees who are exempt from the overtime requirements of the Fair Labor Standards Act are classified as exempt employees.

**b.) Non-exempt**

Non-exempt employees are employees who have been stipulated by the Fair Labor Standards Act to receive overtime pay.

Questions regarding exempt or non-exempt status may be referred to the Finance Director. Both exempt and non-exempt employees must prepare time reports and record their time worked accurately.

**.05 Pay Policy**

The Academic Department are paid on the 20<sup>th</sup> of each month. All other employees are paid on the 5<sup>th</sup> and the 20<sup>th</sup> of each month. If a scheduled payday falls on a Saturday, Sunday, or company-observed holiday, you will usually be paid on the day preceding the weekend or holiday. All required deductions, such as for federal, state, and local taxes, and all authorized voluntary deductions, such as for health insurance contributions, will be withheld automatically from your paychecks.

Please review your paycheck for errors. If you find a mistake, report it to your supervisor immediately. Your supervisor will assist you in taking the steps necessary to correct the error.

In the event that your paycheck is lost or stolen, please notify your supervisor immediately. Your supervisor will, in turn, notify the Finance Director who will attempt to put a stop-payment notice on your check. The cost of the stop-payment fee will be borne by the employee. If we are able to do so, you will be issued another check. Unfortunately, however, Mukogawa Fort Wright Institute is unable to take responsibility for lost or stolen paychecks, and if we are unable to stop payment on your check, you alone will be responsible for such loss.

**.06 Breaks**

Under Washington law, employees must be allowed a paid rest break of at least 10 minutes for every 4 hours worked. The rest period must be allowed no later than the end of the third hour of the shift.

**.07 Meals**

Each employee working over 5 hours at one time is required to take an unpaid meal break of at least 30 minutes. Employees must be at least two hours into the shift before the meal time can start. The meal time cannot start more than five hours after the beginning of the shift. The employee must be free from any duties for their entire meal time.

**.08 Paid Meal Breaks**

Circumstances where the employee may receive a paid meal break.

- a) They were not free from all duties for the entire meal time.
- b) They are required or allowed to remain on duty.
- c) They are required to be on-call at the business premises or designated worksite to be available to return to duty even if they are not in fact called back to duty.
- d) They are called back to duty during their meal period even though they normally are not on call during the meal time.

**8) EMPLOYEE BENEFITS**

It is MFWI policy to establish and maintain a benefit program which will support the general welfare of employees. The program is designed to offer protection against the economic hazards of sickness, disability, old age and death.

The benefits described in this Section shall apply to full-time employees and to contract employees to the extent that their employment agreement specifically so

provides. MFWI will periodically review all such benefits and may, from time to time, change or delete any of the benefits offered.

#### **.01 Group Insurance Coverage**

The specific benefit plans currently maintained by MFWI for the benefit of “Full-time” employees are listed in Appendix B. Detailed information regarding the benefits is outlined in the insurance booklets which are provided to each eligible employee at the time of enrollment. New medical and dental booklets are issued on an annual basis. Employees are encouraged to read all information concerning their benefits carefully. If you have questions or need another booklet please contact the Finance Director.

Coverage becomes effective for “Full-time” employees the first of the month following satisfactory completion of the introductory period. The effective date for contract employees will be stipulated in their contract.

#### **.02 Tax Deferred Annuity Plan**

Participation in this plan is voluntary. Any employee is eligible to contribute to a Tax Deferred Annuity Plan, and voluntary contributions may be made after \$200.00 per year is earned. All contributions to the plan are applied to an account maintained on the employees' behalf under a group annuity contract issued by ING Life Insurance and Annuity Company or by TIAA/CREF. Specific details are provided in the Summary Plan Description booklet for each plan. When employees are eligible or are interested in participating they should contact the Finance Director for further information.

After one year of service and having worked 1000 hours within that year, MFWI will contribute to a “Full-time” employee’s plan matching the first 5% of the employee’s contribution.

#### **.03 Continuation of Medical/Dental Benefits (COBRA)**

When an employee terminates employment from MFWI for any reason, or they are temporarily laid-off or there is a reduction in hours worked resulting in the transition to less than 20 hours per week, all employer sponsored health coverage will be canceled the last day of the month in which the termination/change occurs, unless the employee elects continuation of coverage through the Consolidated Omnibus Budget Reconciliation Act (COBRA). For information regarding COBRA procedures, contact the Finance Director.

#### **.04 Section 125, Cafeteria Plan, Premium Only Payment Plan**

This Plan is designed to provide a participating Employee who elects coverage under the Employer’s Health Insurance Plan an opportunity to pay for his or her share of the premium on a pre-tax basis. Basically, this means that if an Employee is paying for medical and /or dental coverage, that payment will be deducted from the Employee’s

gross pay and then the employee will be taxed. Please contact the Finance Director for further explanation.

**9) ABSENCE FROM WORK / PAID LEAVE**

This section is intended to provide for those instances where an employee may be absent from work without loss of pay ("paid leave status").

For the purpose of this Section, an employee's anniversary date is the date the employee became a "full-time" employee as is described in Section 5.01. A full-time employee who is on a paid leave status shall continue to accrue vacation and sick leave benefits. A full-time employee who is on an unpaid leave status or who is temporarily laid off shall not accrue vacation or sick leave benefits during the period of unpaid leave or lay off.

**.01 Paid Holidays**

MFWI recognizes the following eleven (11) holidays during the year:

New Year's Day	January 1 <sup>st</sup>
Martin Luther King Day	Third Monday in January
Memorial Day	Last Monday in May
Founder's Day	June 1 <sup>st</sup>
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Thanksgiving	Fourth Thursday in November
Thanksgiving Friday	Fourth Friday in November
Christmas Eve Day	December 24 <sup>th</sup>
Christmas Day	December 25 <sup>th</sup>
Boxing Day	December 26 <sup>th</sup>

Unless MFWI designates an alternate day, when a holiday falls on Saturday, the preceding Friday is observed, and when the holiday falls on Sunday the following Monday is observed as a holiday. When a holiday falls on the employee's regular day off or if the employee is required to work that day to provide an essential service the employee may take a different day off sometime that week or pay period.

**a.) Eligibility for Full-time employees**

Full-time hourly employees shall receive eight hours of holiday time regardless of his or her work schedule. If a full-time hourly employee provides an essential service and it is impossible for them to take the holiday off the employee will also be paid for their hours worked for that particular day. In lieu of the receiving double time for the holiday employees are encouraged to take a different day off sometime that week or that pay period.

**b.) Eligibility for Part-time employees**

A part-time employee who has worked a minimum of eighty hours on the two pay periods immediately preceding the pay period in which the holiday occurs will receive prorated holiday pay. If a part-time hourly employee provides an essential service and it is impossible for them to take the holiday off the employee will also be paid for their hours worked for that particular day. Employees are encouraged to take a different day off sometime that week or that pay period. The maximum holiday pay per holiday will be eight hours.

**.02 Vacation Leave**

Full-time, non-contract employees accrue vacation leave for each month of employment at the following rate. No vacation leave may be taken until an employee has been employed for a continuous six (6) month period.

**a.) Accrual Schedule for “Full-time” Employees**

A “full-time” employee is an individual, other than a contract employee, who has been hired to work forty (40) hours per week on a regular basis. A “full-time” employee is eligible to receive the benefits described in Section 8 & Section 9 only after the successful completion of the “Introductory Period” described in Section 6.02.

Period of Employment	Accrued VAC Hrs Per Month of Employment	Accrued VAC Days Accrued per Year	Accrued VAC Hrs Accrued Per Year	Max Annual Carryover Hours
4 <sup>th</sup> month - 5 <sup>th</sup> Year	6.67	10	80	80
6 <sup>th</sup> Year - 10 <sup>th</sup> Year	10	15	120	120
11 <sup>th</sup> - subsequent years	13.33	20	160	160

**b.) Maximum Time Accrued**

You are encouraged to use the vacation time you have earned. However, you may carry forward vacation time from year to year up to the Maximum Annual Carryover Hours applicable to you. For example, if you are in your 7<sup>th</sup> year of employment, and your anniversary date of employment was January 1, 2005, you could earn 120 hours through December 31, 2005. Assuming you started your year with no accrued hours of vacation, you could carry the entire 120 hours forward to 2006. However, by December 31, 2006, you would have to use sufficient hours of vacation so that your accrued balance did not exceed 120 hours on January 1, 2007. All excess accrued vacation time that has not been used as of your anniversary date will be lost. Although you may carry over unused vacation from anniversary to anniversary date, there is a maximum, or cap amount of vacation time you can accumulate. The maximum is 240 hours.



c.) **Termination**

You will be paid for all accrued and unused vacation up to the Maximum Annual Carryover Hours applicable to you at the time you leave MFWI.

d.) **Minimum Increments of Vacation**

The minimum amount of vacation you can take at one time depends on whether you are an exempt or non-exempt status employee. If you are non-exempt, you may not take less than 1 hour off at a time. If you are an exempt status employee you must take vacation in increments of not less than one full day.

e.) **Notice and Scheduling**

You are required to notify your supervisor in advance of your intent to take vacation and get approval for the time off. This allows for you and your manager/supervisor to prepare for your time off and assure our staffing needs are met.

f.) **Recording Vacation Leave**

The company has instituted the use of a vacation tracking system to keep a record of your account balance and the amount of time taken off each pay period. This system requires the completion of an Absence Report for all time taken off from your regular work schedule. (We are required to track absence for time off for illness, work related illness/injury, or the attendance of school related activities for legal compliance reasons.)

A notice of amount of leave time accrued, used and available will be given to you each pay day.

**.03 Sick Leave for Full-time Employees**

Non-contract full-time employees will earn eight (8) hours of sick leave per month for a total of twelve (12) days of sick leave per year.

a.) **Eligibility**

You are eligible to participate in the sick leave program if you are a full-time non-contracted employee. You may start taking sick leave after 6 months of continuous employment. Such benefit is only to be used in the event of a bona fide illness or injury of the employee or the care of an immediate family member of an employee (which for the purpose of this leave is defined as spouse, children, parents, siblings, grandparents, grandchildren, or spouse's parents or grandparents). A doctor's certificate may be requested after three (3) days of absence at the CFO/Director of Operations discretion. If so requested the employee will provide the doctor with a copy of his/her job description to facilitate the doctor's determination as to the employee's ability to return to work and to perform all of the jobs requirements.

**b.) Accrued sick leave**

Sick leave may accrue to a maximum of 520 hours. Unused accrued sick leave will not be paid out at the end of employment. Employees may donate accrued sick time in response to a need provided the person to whom they are making the donation does not exceed the on account maximum of 520 hours as a result of the donation.

**c.) Reporting sick leave**

MFWI has instituted a tracking system to keep a record of your sick leave balance and the amount of sick time taken. This system requires the completion of a Sick Leave form for all time taken off from your regular work schedule.

**d.) Coordinating sick leave with short-term disability coverage**

An employee can use accrued sick time in conjunction with short-term disability coverage up to a maximum of 100% of the income they were earning before the sickness or injury began.

The short-term disability coverage provides you financial protection of up to 60% of the income you earned before your sickness or injury began. (See Appendix B) The elimination period for a disability due injury is zero (0) days. The elimination period for sickness is seven (7) days. So, you can use 100% of your accrued sick leave during the elimination period. Thereafter, while you are collecting disability insurance payments you may use some of your accrued sick leave to make up the 40% difference between the disability payments and your normal gross wage.

**.04 Sick Leave for Faculty/Contract Employees**

This policy applies as soon as it becomes apparent that a full-time contract employee will not be able to meet his/her contractual obligations because of a sickness or injury. An “extended period of time” is an anticipated period of more than a week (more than 7 days).

**a.) Absence lasting less than one week**

For an absence lasting less than one week there will be no change in employment status. Whenever an instructor is unable to meet a class, it must be reported to the Director of Academic Programs in writing. Other instructors within the program will substitute for the absent instructor or combine classes. Instructors are asked to pre-arrange “mutual” substitutes from within the program at the start of the semester.

**b.) Eligibility**

A Contract Employee is eligible for sick leave if he/she is currently employed full-time and has been employed full-time by MFWI for one continuous year.

c.) **Benefit**

Eligible contract employees will receive 100% of their current salary for twelve (12) weeks after a one (1) week, seven (7) day waiting period.

d.) **Qualifying events**

This benefit is only to be used to replace lost income as the result of a bona fide illness, injury, pregnancy and/or childbirth. A faculty member must submit a health certificate from the physician requiring them to take the sick leave. If the certificate states that the employee is able to work part-time, sick leave will be authorized on a part-time basis only.

e.) **Long-term disability**

If a contract employee or faculty member is still unable to work or teach after a thirteen (13) week absence, he/she will be need to apply for long-term disability (LTD). See Appendix B for coverage limits.

**.05 Bereavement Leave**

a.) **Full-time Employee**

In the event of a death in the immediate\* family, a maximum of five (5) days of paid bereavement leave will be granted at the discretion of the supervisor. Supervisors need to determine how much scheduled work time is actually being missed because of this hardship.

b.) **Part-time Employee**

In the event of a death in the immediate\* family, a maximum of three (3) days of paid bereavement leave will be granted at the discretion of the supervisor. Supervisors need to determine how much schedule work time is actually being missed due because of this hardship.

\* For this policy an immediate family is defined as spouse, children, parents, siblings, grandparents, grandchildren, or spouse's parents or grandparents.

**.06 Jury Duty**

Employees are expected to fulfill civic responsibilities by serving as jury members when called. Employees will receive their regular salary while on jury duty unless the time exceeds two (2) weeks. Jury duty that extends beyond 2 weeks can be charged to Vacation or be unpaid. Employees going on jury duty will be expected to preserve their jury summons, the document provided by the court that shows attendance, and present it to their supervisor at the conclusion of their service.

\*\*\* *Holiday, Vac/Sick, and jury hours do not count as "hours worked" for purposes of calculating an employee's entitlement to overtime pay during the week in which this pays occurs.*

**.07 Military Service**

It is the policy of MFWI to grant leaves of absence without pay to full-time or part-time employees who enlist or are recalled to active service in the armed forces of the United States. This policy also applies to employees who are active members of military reserve units and who are required to participate in periodic summer encampments.

**10) ABSENCE FROM WORK / UNPAID LEAVE**

**.01 Leave of absence without pay**

Leave of absence without pay for no more than one year may be arranged subject to adequate arrangement for replacements during the period of leave and approval by the supervisor, Executive Vice President and CFO/Director of Operations.

**.02 Family Care Act, FCA**

**a.) Purpose**

Eligible staff may use accrued Vacation/Sick Leave to care for a sick family member (see description of qualifying family members under "Definitions"). The following is a summary of both the MFWI's and the employee's rights and obligations under the Family Care policy.

**b.) Eligibility**

To be eligible for paid leave under the Family Care policy, a person must be classified as a regular employee who accrues Vac/Sick.

**c.) Qualifying Leave Reasons**

A leave is qualified (see "Definitions" below) when an employee is required to care for a child of the employee with a health condition or a spouse, parent, parent-in-law, or grandparent of the employee who has a *serious health condition* or *emergency condition*.

**d.) Definitions**

*Emergency condition:* A health condition that is a sudden, generally unexpected occurrence or set of circumstances related to one's health demanding immediate action, and is typically very short term in nature.

*Health Condition That Requires Treatment or Supervision:*

- (a) Any medical condition requiring treatment or medication that the child or other qualifying family member cannot self-administer;
- (b) Any medical or mental health condition that would endanger the child's safety or recovery without the presence of a parent or guardian; or
- (c) Any condition warranting treatment or preventive health care such as physical, dental, optical or immunization services, when a parent must be present to authorize and when sick leave may otherwise be used for the employee's preventive health care.

*Incapable of self-care:* When the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" (ADL) or "instrumental activities of daily living" (IADL). Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating. Instrumental activities of daily living include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

*Physical or mental disability:* means a physical or mental impairment that limits one or more activities of daily living or instrumental activities of daily living.

*Serious Health Condition:* An illness, injury, impairment, or physical or mental condition that involves any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment or recovery in connection with such inpatient care; or that involves continuing treatment by or under the supervision of a health care provider or a provider of health care services and which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities).

e.) **Family Members**

*Child:* A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing "in loco parentis" who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability.

*Grandparent:* A parent of a parent of an employee.

*Parent:* The biological parent of an employee or an individual who stands or stood in loco parents to an employee when the employee was a child.

*Parent-In-Law:* A parent of the spouse of an employee.

*Spouse:* A husband or wife.

**f.) Certification**

Medical certification from a health care provider may be required in order to determine the applicability of this policy.

**g.) Limitations and Exclusions**

Temporary and short hour staff are not eligible for paid leave. Except where there is a conflict with the Family Care policy, Vac/Sick accrual and usage is governed by the MFWI's Paid Leave of Absence policies. For qualifying leaves, employees may use a portion or all of their accrued Vac/Sick at their choosing. Paid leave may not exceed existing balances.

**.03 Family and Medical Leave Act, FMLA**

MFWI has adopted the following policy in accordance with the Family and Medical Leave Act of 1993 (FMLA). Pursuant to the FMLA, eligible employees may take up to a total of 12 weeks of family/medical leave in a 12-month period for one or more of the following reasons:

1. The birth of a child or to care for a newborn child or child placed with the employee for adoption or foster care (within 12 months of the birth or placement);
2. The care of a child, spouse, or parent with a serious health condition; or
3. The employee's own serious health condition that renders the employee unable to perform his or her job.

Family/medical leaves are unpaid except to the extent expressly provided otherwise in this policy. The definitions, limitations, eligibility and notice requirements, substitution rights and health insurance continuation provisions of the FMLA are incorporated herein by reference, and to the extent there is a conflict between the FMLA and this policy, the FMLA shall govern.

To be eligible for leave under this policy, an employee must have been employed by MFWI for at least 12 months and have worked 1,250 hours or more during the 12-month period immediately preceding the leave date.

Eligible employees are entitled to a maximum of 12 workweeks of family/medical leave in a "leave year". An employee's "leave year" is determined on a "rolling" 12-month basis measured backward from the date the employee uses any family/medical leave. Thus, each time an employee takes leave under this policy, the remaining leave entitlement will be the balance of the 12 weeks that has not been used during the immediately preceding 12 months.

All employees taking FMLA leave will first be required to use all accrued and unused paid sick leave and vacation time. Unpaid leave will then commence for the period remaining.

During the family/medical leave period, MFWI will continue employee health insurance benefits at the same level as if the employee were working, and the employee's contribution will continue to be deducted from the employee's pay to the extent the employee is receiving pay during the leave period. To the extent the employee is not receiving pay during the leave, or such pay does not cover the employee's full contribution, the employee must pay that contribution by the 30th day of each month to avoid termination of coverage. If an employee fails to return to work upon the expiration of the family/medical leave, MFWI may recover its share of the premiums paid for any period of unpaid leave subject to the restrictions of the FMLA.

Where the reason for the family/medical leave is foreseeable, such as for the birth or placement of a child or for planned medical treatment due to a serious health condition of the employee or the employee's family member, the employee must provide MFWI with at least 30 days advance notice. Where this is not practicable, because of a lack of knowledge of when the leave will be required, a change in circumstance, or a medical emergency, notice should be given as soon as possible. Forms for requesting FMLA leave are available at the office of the Finance Director. Failure to provide proper notice may result in denying or delaying a leave request. Employees must also make a reasonable effort to schedule planned medical treatment so as not to disrupt the orderly operations of MFWI.

Where an employee requests leave other than family/medical leave, and MFWI learns from the employee the reason for the leave qualifies under the FMLA, the school may charge this time against the employee's 12-week family/medical leave entitlement. The designation of leave as family/medical leave must be made by MFWI expeditiously after learning the leave qualifies under the FMLA. If MFWI only learns of the leave's qualification after the leave has begun, the MFWI may make FMLA designation at that time and the time spent on such leave will be retroactively counted against the employee's family/medical leave entitlement.

MFWI reserves the right to require a written medical certification issued by a health care provider to support an employee's request for family/medical leave. Certification by an appropriate agency may be required for birth or adoption of a child, or a child's placement for foster care. Further, the MFWI reserves the right to require second or third medical opinions and periodic recertification as authorized by the FMLA. MFWI also reserves the right to require periodic reports regarding the employee's status and intent to return to work. Where the family/medical leave is due to an employee's own health condition, MFWI may require a fitness for duty certification prior to the employee's return to work. Failure to provide proper certification may be grounds for denying or delaying a leave request or a return to work request.

Leaves for a serious health condition of the employee or the employee's family member may be scheduled on an intermittent or reduced schedule basis when medically necessary. An employee taking a leave on an intermittent or reduced schedule basis may be temporarily reassigned by MFWI to another position with equivalent pay and benefits that, in MFWI's judgment, better accommodates the leave.

Employees returning to work from a family/medical leave will be placed in their previous position or in an equivalent position with the same pay, benefits, and similar terms and conditions of employment.

## 11) **HEALTH AND SAFETY**

Included here are general guidelines covering safety to assist employees. For more specifics refer to the Employee Safety Guidelines and Regulations.

### **.01 Safety**

MFWI accepts, as the employer, the responsibility of providing a work environment free from recognized hazards likely to cause injury, and has set forth certain guidelines and regulations relating to good safety practices.

Each employee has a responsibility to comply with all safety and health standards, guidelines, and regulations which are applicable to their own actions and conduct.

#### ▪ Reporting Procedure

1. Report all injuries, accidents or near misses to your supervisor immediately.
2. If you require medical attention, tell your provider that this was an on the job injury and let your supervisor know that the injury requires medical attention.

#### ▪ General Guidelines

1. Report all unsafe conditions to your supervisor, use the Workplace Hazard report form.
2. Since horseplay causes needless hazard, it will not be permitted at any time.
3. If you do not know the safe way to do your job, ask your supervisor for instructions.
4. Wear and care for suitable clothing and footwear at all times.

### **.02 Life-Threatening and Contagious Illnesses**

MFWI respects the privacy rights of its employees but also recognizes the obligation to protect employees, students and others from life-threatening, permanent, and/or serious medical illness. Therefore, MFWI urges any employee suffering from such



an illness to report this condition to his/her supervisor, or the Executive Vice President or CFO/Director of Operations. MFWI will keep confidential the names of employees suffering from a life-threatening illness such as cancer, heart disease and AIDS-related illnesses. MFWI prohibits discrimination against persons with handicaps, including any life-threatening illness, but must provide a safe work environment for all employees and students. As long as an employee can continue to perform the essential functions of the position, and the continued performance of such functions does not either jeopardize the health or safety of others or impose an undue hardship on the operation of MFWI, reasonable accommodations will be made to permit employees with such conditions to continue in their normal employment.

**.03 Prescription Drugs**

Employees under the care of a physician and who are prescribed medications which may impair their judgment or ability to operate equipment or vehicles should report this information to their supervisor at the beginning of their work schedule or shift. Should the supervisor find that such employee is incapable of performing his or her duties in a safe and proficient manner, such employee shall either be assigned other work or sent home and charged with a day of Vac/Sick.

**.04 Smoking**

MFWI is committed to providing a smoke free work place for its students and employees. Smoking is prohibited except in designated smoking areas outside. State law prohibits smoking within 25 feet of entrances, exits, windows that open and ventilation intakes.

**12) EMPLOYEE CONDUCT**

**.01 General**

All employees are expected to support the purpose, goals and objectives of MFWI and to complete all work assignments in a courteous, efficient, economical, confidential, and safe manner. All employees are responsible for their personal conduct and are expected to demonstrate a high degree of personal integrity and professionalism at all times. Employees are reminded that whether they are at work or off-duty their actions reflect on MFWI. Any of the provisions set forth in this section should not be violated under any circumstance and the violation of these provisions may lead to discipline up to and including immediate termination. These provisions are not all-inclusive and there may be other circumstances for which employees may be disciplined for or terminated.

Employees are encouraged to report violations of these provisions to their immediate supervisor or the CFO/Director of Operations.

## **.02 Workplace Violence**

MFWI is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States, and has taken steps to help prevent incidents of violence from occurring at MFWI. In this context, it is the policy of MFWI to expressly prohibit any acts or threats of violence by any employee or former employee against any other employee in or about MFWI facilities or elsewhere at any time. MFWI also will not condone any acts or threats of violence against employees, customers, students or visitors on MFWI premises at any time or while they are engaged in business with or on behalf of MFWI, on or off the premises.

## **.03 Drug-Free Workplace**

This policy establishes guidelines for maintaining a Drug Free Workplace as delineated in the Federal Drug-Free Workplace act.

1. All employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances. Any staff member violating this policy is subject to discipline, including termination, for a first offense. Controlled substances may include, but are not limited to:
  - A. Narcotics (heroin, morphine, etc.)
  - B. Cannabis (marijuana, hashish)
  - C. Stimulants (cocaine, diet pills, etc.)
  - D. Depressants (tranquilizers)
  - E. Hallucinogens (PCP, LSD, "designer drugs," etc.)
2. Any staff member convicted of violating a criminal drug statute must inform MFWI of such conviction (including pleas of guilty or nolo contendere) within five days of the conviction occurring. Failure to inform MFWI may be grounds for disciplinary action, or termination, even for the first offense.
3. MFWI, in the person of the CFO/Director of Operations, reserves the right to offer staff members who violate this policy, participation in an approved rehabilitation or drug abuse assistance program at the employee's expense as an alternative discipline. If such a program is offered and accepted by the staff member, he or she must satisfactorily participate in it as a condition of continued employment.
4. MFWI, in the person of the CFO/Director of Operations, reserves the right to require staff members to undergo drug/alcohol testing at the expense of MFWI, should there be reasonable suspicion that the staff member is currently under the influence. Refusal to submit to a drug/alcohol test when requested may be cause for immediate termination.

5. Employees under the care of a physician and who are prescribed medications which may impair their judgment or ability to operate equipment or vehicles should report this information to their supervisor at the beginning of their work schedule or shift. Should the supervisor find that such employee is incapable of performing his or her duties in a safe and proficient manner, such employee shall either be assigned other work or sent home and charged with a day of Vac/Sick.

#### **.04 Use of Alcohol**

The use or consumption of alcohol during working hours is prohibited. Any employee who reports for work while under the influence of alcohol shall be sent home without pay by his or her supervisor.

The use or consumption of alcohol on the premises of MFWI by any employee is prohibited except in those instances where either:

1. The employee's residence is located on the MFWI premises and the use and consumption of alcohol occurs in the residence or leased premises; or
2. The use or consumption of alcohol is at a function specifically authorized by the Executive Vice President or the CFO/Director of Operations.

#### **.05 Prohibited Contact with Students and Resident Assistants**

Employees are not allowed in the dormitories except to perform the duties of their employment pursuant to the specific direction of their supervisor(s) or the CFO/Director of Operations, the Executive Vice President, or the Director of Student Life. Because of the educational focus of the MFWI program, no employee shall be permitted to date a student or Resident Assistant.

### **13) OPEN DOOR POLICY**

This policy is aimed at opening communication. It provides an internal procedure to present work-related concerns, ideas or suggestions. The Open Door Policy is designed to encourage employees to communicate their concerns, ideas, or suggestions to their supervisors and also to provide them with the option of carrying their concern to the next higher level of management, to Human Resources, or to senior management without retaliation or fear of retaliation.

The Open Door Policy is intended to provide effective communications within MFWI but is not intended as a contractual right to any due process or grievance procedure.

## **.01 Guidelines**

### **a.) Normal Procedure**

Employees are encouraged to discuss their concerns, ideas or suggestions with their supervisor. The supervisor knows more about the employee and the job than anyone else and is in the best position to handle the situation quickly and satisfactorily. Often, frank and open communication about a situation is the easiest way to address it. At their election, employees may take the following steps to address areas of concern:

- i) **First** - The employee may discuss the matter with his/her supervisor (unless, due to the nature of the matter, the employee cannot discuss it with his/her supervisor, then the employee may discuss it with the next level of management, the CFO/Director of Operations or the Executive Vice President.)
  - The supervisor should act to address the concern if possible. If an employee feels a concern, idea, or suggestion has not received the attention it deserves, then...
- ii) **Second** - The employee may contact the outside HR Consultant. The Human Resources Consultant is available to assist the employee at any time and with any level of management in pursuing the resolution of a matter under the Open Door policy. Upon request, the Human Resources Consultant may also assist the manager/supervisor in understanding reasons for the matter raised through the Open Door procedure and provide guidance and information on policies, benefits, etc. Cell Phone # 509-280-8710 OR call their office 509-448-7062 (all calls are usually returned within 24 hours).

The foregoing policy shall not be interpreted in any manner as limiting any managers' discretion to discipline an employee.

### **b.) Direct Referral to Management**

- i) **Management**
  - There may be times when an employee may wish to submit a statement in writing for consideration by a specific level of management. The written statement should be as specific as possible and identify the employee
  - MFWI will provide the employee with a confidential answer in writing, usually within ten working days from the receipt of the statement, when possible and appropriate.
- ii) **Management Responsibility**
  - All members of management have a basic responsibility to see that Open Door matters are considered carefully and seriously and that an answer is promptly given.

14) **PERSONAL USE OF MFWI EQUIPMENT BY EMPLOYEES**

Full-time and contract employees may, with the written permission of their supervisor or other authorized person, use MFWI property for personal purposes subject to each the following conditions:

**.01 Right to Refuse Use**

No employee shall have the right to use MFWI property, and any requested use may be denied by the employee's supervisor, the Executive Vice President or CFO/Director of Operations for any reason these administrators deem appropriate.

**.02 Compliance with Rules and Procedures**

The employee shall comply with such rules, procedures, and requirements as may now or hereafter be established by MFWI related to such use.

**.03 "As Is" Condition**

Any property used by the employee shall be solely in its "as is" condition and the employee shall assume all risk of loss to the employee and/or others, including property damage, personal injury or death, which may directly or indirectly arise during, or as a result of, the employee's use of such property, and shall indemnify, hold harmless and defend MFWI from all such loss.

**.04 Employee's Responsibility for Loss or Damage to Property**

The employee shall be responsible for reimbursing MFWI for any loss and/or damage to the property occurring during, or attributable to, the employee's use of such property.

**.05 Cell Phone Use**

Engaging in any telephone conversation while on a cellular phone and driving a moving vehicle is against state law. If it is necessary for the driver to use a cell phone for any reason, he/she will pull to the side of the road, where safe to do so, and stop.

The use of the cell phones should be solely for purposes which are directly or reasonably related to facilitating the exchange of information to support education, research and the management of the school's programs. Use of the cell phone for personal purposes should be limited to emergencies.

## 15) USE OF THE MFWI COMPUTER SYSTEM

In order that the program at MFWI will benefit from new technology, MFWI employees are permitted to use the computer system with professionalism, efficiency, and consideration. All computer use is subject to the provisions in this section.

### **.01 Acceptable Use**

The use of MFWI's computer system by employees shall be solely for purposes which are directly or reasonably related to facilitating the exchange of information to support education, research, and the management of the school's programs. All use of the MFWI computer system shall be consistent with these objectives. "Each MFWI employee shall have the obligation to promote the efficient use of the MFWI computer system and to minimize, and avoid if possible, creating congestion or conflict with other computer system users.

For the purpose of this section, the term "use" of the computer system shall include, but not be limited to, utilization of the computer system in-house for research, data compilation, word processing, and communication in any form (i.e. text, images, or sound), and the out-of-house transmission or receipt of any data or communication and information in any form.

### **.02 Unacceptable Uses**

Each of the following shall be considered as unacceptable use of the MFWI computer system:

- .1 Use which is inconsistent with the business purposes of the computer system discussed above.
- .2 Use in any manner which is in violation of any Federal or State law or regulation.
- .3 Accessing any material which would be contrary to generally accepted social standards or which is of an obscene or sexually explicit nature.
- .4 The intentional disruption of network traffic, crashing the network connected systems, or degrading or disrupting equipment or system performance.
- .5 Unauthorized use or access of data, equipment, or intellectual property.
- .6 Use of MFWI computer resources for strictly personal purposes, or for commercial profit or financial gain.
- .7 The unauthorized use of an account assigned to another person, forgery of e-mail messages, posting of unauthorized or inappropriate messages, or any fraudulent or improper purpose including, but not limited to computer piracy, hacking, or tampering with hardware or software.

**.03    No Right of Privacy**

MFWI reminds all employees that any private, personal, or other information which they choose to place upon MFWI's computer system may become accessible to MFWI administration or by third parties. Employees have no expectation of privacy in personal information which they place in the MFWI computer system and MFWI assumes no responsibility to assure that such information will remain confidential.



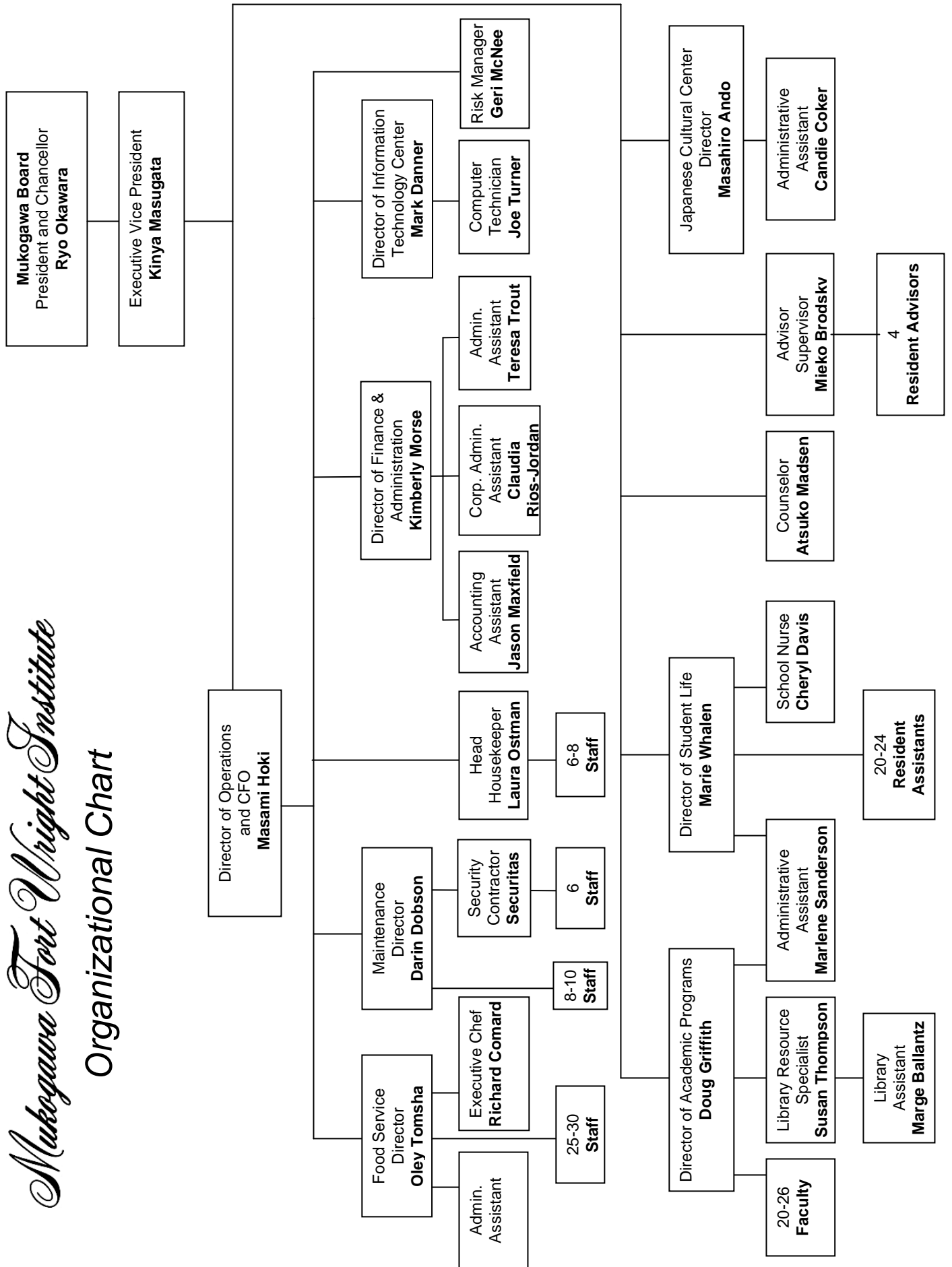


# APPENDIX A



# Mukogawa Fort Wright Institute

## Organizational Chart





## APPENDIX B



Summary of Coverages  
for Full Time, Salary, and Contract Employees  
**Mukogawa Fort Wright Institute**  
Effective 10/1/2010

<u>Line of Coverage</u>	<u>Renewal</u>	<u>Carrier</u>	<u>Group #</u>	<u>Employee Cost</u>
Medical - HMO Plan	October	Group Health	4926400	EE \$0 ES \$333.39 EC \$152.98 ESC \$486.31  Co-insurance
Dental	October	Washington Dental Service	1210	EE \$11.70 ES \$62.20 EC \$68.70 ESC \$119.20
Life & AD&D	September	Unum Provident	350669	none
Short Term Disability (STD) (Faculty excluded)	September	Unum Provident	350668	none
Long Term Disability (LTD)	September	Unum Provident	350668	none





# APPENDIX C



## PER DIEM PROCEDURE FOR MEALS

As of September 24, 2008 per the CFO/Director of Operations, MFWI will provide a per diem for meals based on the US Gov't rates. There will be no daily minimum.

The IRS imposes specific requirements when reimbursing an employee for travel expenses. If we pay a daily minimum for meals that are already being provided by the travel coordinator that daily minimum is not a true reimbursement of an expense but an additional taxable pay to the employee.

The following example was used during the East Coast Trip in 2008:

Meals not included in the Travel Package.

	US Gov't Rate
Day 1 Lunch	\$18
Day 2 None	\$ 0
Day 3 Lunch & Dinner	\$49
Day 4 Lunch	\$18
Day 5 Lunch	\$18
Day 6 Lunch & Dinner	<u>\$49</u>
Per Diem	\$158

MFWI would pay \$158 for meals not covered by the travel coordinator.