



Employee Handbook  
of the  
New Hampshire Institute of Art (NHIA)  
148 Concord Street, Manchester  
New Hampshire 03104

**NEW HAMPSHIRE INSTITUTE OF ART  
EMPLOYEE HANDBOOK**

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## INTRODUCTION

### **A. INTRODUCTION**

Welcome to the New Hampshire Institute of Art. The Institute is a private, not-for-profit educational corporation with a stated mission as follows:

*The mission of the New Hampshire Institute of Art is threefold: to provide a traditional Bachelor of Fine Arts degree program emphasizing the integration of creative, aesthetic, technical, and critical skills in artistic expression; to offer a Continuing Education program that serves the community in the visual arts; to provide an ongoing series of public exhibitions and lectures that support the educational programs.*

The Institute fulfills this mission through the devoted efforts of talented faculty, staff and board of trustees. As an employee of the New Hampshire Institute of Art, you are a vital part of the delivery of this essential service to the community. Without the commitment, talent and energy of its employees, the Institute would be unable to fulfill its mission established with the Institute's founding in 1898, and last revised in 2004.

As part of its commitment to its faculty, staff and students, the Institute subscribes to the principle of equal opportunity in its employment, admissions and educational practices, and it prohibits discrimination based upon age, race, color, national origin, religion, sex, marital status, sexual orientation, physical or mental disability, veteran status, genetic information, or any other characteristic protected by law. This policy applies to the conduct of faculty, staff, and students – or others who may be in a working relationship with the Institute – while on Institute premises or away on Institute-sponsored activities. This policy also applies to decisions concerning admission, hiring, promotion, matriculation and any other decision affecting educational or employment opportunities.

This Handbook is intended to convey to the Institute's employees guidelines about personnel policies, procedures, and benefit programs. This Handbook is not a contract of employment and the Institute reserves the right to change or modify it at any time through the President of the Institute or the President's designee. It is anticipated that many of the practices or procedures described in this manual may be revised periodically. Any revisions will substitute and replace prior policy or procedure statements and become a part of this Handbook. All employees will become subject to the new additions, deletions, or revisions regardless of date of hire.

Employment at the New Hampshire Institute of Art is **“at will,”** which means that employment is not guaranteed for any specific duration and can be terminated at any time with or without cause or notice at an employee’s option or the option of the Institute. The Handbook does not alter the “at will” relationship between the employee and the Institute.

### **B. GOVERNING AUTHORITY**

The New Hampshire Institute of Art is a not-for-profit 501(c) 3 corporation organized under the laws of the State of New Hampshire and governed by a Board of Trustees. The Board of Trustees appoints the Institute's President who functions as the Board's deputy and the Institute's chief executive officer. The President is responsible for managing the Institute according to the Institute's By-Laws and policies as established by the Board of Trustees. The President also functions as the Institute's appointing authority responsible for conducting or delegating all personnel actions including hiring, termination, promotion, demotion, layoff, and salary administration.

### **C. MANAGEMENT**

The management of the Institute is under the supervision of the President. The President is assisted in fulfilling his or her responsibilities by the administrative staff in the Institute's offices of Finance & Administration, Academic Affairs, Development and Admissions. Human Resources reports to the Executive Vice President.

Except as otherwise provided in this Handbook, the Institute shall have the sole right to direct and control any and all operations of the Institute and all persons employed by it, including the exclusive right to hire, transfer, promote, demote, suspend, or discharge any such person for any cause which does not violate federal, state or local laws. The Institute's decision in such matters shall not be subject to contest or review.

### **D. INTERNAL COMMUNICATION**

The efficient operation of the Institute requires open communication among the Institute employees. Such communication must be based on mutual respect and collegiality. The Institute will communicate to its employees verbally, and where appropriate, in writing, through organizational channels. Likewise, Institute employees are to communicate with the Institute's management through organizational channels unless otherwise provided for in this Handbook.

### **E. WHISTLEBLOWER POLICY**

#### **POLICY STATEMENT**

New Hampshire Institute of Art strives to provide an ethical and productive work environment in which employees are encouraged to report issues and concerns about Institute operations. It is the policy of New Hampshire Institute of Art that all employees may be free to report activity occurring in Institute operations that the reporting person believes in good faith to be illegal, dishonest, unethical, fraudulent, or not in compliance with Institute policy without fear of retaliation.

Reported allegations will be investigated promptly. The Institute will keep information confidential to the extent possible, but witnesses and management personnel needed for participation in the investigation may be contacted and thereby learn of the complaint.

Neither the Institute nor any of its employees will take adverse employment or other action in retaliation against a person who reports information under this policy.

## PROTECTED REPORTS

This policy protects the reporting of, knowledge of, or information about activity occurring in Institute operations that the reporting person believes in good faith to be illegal, dishonest, unethical, fraudulent, or not in compliance with Institute policy (collectively referred to in this policy as "misconduct in Institute operations"). Examples of misconduct in Institute operations include, but are not limited to, violations of federal, state, or local laws; misappropriation or misuse of Institute resources; bribery; forgery or alteration of documents; fraudulent financial reporting; and authorizing or receiving compensation for goods not received, services not performed, or hours not worked.

## GOOD FAITH

A reporting person who acts in good faith will be protected from retaliation under this policy. Good faith means that the person has reasonable grounds to believe that the reported allegations are substantially true. A person who intentionally makes a false report may be subject to disciplinary or other action. The failure of a report to result in a finding of misconduct is not alone evidence that the report was intentionally false.

## REPORTING PROCESS

Employees who have knowledge of or information about misconduct in Institute operations should report the misconduct to the HR Director, Advising, Counseling, Academic Dean, Executive Vice President, or other members of Senior Management. If the reporting person desires anonymity, the report should be in writing and delivered via regular mail or by hand, rather than via e-mail.

Non-employee members of the Institute community who have knowledge of or information about misconduct in Institute operations are also encouraged to report their concerns to HR Director, Executive Vice president, Academic Dean, VP-Finance or the President.

## ADDRESSING REPORTS OF MISCONDUCT

Persons reporting misconduct in Institute operations should not attempt to investigate the matter independently, as doing so may compromise the integrity of an official investigation and adversely impact both the reporting person and the Institute.

The Institute will promptly and discreetly investigate any report of misconduct in Institute operations, with the assistance of other Institute officials as appropriate. If the

investigation reveals that an employee has engaged in inappropriate conduct, the employee will be subject to disciplinary action, up to and including termination.

## PROTECTION AGAINST RETALIATION

The Institute and its employees are prohibited from engaging in retaliation against, or any form of harassment of, a person who reports a concern in good faith. This includes, but is not limited to, retaliation in the form of an adverse employment action, harassing behavior, or threats of physical or mental harm. Any reporting person who believes he or she is being retaliated against must contact the HR Director, Advising, Counseling or any member of the senior management team immediately so that the Institute may take timely and appropriate action.

Any employee who engages in retaliation or harassment against a reporting person may be subject to disciplinary action, up to and including termination. The right of a reporting person to protection against retaliation does not include immunity for any personal wrongdoing of the reporting person that is found to exist following an investigation.

## POLICY QUESTIONS

Any questions or concerns regarding this policy should be directed to the HR Director.

## **F. CATEGORIES OF INSTITUTE EMPLOYEES**

The Institute maintains the following categories of employees:

1.           Regular Full-time Employees:  
Non-faculty employees who are regularly scheduled to work at least 37.5 hours per week.
2.           Regular Part-time Employees:  
Non-faculty employees who are regularly scheduled to work fewer than 30 hours per week.
3.           Regular Part-time(Annual & Sick Leave Benefits Eligible) Employees:  
Non-faculty employees who are regularly scheduled to work at least 30 hours per week but less than 37.5 hours per week.
4.           Full-time Faculty:  
This category includes teaching professionals employed under contract for a term of at least one academic year and who may or may not be serving as a department chairperson.
5.           Part-time Faculty:

This category includes teaching professionals hired on a semester-by-semester basis under a separate letter of agreement.

6. Adjunct Faculty:

Adjunct is a special designation for certain part-time faculty who also perform other specialized academic duties (e.g., advising, certain committee duties). The distinction between adjunct and part-time faculty will be communicated at the time of hire.

**G. EXEMPT AND NON-EXEMPT EMPLOYEES**

**Exempt Employees:** Those employees who qualify as executive, professional, administrative, outside sales persons, or other exempt category and are not required by law to be paid overtime for hours worked over forty per week.

**Non-Exempt Employees:** Employees who are required to be paid overtime at the rate of time and one half (i.e., one and one-half times) their regular rate of pay for all hours actually worked beyond forty (40) hours in a workweek, in accordance with applicable federal and state wage and hour laws.

**EMPLOYEE RESPONSIBILITIES**

**H. PROFESSIONALISM**

Employees of the New Hampshire Institute of Art are expected to perform their responsibilities with integrity in a professional and ethical manner that will reflect well on the employee and the Institute's mission as a provider of educational opportunities. It is expected that all employees will function with mutual respect and courtesy in dealing with their fellow employees and the public. The Institute requires that all employees devote their working day to the performance of their Institute duties as described in their position description.

**I. CONFLICTS OF INTEREST AND GIFTS**

Wages, together with related benefits, should be considered complete remuneration for all Institute-related activities. Institute employees should not accept gifts, favors, loans, or other compensation, or things of value that are available to them solely in connection with their Institute duties and which benefit them personally. All such gifts must be reported to the President who may, at his or her discretion, require that the gift or loan be returned.

Furthermore, business dealings that appear to create a conflict between the interests of the Institute and an employee are unacceptable. The Institute recognizes the right of employees to engage in activities outside of their employment that are of a private nature

and unrelated to our business; however, the employee must disclose any possible conflicts so that the Institute may assess and prevent potential conflicts of interest from arising.

Generally, a conflict of interest arises when an employee has a personal or financial interest in a transaction or event – or is a party to a transaction or event – that might adversely affect his or her judgment if performing professional or employment duties for the Institute. Examples of potential conflicts of interest include, but are not limited to, the following:

1. Engaging in any business with, or employment by, an employer that is in competition or in conflict with any transaction, activity, or objective of the Institute.
2. Using equipment, supplies, or services owned or provided by the Institute in conjunction with any external work, without obtaining prior agreement in writing from the Institute.
3. Making use of any confidential information acquired through employment with the Institute for personal profit or advantage, or the advantage of a third-party.
4. Publicly associating the Institute or its prestige with an outside business interest for personal gain.
5. Engaging in any activity which, in the sole judgment of the Institute, could reasonably be perceived to result in detriment to the Institute.

In addition, the Institute recognizes that its employees may and do collect art for their personal enjoyment. The Institute's employees, and in particular, those employed in a capacity that relates to exhibitions, the Institute's collections, or to licensing and marketing activities, occupy a position of trust in this regard and must exercise care to assure that no conflict of interest arises between themselves and the Institute. Each employee is expected to exercise reasonable judgment in determining whether the scope of his or her personal collections and/or collecting activities is such that the matter should be discussed with the President.

An employee may not act as a dealer in purchasing and selling objects, nor may an employee use his/her influence at the Institute for personal gain in the various markets that deal with objects related to the Institute's purposes.

An employee may not appraise objects in conjunction with his or her employment at the Institute, except as may be expressly permitted by the President, and only if the employee is a licensed appraiser of such objects.

**J. PROPRIETARY RIGHT/NON-DISCLOSURE OF CONFIDENTIAL INFORMATION**

Except where otherwise agreed in writing, or in the case of scholarly or artistic activity undertaken independent of Institute duties, the Institute has proprietary rights to the work

product of each employee that is produced and/or prepared within the scope of such person's employment at the Institute including all rights comprised in the copyright of any work prepared by such employee within the scope of his or her employment as to which the Institute shall be considered the author of copyright purposes.

As the employer, the Institute has proprietary rights to financial and other information that the Institute deems confidential unless and until such information is officially made public by the Institute. Such information includes, but is not limited to, donor and other lists, unpublished information relating to financial matters, and any specialized processes and techniques used at the Institute in connection with activities such as exhibition design, manufacture and sale of reproductions, and academic programming. Accordingly, all employees are required to refrain at all times from disclosing or utilizing any such information to anyone outside of the Institute and except as may be required in the performance of his or her duties. Furthermore, employees are responsible for the internal security of such information. Improper disclosure will result in disciplinary action, up to and including termination and may result in a civil and or criminal penalty.

#### **K. OUTSIDE ACTIVITIES POLICY**

The Institute ascribes to the code of professional standards and practices as founded in the Code of Ethics for Museums, 1991 of the American Association of Museums and those established by the National Art Education Association and the National Association of Schools of Art and Design. The section of Museum Ethics applicable to the question of outside employment reads, ". . . employees must disclose to the Director or other appropriate supervisor the facts concerning any outside employment or consulting arrangements that are in any way related to the functions that such employees perform for their museums." Accordingly, each employee is required to complete a Clearance Request Form for related outside activities.

The primary obligation of the professional and administrative employees of the Institute is fulfillment of the duties of their position. Institute employees should never abuse their official positions or their contacts within or outside the Institute that are directly related to their positions as employees of the Institute. The Institute requires that all salaried, full-time employees direct their full working day to their Institute duties. Such employees are prohibited from engaging in outside activities with or without remuneration, directly related to their position responsibilities, unless the employee has obtained the prior express approval of the President.

Certain types of outside activities, whether voluntary or for a fee, including self-employment and paid consulting activities, can be of benefit to both the Institute and the employee by stimulating professional development. Remuneration may be monetary or non-monetary, direct or indirect. All such activity must be undertaken within the fundamental premise that the employee's first responsibility is to the Institute; that such activity will not interfere with the employee's ability to discharge the responsibilities of

his or her position; and the outside activity will not compromise the professional integrity of the employee or the reputation of the Institute. Permission to engage in outside activities may be granted at the Institute's discretion upon assessing these and other relevant factors.

**L. NORMAL WORKING HOURS**

Normal working hours for administrative staff reflect the Institute's stated business hours and are from 8:30 am to 5:00 pm, Monday through Friday, with a one-hour unpaid lunch.

A nursing mother may take reasonable unpaid break times to express breast milk for her child for one year after the child's birth. The Institute will designate a place to be used by nursing mothers that will be shielded from view and free from intrusion by coworkers. An employee interested in taking lactation breaks should speak with her supervisor to determine how best to accommodate her needs and provide job coverage.

**M. ABSENCE NOTIFICATION PROCEDURE**

If an employee is unable to report for duty, for any reason, his or her direct supervisor must be notified no later than one-half hour after the time of the employee's normal starting time. If the supervisor or supervisor's assistant is unavailable, the employee must notify the Executive Assistant to the President. Employees must reach one of these individuals directly; leaving a voice mail is insufficient. Employees working during non-normal Institute hours should notify their supervisor or the Main Office at least two hours prior to their normal starting time. Failure to meet these reporting requirements may result in disciplinary action. Attendance records will be given serious consideration during performance and salary reviews. Excessive and repeated unexcused absences and tardiness may result in disciplinary action up to and including termination.

**N. SECURITY POLICIES & PROCEDURES**

Employees shall be issued an identification card. Lost identification cards must be reported immediately to the Vice President of Finance & Administration.

All employees are required to follow the Institute's security policies and procedures, which are designed for the protection of the Institute's students, faculty, staff, visitors, and facilities. Full details of these security policies and procedures are available from Human Resources.

**O. SMOKING POLICY**

It is the intent of the Institute to provide a smoke-free working and learning environment for all students, faculty and staff. In further consideration of the security of the buildings, and the contents within, smoking is prohibited inside the Institute's buildings.

Smoking stations outside of the Institute's buildings are provided for those who choose to smoke. It is expected that smokers use these stations and not litter nearby grounds.

Violations of this policy by faculty and staff may result in disciplinary action up to and including termination.

**P. BUSINESS AND AUTO EXPENSES**

The Institute will reimburse employees for reasonable business-related expenses incurred in relation to an employee's work and travel. All planned travel must be approved in advance through your supervisor. A travel reimbursement request form is available in the Business Office and must be submitted within 30 days of travel for full consideration.

**Q. PRIVACY OF STUDENT RECORDS (FERPA)**

The Institute complies with the Family Educational Rights and Privacy Act (FERPA) according all of the required rights to students under that act. All employees must comply with all facets of FERPA as defined in both the institute's Faculty Handbook under policy **8.9 The Privacy Of Student Records** and as defined in the Student Handbook under its Privacy Policy. Any employee having any questions about FERPA, our compliance with that act or requirements of employees regarding or related to all student records under that act after reading either or both of these references must contact the Academic Dean, the Assistant Academic Dean or the Registrar of NHIA immediately with their questions before any possible disclosure of any student records, identifiers or data related to any students shall ever occur.

**PERSONNEL POLICIES & PROCEDURES**

**R. EQUAL EMPLOYMENT OPPORTUNITY AND EMPLOYEES WITH DISABILITIES**

The Institute subscribes to the principle of equal opportunity in its employment, admissions and educational practices, and it prohibits discrimination based upon age, race, color, national origin, religion, sex, marital status, sexual orientation, physical or mental disability, veteran status, genetic information, or any other characteristic protected by law. This policy applies to the conduct of faculty, staff, and students – or others who may be in a working relationship with the Institute – while on Institute premises or away on Institute-sponsored activities. This policy also applies to decisions concerning admission, hiring, promotion, matriculation and any other decision affecting educational or employment opportunities.

An Institute employee or student who believes he or she has been subject to discrimination or harassment, or who is aware of an incident of discrimination must report the matter to Human Resources or the Director of Student Affairs, as appropriate. See also the Sexual and Other Prohibited Harassment policy below. Complaints of harassment, discrimination or retaliation will be thoroughly and impartially investigated. Where warranted, appropriate remedial action will be taken and, depending on the

circumstances, may include disciplinary action, discharge or expulsion. All students, staff and faculty have a responsibility to cooperate fully in any investigation, and the Institute prohibits retaliation against anyone who, in good faith, reports a violation of this policy or participates in an investigation of such reports.

As part of the Institute's nondiscrimination policy, the organization is committed to providing equal employment opportunities to qualified individuals with disabilities, which includes providing reasonable accommodation to qualified applicants to allow them to apply for a job vacancy and to qualified employees to allow them to perform essential job duties. In general, it is your responsibility to notify your supervisor of the need for an accommodation of any physical or mental disability, which substantially limits a major life activity by completing for an accommodation in writing. When appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals to document that you have a disability and to assist us in assessing any functional limitations for which a reasonable accommodation may be needed. All medical information will be treated as confidential in accordance with the Americans with Disabilities Act.

The Institute will take all requests for accommodations seriously and will promptly determine whether the employee is a qualified individual with a disability and whether a reasonable accommodation exists, which would allow the employee to perform the essential functions of the job without imposing an undue hardship on the Institute or other employees.

#### **S. EMPLOYMENT, APPOINTMENT & PROMOTION**

It is the policy of the Institute to promote, where possible and appropriate, from within, and to that end, position openings generally will be made available to Institute employees via electronic and/or interoffice mail. Such postings will provide information regarding title, general description of responsibilities, and qualification requirements for available positions. Promotions will be made in the context of the Institute's needs, the employee's qualifications and prior job performance. The Institute may choose to advertise and recruit directly to fill vacant or new positions, as needed.

Applications for posted or advertised positions must be made in writing through Human Resources. Disclosure of salary information may be limited to those applicants who are invited for interviews. Employment is contingent on the verification of information provided in submitted applications. The Institute reserves the right to verify such information and to request additional information. The Institute also conducts background checks on potential employees with prior approval.

#### **T. EMPLOYMENT OF FAMILY MEMBERS**

The Institute may allow the employment of relatives of current employees. For the purposes of this policy, a "relative" is defined as a spouse, child, parent, sibling,

grandparent, grandchild, aunt, uncle, first cousin, corresponding in-law or “step” relation, live-in partner or live-in partner’s children. The Institute shall generally not allow such employees to be employed in the same office or to be in a position of direct supervisory authority. Should reassignment not be possible in such circumstances, the Institute may require, at its sole discretion, that one of the related employees be separated from the Institute.

**U. INITIAL INTRODUCTORY PERIOD**

All new and rehired employees and those promoted to new titles serve their first six months of employment as an Introductory Period. Prior to the conclusion of the Introductory Period, a written evaluation of the employee's performance will be prepared by the employee and the employee's immediate supervisor. The evaluation will be submitted by the supervisor to the President or designee. The employee will also receive a copy. Based on this evaluation, the employee may be designated a regular employee, terminated, or have the Introductory Period extended. Reasons for the extension of the Introductory Period include, but are not limited to:

1. Performance: If an employee's performance during the Introductory Period is less than satisfactory, but the employee demonstrates improvement.
2. Absence: If the employee is absent more than five days during the Introductory Period.

The Introductory Period may be extended up to three months at which time a second evaluation will be made by the employee's supervisor and submitted to the Institute's President. The employee will also receive a copy. A final decision on employment will be based on this evaluation.

Full-time employees in the Introductory Period earn Institute benefits on the same bases as full-time, regular employees. If an employee is terminated during or at the conclusion of the Introductory Period, such employee will be entitled to payment of accrued annual leave.

**V. SALARY ADMINISTRATION**

Each year, after approval of the Institute's budget by the Board of Trustees, the Institute may review and modify the Salary Administration Program that governs employee salaries and pay rates. Modifications take into consideration many factors including availability of funds and an employee's annual evaluation. Although the Institute typically reviews wages annually, there is no guarantee that raises will be given.

**W. RECORDING HOURS WORKED**

It is the policy of the Institute to comply with applicable laws that require records to be maintained of hours worked by our non-exempt (hourly) employees. To ensure that

accurate records are kept of hours actually worked (including overtime hours where applicable) and accrued leave taken, and that employees are paid in a timely manner, non-exempt employees will be required to record time worked and absences on the Institute's official time record form. This form should be completed daily and signed and forwarded to the employee's supervisor on a weekly basis. After reviewing the form and resolving any discrepancies, the supervisor will sign the form and forward it to payroll for processing. Time sheets should be submitted to the supervisor each Friday by 3:00 pm, or earlier if notified. If an employee's time sheet has not been submitted to the supervisor by the above stated time, the employee's time will be averaged for that period. Any necessary adjustment will be made as soon as possible.

Please ensure that your actual hours worked and leave time taken are recorded accurately. Falsification of time record is a breach of company policy and grounds for disciplinary action, including discharge. If you are unsure of how to complete a particular day on your time sheet, ask your supervisor, or call Human Resources for instructions.

#### **X. PAYPERIODS AND PAYCHECKS**

The workweek begins on a Sunday and ends on Saturday. All faculty positions are classified as salaried exempt. Full-time and staff positions are paid in twenty-six (26) bi-weekly pay periods per year. Part-time adjunct faculty members are paid in roughly equal installments on a monthly basis throughout the duration of their appointment. All salaried, exempt positions are paid for the most recent completed pay period, with paychecks issued on the Thursday following the final Saturday of the pay period. The Institute's pay schedule is posted on our web site for everyone's convenience. Every employee is encouraged to participate in electronic deposit of his or her paycheck.

The Institute prohibits improper deductions from your pay. Specifically, the Institute prohibits improper deductions from the salary of an exempt employee in violation of the Fair Labor Standards Act. If you believe that an improper deduction has been made from your pay or if there is any other error in your check, you should report it immediately to your supervisor or the Finance Office. Reports of pay errors will be investigated promptly. If it is determined that a pay error has occurred, the Institute will reimburse you in a timely manner. No one other than the employee to whom a check is written will be allowed to pick up a paycheck without an employee's written or verbal permission.

Lost or destroyed paychecks must be reported to the Payroll department immediately. If a paycheck is lost a "stop payment" order will be placed with the financial institution it is drawn upon. A replacement check will be processed upon receipt of the stop payment confirmation from the financial institution. This normally takes a minimum of twenty-four (24) hours. Should there be a fee associated with the "stop payment" transaction the employee who lost their check will incur the appropriate stop payment charge. If a paycheck has been destroyed and some portion of the check can be returned to the

Payroll department, a new check will be processed immediately with no fee associated with replacing the destroyed check.

**Y. OVERTIME AND COMPENSATORY TIME**

Only overtime-eligible employees (regular full-time and part-time non-exempt employees) may receive payment for hours worked in excess of 40 hours per week, in accordance with the Fair Labor Standards Act. Overtime will be paid at a rate of one and one half (1 ½) times the employee's regular hourly rate. Sick leave, annual leave, and holidays are not counted as hours worked for the purposes of calculating eligibility for overtime pay.

Additional hours worked above your normal workweek schedule but below 40 hours may be converted to compensatory time only if taken during the same workweek. The Institute has no policy or mechanism to accrue "comp time" for use outside of the workweek in which the time accrues. Employees are requested to adjust their schedules in order to meet the policy as stated. "Comp time" should be used within the same workweek as stated above and is to be approved by the employee's direct supervisor. As a further clarification, the Institute does not allow employees to accrue "comp time." Violation of this policy may result in disciplinary action, up to and including termination.

**Z. EMPLOYEE EVALUATION**

An evaluation of an employee's work performance generally will be completed by the employee's immediate supervisor after six months of employment and then annually prior to the end of the fiscal year ending on June 30<sup>th</sup>. The evaluation is submitted to the President. The employee will also receive a copy. Evaluations are occasions for a discussion between the employee and the employee's supervisor about the employee's work performance and accomplishments during the previous year. Evaluations should include the supervisory assessment of the progress made by the employee and areas in need of improvement. Evaluations are included in the employee's personnel file. An employee has a right to submit written responses to their evaluations. Such written responses also may be placed in the employee's personnel file.

**AA. EMPLOYEE RECORDS**

The Institute maintains a confidential personnel file on each employee. Such files are kept in locked files in the Office of Human Resources. Personnel files are available for review by the employee by appointment. An employee also may request a copy of his or her own personnel file. Relevant portions of personnel files are also available for review by the employee's supervisor, with the prior approval of the President. Personnel files may not be removed from the Office of Human Resources.

**BB. UPDATING YOUR RECORDS**

To ensure that your records are up-to-date at all times, you must notify Human Resources of any changes in your name, telephone number, home address, marital status, number of

dependents, beneficiary designations, scholastic achievements, the individuals to notify in case of an emergency, and other information you feel is relevant to your work with the Institute. Please use the Requisition / Payroll / Status Employee Change Form (R.E.C. form) found on our web for this important purpose.

Additionally, you must also contact our Development Department each year if you need to update your list of academic achievements, awards and other notable accomplishments. See the Development Department or our web site for the proper document for this important purpose.

#### **CC. DRESS**

While the Institute has no formal dress code for its employees, all employees should dress in a professional and appropriate manner for their responsibilities. The Institute strives to create a relaxed, comfortable work environment while projecting a professional image. With regular visits from potential students, families and the public, it is important that all employees are appropriately dressed for their positions. An employee's supervisor has the right to require a modification in dress, if judged inappropriate. An employee who is dressed inappropriately in the judgment of the Institute may be sent home to change, and time lost from work for this purpose may not be compensated. Violations of this policy may result in disciplinary action, up to and including termination of employment.

#### **DD. DRUG AND ALCOHOL POLICY**

The Institute strictly prohibits the manufacture, distribution, dispensation, possession or use of illegal drugs or controlled substances on Institute property, except that an individual may possess a controlled substance for which he or she has a valid prescription and may use such controlled substance in accordance with his or her prescription. The use, possession, or distribution of alcohol by any employee on Institute property is also prohibited, except at Institute-approved events managed by senior administrative officials. Use of alcohol, illegal drugs or controlled substances that affect workplace performance or conduct is likewise prohibited.

State of New Hampshire law prohibits anyone under the age of twenty-one (21) from drinking or obtaining alcohol. On or off campus, employees should not under any circumstances use alcohol with or provide alcohol to students who are not of the legal drinking age.

Alcohol and drug abuse rehabilitation and assistance programs are available to eligible employees through the Institute's health benefit program, which provides both in-patient and outpatient programs. Employees with alcohol or drug abuse problems are strongly encouraged to participate in these programs. Employees may contact Human Resources to seek counseling assistance and/or referral to an appropriate outside agency.

The Institute may require employees found to be in violation of this policy to successfully complete an alcohol or drug rehabilitation or assistance program as a condition of continued employment, at the discretion of the Institute.

Violations of this policy are cause for discipline, up to and including termination.

**EE. WEAPONS AND OTHER DANGEROUS ITEMS -- SEARCHES**

Employees may not use, carry, conceal, sell or bring onto Institute property any materials that are dangerous, illegal, or substantially disruptive to the educational process. These items are also prohibited at school sponsored events or meetings off campus. Examples include, but are not limited to: firearms, weapons and explosive materials. Decisions whether items are dangerous or substantially disrupt the educational process are within the sole discretion of the Institute.

The Institute may search desks, lockers, computers, cars, backpacks, pocketbooks or other possessions brought onto campus any time the Institute determines it is necessary to protect the health, safety and welfare of others, or where there is reason to suspect that illegal, dangerous or disruptive materials or weapons are being used, sold, carried or concealed.

Violations of this policy are cause for discipline, up to and including termination.

**FF. HEALTH, SAFETY, SMOKING AND FRAGRANCE**

The Institute is committed to a safe and healthful environment. We observe all federal, state and local laws governing occupational health and safety. Our policies encourage adherence to safe and healthful work practices.

Each employee is required to perform his or her job in a safe and careful manner. If appropriate, use protective clothing or devices. If any employee observes any dangerous or potentially harmful situation, he or she is required to report it to his or her immediate supervisor or Human Resources. Each employee is asked to submit suggestions concerning safety in the workplace to Human Resources. Do not perform any tasks you feel could cause injury or harm such as lifting heavy objects or climbing unstable ladders.

While direct responsibility for the safety of any operation rests with the supervisor of that operation, each employee is personally responsible for performing assigned duties with the primary concern for his or her own safety, as well as the safety of students and other Institute employees.

It is the intent of the Institute to provide a smoke-free working environment for all students, faculty, and staff. In further consideration of the security of the buildings, and the contents within, smoking is prohibited inside the Institute's buildings. Smoking

stations outside of the Institute's buildings are provided for those who choose to smoke. It is expected that smokers use these stations and not litter nearby grounds. Violations of this policy may result in disciplinary action, up to and including termination of employment.

Recognizing that faculty, employees, students, and visitors to our facilities may be sensitive and/or have allergic reactions to various fragrant products, the New Hampshire Institute of Art (NHIA) is pleased to endeavor to be a fragrance-free workplace. Personal fragrance products (fragrances, colognes, lotions, powders, and other similar products) that are perceptible to others should not be worn by people attending classes, visiting, or working at NHIA. Further, we also will attempt to, when feasible, purchase cleaning products that combine an effective and appropriate disinfectant ability with the least perceptible fragrance. This will also be our goal in classroom areas where the challenge of teaching fine arts are balanced against the marketplace's availability of appropriate fragrance-free products. Any individual who may have a concern about scents or odors should feel free to contact either their direct supervisor, teacher, Human Resources, our Academic Dean or our Director of Enrollment and Student Services.

Institute Safety Rules for employees mandate the following:

1. Any accident or injury requiring medical attention must be immediately reported to a supervisor and Human Resources. An Accident/Injury Report form is available from the Human Resources office.
2. Hazardous conditions of unsafe job practices must be brought to the attention of a supervisor.
3. Every employee is required to know and follow all safety procedures that apply to their job.
4. Every employer must keep work areas neat and clean.
5. Employees must wear proper and prescribed protective equipment and clothing for a job or task.
6. All Institute employees must think and practice safety at all times.
7. Flammable and dangerous articles and materials must be kept in their required storage places.
8. Fire extinguishers must be readily available when working with volatile materials.

9. There is no smoking allowed in any Institute building.
10. Employees must be familiar with machinery and equipment that they use.
12. Never attempt to operate equipment that is broken or not complete.
13. Safety is every Institute employee's responsibility.

Any employee found to have violated this policy or otherwise acted in an unsafe manner will be subject to disciplinary action, up to and including immediate termination of employment.

**GG. COMPUTER, INTERNET, VOICEMAIL & SOCIAL NETWORKING POLICY**

The Institute provides employees with equipment to assist them in doing their jobs. The equipment and software used at work, including Internet access, and E-mail and voice mail systems, are primarily provided for business purposes and are the property of the Institute.

While the Institute recognizes that employees may occasionally use their computers and the Internet for nonconfidential personal activities, the Institute's software and equipment are not to be used to transmit or receive any threatening, offensive, or disruptive messages or images. Among those which are considered offensive are any messages or images which contain sexual implications, racial slurs, or any other comment that offensively addresses someone's age, sex, race, color, religious beliefs, national origin, veteran status, physical or mental disability, genetic information, or other category protected by applicable law.

The Institute's Information Technology Department will have access to all stored and deleted E-mail, voice mail, computer files, and user access requests and reserves the right to monitor and search messages, files, and any other data present in its systems or equipment as necessary to assure efficient performance and appropriate use. In addition, Internet mail and browsing activity is not private. The Institute does not guarantee the privacy or security of any item stored or transmitted on its systems. The use of passwords for security does not guarantee confidentiality. Confidential personal information should not be communicated through the Institute's equipment. You should be aware that even if a document or message is deleted from an Institute system, it is still possible to retrieve and read such information, and the Institute retains the right to search, retrieve, and read such information. Employees who wish to express personal opinions or market personal products or services on the Internet, should obtain their own E-mail addresses and not use their Institute accounts, engage in such activities during work hours, or identify themselves as Institute employees.

To prevent computer viruses from being transmitted through the system, you must not download any software programs from the Internet without prior approval from the Information Technology Department. Similarly, you may not install personal or company modems within the Institute's networks, without the protection of an Institute-approved firewall. Copyrighted materials belonging to entities other than the Institute may not be transmitted on the Internet. Usage of the Internet for marketing, advertising, or distributing a product or service not related to the Institute is prohibited.

While limited use of Institute computers for nonconfidential personal activities is permissible, such activity should be kept to a minimum.

It is also the policy of the New Hampshire Institute of Art that all official electronic correspondence (email) will utilize the NHIA.EDU email service. This allows us to optimally manage, support and to ultimately keep communications within our system.

This policy will assist in securing the privacy of all correspondence in adherence to both FERPA, and the New Hampshire Institute of Art's privacy policy. While the EULA (End User Licensing Agreement) of third party email services may provide for a limitation of access to the content of the information hosted by their systems, there is no feasible moderation system available to ensure that no private information is communicated to third-parties in violation of the above stated privacy policies. Please note that as such, our internal email service was designed to protect all sensitive information that is frequently the subject of discourse between and among our Faculty, Administration, and the Student Body and therefore this system must be used for these expressed purposes.

This policy is also meant to help foster and advance the goals of community within the New Hampshire Institute of Art. It is our hope that by fostering a sense of community, the New Hampshire Institute of Art's email system will be the central notification system for events, emergency communications such as cancellations, as well as academic information.

This policy is also designed to enculture a process of centralized information retrieval that will allow for other information access systems to leverage a unified platform. The utilization of this process is central to the development of our web access student information systems as well as key to the development of future electronic student services. As so stated, please ensure that you use our NHIA.EDU email services as directed and for these important purposes. And because email is our primary means of communication all faculty and staff are responsible for checking their email regularly for important communications.

The Institute understands the value of social networking mechanisms and subscribes to certain forums for the purpose of presenting our best attributes and features to the outside world. While it is expected that employees, staff and faculty will utilize these types of

forums as they may it will also be very important that all employees, staff and faculty not engage in postings that reflect a threatening, offensive, disparaging or negative way on the school, our programs, services, faculty, employees or any part of our organization. Unless specifically instructed, employees are not authorized to speak on behalf of the Institute. The Institute reserves the right to request any message that it deems inappropriate or offensive be removed and to have that request complied with within the full extent of the law.

Violations of this Policy will may result in disciplinary action up to and including termination.

## **GG. 2 Cell Phone and OTHER TELEPHONE USAGE**

Effective 10-6-10, NHIA will cease providing Institute-owned cell phones to employees (with some minor exceptions) and instead will provide only a specified **allowance** (which will be a taxable fringe benefit to those employees) for Institute business use of personal cell phones. The policy implementing this new practice and its related request forms follow.

The new policy provides **allowances** for basic cell phone service, text messaging and data services (email and web service) for certain approved positions. Under the revised policy an employee may be approved for an allowance if the employee's job responsibilities require the use of a cell phone and it can be properly justified and must be approved by the appropriate Vice President, Director or Dean.

**Service departments such as infrastructure support and public safety personnel may request Institute-owned cell phones if their use of the owned phones can be justified. Those phones must be authorized by the Vice President for Finance.**

### **SUMMARY OF ALLOWANCES:**

**BASIC CELL PHONE ALLOWANCE:** NHIA will provide a cell phone allowance to employees to supplement the costs of a personal cell phone plan in an amount estimated to cover the average monthly UNT business use of the phone. Flat-rate monthly allowances are based on justification and appropriate approval:

- o \$35 or \$50 per month allowance for voice services (based on number of minutes justified)
- o \$10 text messaging

**EXCEPTIONAL CELL PHONE ALLOWANCE:** Those employees requiring a greater allowance than is provided by the basic allowance above may request an exception to the standard policy. All requests for exceptions must be accompanied by an itemized total cost of the requested plan, the total minutes available in the plan and the total number of minutes that will be used for business calls. Where possible, the employee should provide copies of the employee's cell phone bill showing the actual number of business minutes used. Requests for exceptions to the basic policy must be approved by the Vice President for Finance.

**INITIAL PHONE PURCHASE ALLOWANCES:** NHIA will pay the employee up to 50% of the purchase price of a standard cell phone instrument with a \$50 maximum allowance. The purchase of PDA's (Blackberries, Treos, etc.) will be compensated up to a maximum of \$150 but no more than 50% of the purchase price of the instrument. Employees are eligible for such allowances every 36 months if they

choose to upgrade their instruments. The employee must attach a copy of the receipt for the original cell phone purchase to Cell Phone Allowance / Purchase Request form.

**ANNUAL REJUSTIFICATION:** All allowances must be reviewed and rejustified by the VP, Director or Dean of the department each year (see the attached policy for details).

### **CURRENT INSTITUTE CELL PHONE USERS**

Those employees that currently are assigned an Institute cell phone will have the opportunity to convert their current Institute plan to a personal plan and request an allowance. Converting the existing plan to a personal plan will allow the employee to keep the current telephone number. The IT department will work with the employee and the cellular provider during the conversion process.

### **CONVERSION TIMETABLE**

**1. Purpose:** To establish a policy concerning the use of Institute telephones, telephone lines, facsimile machines, and the computer for electronic messages for reasons other than official Institute business and to establish a policy for the use of Institute-provided or employee wireless telephones.

**2. General Policy:** It is the policy of the Institute that Institute telephones, telephone lines, fax machines, and computers are available for faculty and staff members and student employees to use in carrying out official Institute business. Except as provided below, long distance calls, transmissions, and electronic mail messages that are not related to official Institute business should be avoided. In addition, special rules for the use of cell phones are provided in section 5 below.

The placing and receiving of phone calls from Institute-provided phones, faxes, or electronic mail messages for reasons other than official Institute business should be very infrequent and are permissible only if proper supervisory approval is granted. Faculty and staff should make every effort to minimize receiving calls, faxes, or electronic mail messages unrelated to Institute business while at work. Abuse of these privileges may subject a faculty member, staff member or student employee to disciplinary action under applicable policies.

Faculty and staff members may need to occasionally use Institute telephones, telephone lines, fax machines, and computers for personal reasons. Normally, such use should not result in additional costs or damage nor hinder the day-to-day operation of an office. Incidental use of such equipment is not considered to be a misapplication of Institute property, and is permissible so long as it does not unduly interfere with the individual's assigned responsibilities or the normal functioning of an office. Use of such items is considered to be a misapplication of Institute equipment if it results in additional costs being incurred or damage to the equipment, hinders day-to-day operations, or is otherwise deemed to be excessive or inappropriate.

**3. Long Distance Personal Calls by Faculty, Staff and Students:** Long distance calls include any call that is not local or free of charge to the Institute. Long distance personal calls that are billed to the Institute should not occur routinely or on a regular basis; if so, regardless of the time of day, dollar amount, or the callers intent to reimburse the call (s), they are strictly prohibited and may subject the faculty member, staff member or student employee to

disciplinary action under applicable policies. Telecommunications records are periodically reviewed by the Director of IT for compliance with this policy and established accounting procedures.

**4. Cell phones:** The purpose of this section is to establish Institute policy regarding payments of allowances for the use of personal cell phones in conducting Institute business and, under limited conditions, for the provision of Institute-provided cell phones to employees. This policy is intended to provide an alternative to the need for many employees to carry two cell phones (for Institute and personal use), to simplify payments and associated record keeping, and to eliminate potential problems over personal use of Institute-provided cell phones.

#### **GENERAL AVAILABILITY**

The Institute will cease providing Institute-owned cell phones to employees, except as prescribed below, as soon as practicable after the adoption of this policy. It will, however, continue to provide an allowance for charges incurred as the result of an employee's use of a personal cell phone for official business when the employee has an official Institute business need for the phone.

#### **BASIC CELL PHONE ALLOWANCE**

The Institute will provide an allowance to regular full time faculty and staff members for the use of a personal cell phone for official business purposes. Examples of official Institute business reasons why an employee may need a cell phone include but are not limited to: the employee travels frequently, the employee is frequently out of the office, the employee uses the phone on job sites where wired phones are not available, or the employee is a member of key personnel who are needed in the event of an emergency.

The employee's department head as well as the Dean, Director or Vice President responsible for the department must approve the request for the allowance and provide funding for the allowance. To receive the cell phone allowance, the employee must complete a Cell Phone Allowance/Purchase Request form justifying the need and sign the form indicating that he/she has read and understands this policy. The department head's signature on the form authorizes the payroll department to establish the allotment covering the cell phone allowance.

The employee is responsible for contracting with a cell phone service provider, for paying any initial plan charges, for the purchase of the cell phone itself, and for paying the plan's monthly bills. The Institute will reimburse an initial allowance for the purchase of the telephone instrument equal to 50% of the purchase price of the instrument, but not to exceed \$150 for PDA's (personal digital assistants) and \$50 for non-PDA instruments. The employee must submit a purchase receipt or invoice itemizing the purchase price of the instrument. An employee is eligible to receive this allowance every 36 months if they choose to upgrade their telephone instrument.

The Institute will provide a flat-rate monthly allowance, independent of the cell phone provider selected by the employee, of \$10 for text messaging, and either \$35 or \$50 per month for employees using only basic voice services dependent upon usage needs, for an

approved request. The allowance amounts shown above will be reviewed annually by the IT department and may be adjusted to reflect changes in available rate plans and instrument costs.

The IT department will send a list of persons receiving reimbursements under this policy to the Dean, Director or Vice President to whom each person receiving a reimbursement reports annually. This group is required to review eligibility and basic cell phone allowances of employees on their lists and to verify the employees' eligibility for reimbursement by having the employees demonstrate that they are still utilizing cell phone service for business purposes at the reimbursement level for which they are being reimbursed. (Employees may present copies of their cell phone bills to demonstrate continuing eligibility.) The certified lists must be returned to the IT department by the deadline dates indicated on the forms, at which time IT will notify Payroll of employees whose reimbursements have been deleted. Changes to reimbursement rates (e.g., moving from one tier of required plan minutes to another) must be submitted by the employees' departments on payroll authorization forms. It is the responsibility of the employee to inform the department head of any changes in his/her status or need for the use of the phone.

All monthly allowances and instrument purchase allowances will be paid as miscellaneous additions to the employee's regular paycheck and are subject to FICA and tax withholding. Employees may choose to itemize their cell phone expenses as a business expense when filing personal income tax forms.

The cellular phone acquired by the employee is considered to be the personal property of the employee and accordingly shall be used in any way the employee deems appropriate. Any service contract the employee might enter into regarding the acquisition or operation of the cell phone is personal to the employee. The Institute shall have no obligation or make any guarantees with respect to such contract to the employee or the service provider.

### **EXCEPTIONAL CELL PHONE ALLOWANCE**

If an employee requires an allowance greater than the amounts provided under the basic cell phone allowance, they must submit an Exceptional Cell Phone Allowance/ Purchase Request form giving detailed justification by itemizing the total cost of the requested plan, the total minutes available in the plan, identifying the number of minutes used for Institute business (highlighting calls on a current phone bill if possible) and specifying the percentage of the total bill that is being requested. **All requests for Exceptional Cell Phone Allowances must be approved by the Vice President for Finance.** An employee will be eligible for a maximum of \$60 per month for basic voice services under the Exceptional Cell Phone allowance. They are also eligible for \$40 per month advanced data services (email and web services) allowance (Employees requesting allowances or purchase allowances for advanced voice and data services must justify their request and show why their position at the Institute requires the advanced services) and \$10 per month if they are using text messaging as a business function. Once approved, the Exceptional Cell Phone Allowance form must be re-submitted annually with the justification updated and a representative cell phone bill attached and the request must be reviewed and approved by the department head. Exceptional Cell

Phone Allowance forms are sent to the Telecommunications department after approval by the Vice President for Finance. The IT department will randomly audit a sample of those forms for accuracy of the calculations used to determine eligibility for the allowance authorized. It is the responsibility of the employee to inform the department head of any changes in his/her status or need for the use of the phone.

The employee is responsible for contracting with a cell phone service provider, for paying any initial plan charges, for the purchase of the cell phone itself, and for paying the plan's monthly bills. The Institute will pay an initial allowance for the purchase of the telephone instrument equal to 50% of the purchase price of the instrument, but not to exceed \$150 for PDA's (personal digital assistants) and \$50 for non-PDA instruments. The employee must submit a purchase receipt or invoice itemizing the purchase price of the instrument. An employee is eligible to receive this allowance every 36 months if they choose to upgrade their telephone instrument.

All monthly allowances and instrument purchase allowances will be paid as miscellaneous additions to the employee's regular paycheck and are subject to FICA and tax withholding. Employees may choose to itemize their cell phone expenses as a business expense when filing personal income tax forms.

The cellular phone acquired by the employee is considered to be the personal property of the employee and accordingly shall be used in any way the employee deems appropriate. Any service contract the employee might enter into regarding the acquisition or operation of the cell phone is personal to the employee. The Institute shall have no obligation or make any guarantees with respect to such contract to the employee or the service provider.

### **CONVERTING INSTITUTE-OWNED CELL PHONES TO PERSONAL PLANS**

Employees holding Institute-owned cell phones as of the date of the implementation of this policy may choose to convert the plan to a personal cell phone account. The employees must request this option immediately upon the effective date of this policy. The employee must arrange for the transfer of the phone plan from an Institute-provided plan to their personal plan, and the employee must pay taxes associated with their personal phone plan. The Institute's IT Department should be contacted for assistance in making the transition to a personal plan.

### **EXCEPTIONS**

Special circumstances of an employee's job responsibilities at the Institute may justify exceptions to the standard policy above. **Any exception to the policy must be approved by the Vice President for Finance.**

**NEW HAMPSHIRE INSTITUTE OF ART**  
**Cell Phone Allowance/Purchase Request**

Employee Name:	EMPLID:	Date:
<p>In this field, provide your justification for a cell phone allowance (i.e., how will your phone be used in conducting Institute business?). Also indicate the estimated number of minutes per month that will be used for Institute business.</p>	<p>Estimated monthly minutes used for Institute business:</p>	
<p>I hereby certify that all information is true and that I have read and understand NHIA's Cell Phone Policy</p>	<p><b>Signed:</b></p>	
<p><b>Please check monthly allowance and/or purchase allowance being requested</b></p> <p><i>Determine an allowance amount congruent with your business related needs. Purchase of cell phone or PDA may be requested no more frequently than every 36 months – receipt or invoice must be attached.</i></p>	<p>Basic cell phone service    <input type="checkbox"/> \$35 or <input type="checkbox"/> \$50  Reimbursement rate based on 450 and 900 minute plans, respectively</p> <p>Text messaging service    <input type="checkbox"/> \$10</p> <p>Total allowance requested:    \$_____</p> <p>Allowance for up to 50% of the purchase of a basic cell phone (max \$50) or a PDA phone (max \$150).</p> <p>Requested amount: \$_____ must attach receipt or invoice</p>	
Department:	Account Number:	
Department Contact:	Phone Number:	
Please Print Department Head Name		
I hereby approve the request *	Signed:	Date:
Please Print Dean/Director/Vice President Name		
I hereby approve the request *	Signed:	Date:

***Please send the original copy of this completed form to the Finance Department for processing.***

*\*By approving this request, I authorize the Business Office to add the allowance to the employee's position and to prepare all appropriate budgetary transactions. When position changes and transactions are complete, the Business Office will provide the Payroll Office a copy of this form to use as authorization to pay the employee their monthly allowance.*

**----- To be completed by Finance office ONLY -----**

Received by Finance: \_\_\_\_\_ Date: \_\_\_\_\_ Copy to Business Office: \_\_\_\_\_ Date: \_\_\_\_\_

Verified By: \_\_\_\_\_ Date: \_\_\_\_\_

±

Processed by Business Office/Copy sent to Payroll: \_\_\_\_\_ Date: \_\_\_\_\_

**NEW HAMPSHIRE INSTITUTE OF ART**  
**Exceptional Cell Phone Allowance/Purchase Request**

Employee Name:		EMPLID:		Date:	
In this field, provide your justification for a cell phone allowance (i.e., how will your phone be used in conducting Institute business?)		Estimated monthly minutes used for Institute business: _____			
Plan being requested.		Provider _____ Monthly plan cost _____ Number of minutes in plan _____ Number of minutes used for business _____			
I hereby certify that all information is true and that I have read and understand NHIA's Cell Phone Policy		Signed: _____		Date: _____	
<b>Amount of Monthly/Purchase allowance requested</b> <i>Amount requested is calculated as a percentage of the plan above that is used for business use.                  Purchase of cell phone or PDA may be requested no more frequently than every 36 months – receipt or invoice must be attached.</i>		Total monthly allowance requested: \$ _____  Allowance for up to 50% of the purchase of a basic cell phone (max \$50) or a PDA phone (max \$150).  Requested purchase allowance: \$ _____ must attach receipt or invoice			
Department Number: _____			Account Number: _____		
Department Contact: _____			Phone Number: _____		
Please Print Department Head Name					
I hereby approve the request*		Signed: _____		Date: _____	
Please Print Department VP/Dean Name					
I hereby approve the request*		Signed: _____		Date: _____	
Vice President for Finance		Signed: _____		Date: _____	

***Please send the original copy of this completed form to the Finance Department for processing.***

*\*By approving this request, I authorize the Business Office to add the allowance to the employee's position and to prepare all appropriate budgetary transactions. When position changes and*

*transactions are complete, the Business Office will provide the Payroll Office a copy of this form to use as authorization to pay the employee their monthly allowance.*

----- **To be completed by Finance office ONLY** -----

Received by Finance: \_\_\_\_\_ Date: \_\_\_\_\_ Copy to Business Office: \_\_\_\_\_ Date: \_\_\_\_\_

Verified By: \_\_\_\_\_ Date: \_\_\_\_\_

Processed by Business Office/Copy sent to Payroll: \_\_\_\_\_ Date: \_\_\_\_\_

#### **HH. EMPLOYEE CONDUCT AND DISCIPLINE**

It is essential that all employees accept personal responsibility for maintaining high standards of conduct and job performance, including the observance of Institute rules and policies. Since we are members of a team working together, employees who follow the necessary rules and regulations governing their conduct benefit themselves, our customers and the rest of us, and help to make our business a success. When rules are not followed, or employee conduct becomes unsatisfactory, discipline may be necessary. Many factors are taken into consideration if it becomes necessary to discipline an employee, including the nature and seriousness of the offense, the employee's past record, the total impact on the Institute, and any mitigating or aggravating circumstances.

Types of behavior and conduct that the Institute considers inappropriate and that may become subject to disciplinary action include, but are not limited to, the following:

- Excessive tardiness or absenteeism
- Disobedience or any other form of insubordination
- Misuse or unauthorized use of company property or equipment including but not limited to, personal use of the telephone, mail meter, fax machine, computer equipment or copier
- Unsatisfactory work, negligent work, carelessness or repetitious mistakes
- Horseplay, scuffling, fighting or throwing objects
- Failure to report job-related injuries to a manager as promptly as possible or otherwise acting in an unsafe manner
- Violations of company policies or procedures
- Any other behavior which, in the sole discretion of the Institute, is of such a nature as to warrant a verbal or written warning

The nature and degree of discipline is at the sole discretion of the Institute, but may include verbal or written warnings, probation, suspension, immediate discharge, or other disciplinary action deemed appropriate by the Institute. Nothing in this policy is intended

to limit the Institute's ability to proceed immediately to suspension or discharge without the need of a prior warning.

Types of behavior and conduct that the Institute considers inappropriate and may subject an employee to immediate dismissal, suspension, or other serious disciplinary consequence include, but are not limited to, the following:

- Reporting to work intoxicated or under the influence of illegal drugs
- Unauthorized use of alcoholic beverages or any illegal drugs while on duty or on the Institute's premises
- Immoral or indecent behavior on the Institute's premises
- Use of Institute equipment, including computers, for illegal, immoral, or other improper purposes
- Conviction by a court of felony or misdemeanor other than a traffic violation
- Possession of a weapon not authorized by the Institute
- Committing or threatening an assault on Institute property
- Falsification of any employment or time record
- Pretending illness or falsification of a sick leave claim
- Theft or intentional damage of Institute property or personal property of Institute staff or visitors
- Violation of the Institute's professional practices policy and procedure
- Intentional negligence contributing to endangering the Institute's personnel, visitors, collections, or building
- Theft of Institute funds, collections, or equipment
- Discourtesy to Institute employees, students, visitors, or other members of the public
- Any inappropriate behavior which would reflect on the individual and/or the Institute

The above lists of behavior are not all-inclusive but are merely examples of behavior that the Institute considers inappropriate. The Institute reserves the right to determine appropriate standards of conduct on a case-by-case basis, as situations present themselves.

Please also note that nothing in the above statement of conduct and discipline is intended to alter your at-will employment status with the Institute. At all times you remain an employee at will and can be fired at any time, for any or no reason, with or without cause, and without prior notice.

## **II. TERMINATION OF EMPLOYMENT**

Employees desiring to terminate their employment with the Institute are urged to notify the Institute at least two weeks in advance of their intended termination. Such notice should be given in writing to their supervisor.

As mentioned elsewhere in this Handbook, all employment relationships with the Institute are on an **at-will basis**. Thus, although the Institute hopes that our relationships with employees are mutually rewarding, the Institute reserves the right to terminate the employment relationship at any time.

Before separation, employees generally will meet with Human Resources for an exit interview. During that process, arrangements will be made concerning pay, leave, and other benefits. The Institute will inform a separated employee of his or her status concerning benefits, particularly in reference to health insurance benefits and other benefits when conversion privileges are involved. Information concerning benefits will be given to the employee in writing. Separated employees must return all Institute property at the time of the exit interview, including keys, identification cards, uniforms, and any other Institute materials or equipment.

## **JJ. SEXUAL AND OTHER PROHIBITED HARASSMENT AND BULLYING**

The Institute strives to create a cordial and pleasant workplace for its faculty, staff members, consultants, interns, students, and volunteers. The Institute believes that everyone at the Institute has a right to work in an environment that is free of unlawful discrimination or harassment based upon race, color, religion, national origin, age, sex, marital status, sexual orientation, disability status, genetic information, veteran status, or any other characteristic protected by law.

To achieve the Institute's goal of providing a workplace that is free from sexual and other harassment, the conduct described in this policy will not be tolerated and will be handled under the procedure described below. Where inappropriate conduct is determined to have occurred, the Institute will act promptly to eliminate the conduct and to impose such corrective actions as are necessary, including termination where appropriate.

It is the responsibility of each member of management to create an atmosphere free of harassment. In addition, it is the responsibility of each employee to respect the rights of others.

### **DEFINITION OF SEXUAL AND OTHER ILLEGAL HARASSMENT**

Sexual harassment means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or

- b. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Moreover, as part of the Institute's overall nondiscrimination policy, the Institute prohibits all forms of unlawful harassment of others because of race, color, religion, national origin, age, sex, marital status, sexual orientation, disability status, genetic information, veteran status, or any other characteristic protected by law. In particular, a hostile work environment created by unwelcome racial, ethnic, sexual, or religious remarks or animosity does not belong in our workplace and will not be tolerated.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Sexual comments, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

Harassment can come from superiors, fellow employees, clients, visitors, students or vendors. Men as well as women can be victims of sexual or other harassment. **It cannot be stressed enough that the Institute will not tolerate any form of illegal discrimination, harassment or retaliation. Violations of this policy, whether intended or not, will not be permitted.**

## **BULLYING**

The Institute strives to create a workplace free from intimidation and bullying. Acts such as threats, hostile behavior, demeaning comments, and unreasonable interference with an employee's performance do not belong in our workplace and will not be tolerated. Any employee who feels intimidated or bullied by another Institute employee or a student, parent, visitor, vendor, or other member of the public is encouraged to follow the reporting procedure below.

## **REPORTING HARASSMENT**

An Institute employee or student, who believes he or she has been subject to discrimination or harassment, or who is aware of an incident of discrimination or harassment, must report the matter to his or her supervisor or to Human Resources, the Director of Enrollment and Student Affairs, or the Academic Dean. These individuals are also available to answer questions regarding the Institute's anti-harassment policy. Complaints of harassment, discrimination or retaliation will be thoroughly and impartially investigated. All students, staff and faculty have a responsibility to cooperate fully in any investigation, and the Institute prohibits retaliation against anyone who, in good faith, reports a violation of this policy or participates in an investigation of such reports.

### **INVESTIGATION OF HARASSMENT REPORTS**

The Institute will treat every claim of harassment as a serious matter requiring prompt investigation and will maintain confidentiality in the process to the extent consistent with the Institute's obligation to investigate and remedy the harassment. Management personnel needed for participation in the investigation, the alleged harasser, and possible witnesses may be contacted and thereby learn of the complaint. No person will be permitted to discuss the complaint or the investigation, except discussions necessary to conduct the investigation, make a decision, and/or enforce this policy, or as otherwise required by law.

Once the investigation is complete, the Institute will, to the extent possible, inform the person who filed the complaint and the person against whom the allegation has been made of the results of the investigation. If the investigation reveals that inappropriate conduct occurred, the Institute will act promptly to eliminate the offending conduct and if appropriate, to impose disciplinary action.

If at any point in the investigation the complaining employee is dissatisfied with the investigation being conducted, the employee should bring these concerns to the attention of the President.

### **DISCIPLINARY ACTION**

Any employee who is found to have engaged in harassment, discrimination, or retaliation will be subject to disciplinary action which may include, but is not limited to, counseling, reassignment, suspension, or termination of employment.

This policy in no way limits the authority of the Institute to discipline or take remedial action for workplace conduct which it deems unacceptable, regardless of whether that conduct satisfies the definition of illegal or sexual harassment.

### **RETALIATION**

The Institute also prohibits any form of retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation. Anyone

found to have engaged in such retaliation against a person who has registered a complaint under this policy or to have retaliated against anyone for assisting in the investigation of a complaint, will be subject to disciplinary action up to and including suspension or termination. Any employee who believes that he or she is being retaliated against should bring it to the attention of their supervisor, Human Resources, the Director of Enrollment and Student Services, the Academic Dean, or the President so that appropriate action may be taken.

## **GRIEVANCE POLICY AND PROCEEDURE**

The NHIA Grievance Procedure is designed to provide for the disposition of grievances and disputes.

Employees have the right to be heard without fear of jeopardizing their employment or working status. NHIA encourages dialogue between employees, supervisors and department managers to resolve disputes. After an employee has had the opportunity to discuss or review his/her problem and continues to feel that the specific concern remains unresolved he/she may invoke the formal established NHIA procedure.

### **Step 1. Written Grievance to Department Manager**

Within ten days of the initial informal discussion with the Department Manager, the grievant may present the grievance in writing to both the Department Manager and the appropriate Senior Manager. The grievance must be documented on the official grievance form provided by Human Resources.

The Department Manager must provide a non-binding written response and/or recommendation to the Senior Manager within five days of receipt of the employee's written formal grievance.

### **Step 2. Evaluation by Senior Manager**

The appropriate Senior Manager will evaluate the grievance and make a determination to establish a timely, small ad-hoc committee and schedule an appropriate formal hearing for the grievant.

Within five days of the hearing this committee will respond and pass on to the aggrieved employee, the findings, recommendations and decision.

See next page for NHIA Grievance form. Use additional pages if necessary.

New Hampshire Institute of Art

Grievance Form

Employee Name: \_\_\_\_\_ Dept.: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Date form completed / submitted: \_\_\_\_\_ Completed By: \_\_\_\_\_

Date(s) and Description of incident(s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Discussion with supervisor and date(s):

\_\_\_\_\_

Employee's recommendation and reason(s)for recommendation(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

Date received: \_\_\_\_\_ By: \_\_\_\_\_

Supervisor's Recommendation: and reason(s)for recommendation(s):

\_\_\_\_\_

Supervisor signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

~~~~~

Formal Hearing: Yes \_\_\_ No \_\_\_ Reason(s): \_\_\_\_\_

\_\_\_\_\_

Decided by: \_\_\_\_\_ Date: \_\_\_\_\_

+++++

Final Decision: \_\_\_\_\_

\_\_\_\_\_

Signature(s) of decision maker(s), title(s) and Date:

\_\_\_\_\_  
\_\_\_\_\_

.....  
I have read / been informed regarding the above grievance and understand the decision:

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee comment(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## BENEFITS AND LEAVES OF ABSENCE

### KK. GENERAL BENEFITS STATEMENT

Regular full-time employees may participate in the Institute's various fringe benefit programs. The Institute will consider an employee who holds more than one part-time position for fringe benefits eligibility based on the total amount of hours working in the combination of the total number of positions being held by that employee. The current programs and eligibility requirements are described below. All fringe benefits are subject to the terms and conditions of the underlying insurance policies and plan documents, and the terms of the insurance policies govern all decisions concerning eligibility and coverage. Information regarding each fringe benefit can be obtained from the Human Resources Department. The Institute periodically reviews its fringe benefit programs and reserves the right to amend or terminate any of these programs or change employee premium contributions toward any benefits at its discretion and where the law allows. Cancellation or changes in any fringe benefits will be communicated to the current participants as soon as feasible.

### LL. ANNUAL LEAVE

Annual leave is available to the following categories of regular employees only. A combined vacation, business, personal and religious leave allowance is granted with full pay for the following categories of employees on the following basis: Hourly employees will receive their annual leave time calculated at their regular hourly rate of pay. When an employee works for more than one department and has different pay rates, annual leave pay will be paid at the highest hourly rate held by that employee at the time the leave is taken. Annual leave hours are not factored into "total hours worked" for the purpose of overtime in any given pay period.

| <u>Category</u>                                                                                    | <u>Per Pay Period (p.p.) Accrual</u> | <u>Annual Allowance</u>                          |
|----------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------|
| Regular full-time exempt<br><b>(Salaried)</b>                                                      | 5.54 hrs/per p. p.                   | 5.54 x 26 p.p. = 144.04<br>144.04 / 7=19.21 days |
| Regular full-time non-exempt<br><b>(Hourly)</b>                                                    | 5.54 hrs/per p. p.                   | 5.54 x 26 p.p. = 144.04<br>144.04 / 7=19.21 days |
| Regular part-time/<br>Annual Leave Benefits Eligible<br>(Regular work schedule 30+ hours per week) | 4.16 hrs/per pp                      | 4.16 x 26 pays =<br>108.16 hours                 |

Note: No annual leave is earned by an employee while on leave without pay.

Annual leave requests must be submitted to and approved by the employee's supervisor as far in advance as possible. Requests for time off greater than 2 weeks must be made at least 30 days in advance in order to be given appropriate consideration for approval.

Accrued annual leave may be taken (after expiration of employee's initial Introductory Period) with the approval of the supervisor. In the event that an employee requests leave when no annual leave has been accrued, the request is considered as leave without pay, and is subject to the procedures described in that section. No employee will be permitted to "borrow" Annual Leave that has not yet accrued. Leave without pay must have the approval of employee's supervisor, management of that area in which the employee normally works, Human Resources and the President.

Employees may not carry over into succeeding calendar years annual leave accruals that exceed one year's allowance unless both the following conditions for exceptions are met:

1. The carryover is necessary for the convenience of the Institute, and
2. Approval for carryover has been obtained in writing from the President.

Upon resignation, retirement, or termination for any reason other than gross misconduct, the exiting employee will receive payment for unused accumulated annual leave up to a maximum of one (1) year's annual allowance if they have that amount of unused annual leave accrued in their account balance upon termination. Any amount in excess of this amount will be forfeited.

In the event that a holiday observed by the Institute falls within an employee's scheduled vacation period, the day will be counted as a holiday and will not count against the employee's Annual Leave.

In the event of a death of an employee, all salary and accrued leave will be paid to the estate of the deceased.

#### **MM. HOLIDAYS**

The Institute and offices are closed to the public for the following holidays and are considered paid holidays for those employees eligible for leaves as defined above if their normal working schedule includes the holiday:

New Year's Day (& the day after)  
Martin Luther King Day  
Presidents' Day (classes held)  
Memorial Day  
Independence Day (& adjacent workday if near a weekend then determined annually)  
Labor Day  
Columbus Day (classes held)  
Veterans Day (classes held)

Thanksgiving (& the day after)

Christmas Eve, Christmas Day and the workdays between Christmas and New Year's Day

National holidays designated by Congress, which fall on Monday, will be observed on that day. When a holiday falls on a Saturday, it will be observed on the preceding Friday, and when a holiday falls on a Sunday it will be observed on the following Monday.

When certain employees who are normally eligible for paid holidays are required to work on one of our determined holidays because of the nature of their job they generally will be allowed a respective "floating holiday" to be used within the next pay period for the day(s) worked in this regard.

Only regular full-time employees and regular part-time annual leave eligible employees are eligible to receive holiday pay at their regular rate. To receive holiday pay, employees are required to work their regularly scheduled hours on the workdays preceding and following the holiday. In accordance with the Institute's policy, a scheduled Annual Leave day or other excused and paid day off is considered a day worked for holiday pay eligibility.

The Camera Shop and Art Supplies at NHIA ("Institute Shop") may be open during certain holiday periods in order to serve the general public.

#### **NN. INCLEMENT WEATHER POLICY (CURTAILMENT OF OPERATIONS)**

It is the policy of the New Hampshire Institute of Art (NHIA) to continue normal hours of operation whenever possible. However, severe weather and/or adverse working conditions may alter our working operations. Please use our "**First rule: Be safe**" for your personal decision-making. If you feel that reasonable attempts to come into work will jeopardize your personal safety, stay home and immediately notify your supervisor.

#### **INSTITUTE CLOSING**

If weather conditions are deemed to be severe, the Institute may decide to close. The decision to close NHIA will be made as far in advance as is prudent, but usually no later than 2 hours prior to the next scheduled class time so that faculty and students can be alerted and plan accordingly. NHIA may cancel all or part of a day's operations.

NHIA maintains an emergency phone tree for quickly disseminating the news of cancellation through the cooperation of staff and full-time faculty. Contacting adjunct and part-time faculty is the responsibility of each academic department's faculty Chairperson. In the case of Continuing Education instructors, the Continuing Education staff is responsible for alerting affected instructors.

#### **TEXT MESSAGE EMERGENCY ANNOUNCEMENTS**

Our Information Technology department has instituted an efficient TEXT MESSAGING announcement for all emergencies including school closings. If you would like to be informed of these Closures and Emergency information, you may subscribe to the New Hampshire Institute of Art text service by texting the keyword NHINSTITUTE to 41411 and you are then automatically registered and will be notified with these announcements via your cell phone.

Other means of notification:  
<http://www.nhia.edu/>  
Local news and radio stations

Regular full-time and part-time/80% employees will be paid at their regular hourly rate of pay for the hours they were scheduled to work during an Institute closing.

Regular full-time and part-time/80% employees on paid leave (annual leave or sick leave) during an emergency closing will not be paid regular time during the closing, but will continue to utilize their annual or sick leave.

Since many employees live a distance from the Institute, and weather conditions differ throughout the state, if the Institute remains open and an employee does not report to work due to adverse weather conditions, regular full-time or part-time/80% employees may be paid for his/her scheduled hours for the day by utilizing accrued annual leave, or the employee may choose to go unpaid for the day. Regular part-time hourly employees may make up their missed hours if their supervisor approves and the hours are made up in the same work week.

**It is very important that classes missed due to such curtailments be made up if at all possible prior to the completion of the semester. Scheduling make-up classes is the responsibility of the faculty member.**

#### **OO. SICK LEAVE**

Sick leave is accrued by all regular full-time employees and all Regular Part-time / Sick Leave Benefits Eligible Employees (regular work schedule of 30 or more hours but less than 37.5 hours per week) only. When an employee works for more than one department and has different pay rates, annual leave pay will be paid at the highest hourly rate held by that employee at the time the leave is taken. Sick leave hours are not factored into “total hours worked” for the purpose of overtime in any given pay period. Sick Leave is calculated at the following rates:

| <u>Category</u>                               | <u>Accrual Rate</u>                                                                         |
|-----------------------------------------------|---------------------------------------------------------------------------------------------|
| Regular full-time exempt (Salaried)           | 3.47 hrs/per pay period<br>$3.47 \times 26 \text{ pays} = 90.22 / 7.5 = 12.03 \text{ days}$ |
| Regular full-time non-exempt (Hourly) 7.5 day | 3.47 hrs/per pay period<br>$3.47 \times 26 \text{ pays} = 90.22 / 7.5 = 12.03 \text{ days}$ |

|                                                                                                                             |                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Regular full-time non-exempt (Hourly) 8 day                                                                                 | 3.70 hrs / per pay period<br>3.70 x 26 pays = 96.20 / 8 =12.03 days |
| Regular Part-time / Sick Leave<br>Benefits Eligible Employees<br>work schedule 30 or more hours<br>but less than 37.5 hours | 2.77 hrs. / per pay period<br>2.77 x 26 pays = 72.02 hours          |

Sick leave can be used only in the instance of personal illness when such illness would prevent the employee from fulfilling his or her responsibilities. Falsification of a sick leave claim is cause for disciplinary action up to and including termination. Certain health conditions may be covered by the federal Family and Medical Leave Act (“FMLA”). The Institute’s FMLA policy can be found in the Family and Medical Leave Act Policy Section of this Handbook.

As a condition of granting sick leave, the Institute may, after three consecutive days absence, require either a certificate from the employee's attending physician, or an examination or consultation by a physician selected and paid by the Institute.

Employees should notify their supervisor as soon as possible, but no later than ½ hour after they are to report for work that they are unable to report for work because of an illness or injury. Employees should keep their supervisors and Human Resources informed about their progress on a regular basis when the absence extends beyond three days. Sick pay will not be paid if notice has not been given in accordance with Institute policy and procedure.

Sick leave is not advanced beyond the amount accrued at the time of illness. Consequently, the occasion may arise when the employee will have to remain away from the Institute beyond the time covered by accrued sick leave. In such circumstances, the employee must use accrued Annual Leave to offset the differences, or may request leave without pay.

When an employee is on paid sick leave, he or she continues to accrue sick leave credit, at the normal accrual rate.

If an employee who has been laid off is reinstated, any unused sick leave credit accrued at the time of layoff will be restored.

Upon termination of employment with the Institute for any reason, an employee (whether on sick leave or not) will not be entitled to any further sick leave accrual nor any payment of unused sick leave and any balance of sick leave will be forfeited.

An employee on leave without pay will not earn any sick leave credit.

Sick leave may be accrued up to one hundred eighty (180) days.

In the event that an employee requests exceptions to the use of any accrued annual and/or sick leave time on a “hardship basis” due to specific family and or individual circumstances and conditions these exceptions will be looked at on a case-by-case basis to determine the outcome of the request. Any such requests must be put in writing to the Institute’s President, V.P. of Finance and Administration and the Director of Human Resources for review. Depending on the timing and the nature of the request the employee will hear in writing regarding the outcome of his or her request within two (2) weeks after submission.

**PP. OTHER PAID LEAVES OF ABSENCE**

**Authorized Absences With Pay**

Regular full-time employees and other leave eligible employees as defined above are granted leave with pay in the following cases:

**1. Bereavement Leave**

An employee who experience a death in his or her immediately family, receive time off without pay in accordance with the following guidelines:

The employee is eligible to take up to five (5) days off from work with pay in the event of the death of the employee’s spouse, child (including step or foster children), parents (including step or foster parents), siblings, mother or father-in-law, son or daughter-in-law, legal guardian, grandparent, or any relative residing in the employee’s household. In addition, the Institute will grant one (1) day off in the event of the death of a relative who is not a member of the employee’s immediate family as defined above.

An employee who requires additional time off (to attend an out of town funeral, for example) should consult Human Resources.

All requests for Bereavement Leave should be made to Human Resources.

**2. Jury Duty, Witness Service, and Crime Victim Leave**

In the event that any Institute employee is summoned to serve jury duty, the Institute will grant leave with pay during the active period of jury duty. All employees are allowed paid time off if summoned to appear in court as witnesses.

If the Court releases you with more than two (2) hours remaining of your scheduled workday, you are required to report back to work.

Proof of service must be submitted to the Human Resource Manager when your period of jury or witness duty is completed.

An employee, who is the victim of a crime, may take an unpaid leave of absence from work to attend court or other legal or investigative proceedings associated with the prosecution of the crime. We also will grant you a leave for the same purpose if your father, mother, stepparent, child, stepchild, sibling, spouse, grandparent, or legal guardian is the victim of a crime. Before you may take a crime victim leave of absence, you must provide Human Resources with a copy of the notice for each scheduled hearing, conference, or meeting that is provided to you. The Institute will not discharge, threaten, or otherwise discriminate against an employee who takes a crime victim leave of absence. The Institute may limit the leave of absence if the employee's leave creates an undue hardship to our organization.

### **3. Outside Activities**

The Institute may grant paid leave to regular full-time employees to participate in activities (i.e., conference/seminar/workshop) related to their professional duties as Institute employees. All such leave must be requested from and approved in advance in writing by the President.

#### **QQ. MILITARY LEAVE**

Military leaves will be granted in accordance with the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and applicable state law. Reinstatement rights will also be granted in accordance with USERRA and state law. See Human Resources for additional information.

#### **RR. FAMILY AND MEDICAL LEAVE POLICY**

The Institute has a Family and Medical Leave policy that conforms to the requirements of the federal Family and Medical Leave Act (FMLA). The act entitles qualifying employees to a job-protected, unpaid leave of absence in certain circumstances. All rights and obligations under the FMLA and this policy are interpreted according to the law. All leaves of absence, including workers' compensation, temporary disability and FMLA leaves, will be coordinated and will run concurrently as allowed by law.

The Institute will grant up to 12 weeks of unpaid FMLA Leave in any 12-month period to eligible employees for any of the following reasons:

- The birth and care of a newborn child of the employee,
- Placement of a son or daughter with the employee for adoption or foster care,
- To care for the employee's spouse, son or daughter, or parent who has a serious health condition,

- For the employee's own serious health condition that makes the employee unable to perform his or her job,
- Qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty status as a member of the National Guard or Reserves in support of a contingency operation.

The Institute also will grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the service member.

For purposes of determining FMLA leave availability, the Institute will use a "rolling" 12-month period measured backward from the date leave is used.

Employees are eligible for this benefit if they have worked at the Institute for at least twelve months, even if non-consecutive, and for 1,250 hours over the previous 12 months. The employee must provide 30 days advance notice when the leave is "foreseeable." Once the employee becomes aware of the need for leave, the employee must submit a Leave of Absence Request Form to Human Resources. These forms are available in the Human Resources office and may be obtained by contacting any Human Resources representative. When the need for leave is not foreseeable, the employee must provide notice as soon as practicable. Employees must provide sufficient information for the Institute to determine whether the FMLA applies to the leave request.

In addition, the employee must provide medical certification to support a request for leave because of a serious health condition or a service member's serious injury or illness. Employees must furnish medical certification at the time leave is requested or, in the case of an emergency, as soon as practicable after the leave has started. If the leave is due to a qualifying exigency, the employee must complete a form to explain the need for the leave. Additional certification may be required if the leave is due to adoption or foster care placement. Failure to provide such certification within 15 days of being requested to do so, except when not practicable, may result in the denial of leave until certification is provided. The medical certification form is available from Human Resources.

The Institute, in its sole discretion, may require the employee to obtain a second opinion at the Institute's expense from another health care provider. If the opinions of the employee's and the Institute's designated health care providers differ, the Institute may require the employee to obtain certification from a third health care provider, again at the Institute's expense. The employee and the Institute shall jointly agree upon the third health care provider. The third opinion will be final and binding.

The employee must apply any available paid leave that can be used for FMLA purposes toward FMLA leave (for example, vacation, personal days, etc.), and such paid leave will be counted as FMLA leave and applied to reduce the total of available FMLA leave. The Institute will continue the employee's health insurance coverage under our group health plan during the FMLA leave period. Under such circumstances the employee will be required to continue to make premium payments in a manner agreed upon between the employee and the Institute prior to the leave period. Failure to make premium payments as agreed may result in loss of coverage, or in the Institute recovering contributions from the employee.

Leave due to the employee's own serious health condition or to care for a spouse, child or parent with a serious health condition may be taken intermittently or on a reduced leave schedule when medically necessary. "Intermittent leave" is taken in blocks of time rather than continuously. The leave period may range from one hour to several weeks. An example of intermittent leave would be leave taken for a series of medical appointments. A "reduced leave schedule" is a schedule that reduces the usual number of hours per day or per week that an employee works. An example would be a reduction from a five to a three-day workweek. Employees are required to try to schedule any intermittent or reduced schedule leave so as not to unduly disrupt the Institute's operations. The Institute may require the employee to transfer temporarily to an available alternative position with equivalent pay and benefits that better accommodates any recurring periods of FMLA Leave.

The Institute may also require:

- (1) subsequent medical re-certifications on a reasonable basis;
- (2) that the employee report periodically on his or her status and intention to return to work; and/or
- (3) that upon returning from medical leave due to the employee's own serious health condition, the employee provide medical certification that he or she is able to resume work.

When the employee returns from leave, we will normally reinstate the employee to his or her original or equivalent position with equivalent pay, benefits and other employment terms. Examples of circumstances in which reinstatement might not occur include the following:

- (1) the employee would not otherwise have been employed at the time of the reinstatement request (e.g., intervening lay-offs, position eliminations, etc.);
- (2) the employee cannot perform essential functions of the job, even with reasonable accommodations;
- (3) the employee would pose a significant risk to the safety of him/herself or other employees, with or without reasonable accommodation;

- (4) the employee is denied reinstatement under the “Key employee” provision of the FMLA; and/or
- (5) the employee fails to return to work after the maximum 12-week period.

Leaves of absence available to you under other policies (for example, maternity leave, leave due to a work-related injury) will be counted toward the total time off available under this policy.

**Pregnancy, Childbirth and Related Medical Conditions** – Notwithstanding anything else in this policy, female employees are entitled under New Hampshire law to a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, or related medical conditions, even if such period exceeds 12 weeks and regardless of the length of time they have been employed. Such employees who are able to return to work after a leave of more than 12 weeks resulting from such temporary physical disability will be reinstated to their original job or a comparable position unless business necessity makes this impossible or unreasonable. Leave under this provision is also considered FMLA leave and both run concurrently.

**Maternity and Paternity Leave** -- The Institute chooses to offer a more generous benefit than required by New Hampshire or Federal law by reducing the period of employment necessary to qualify for leave in the event of the birth of a child to six consecutive months of employment. Following this period, the Institute will grant up to twelve weeks of unpaid leave to qualified employees. Employees applying for leave under this policy should follow the procedures detailed in the Family and Medical Leave provisions, above.

To the extent permitted by law, an employee will be required to draw on unused, sick time (up to sixty days) and accrued vacation during any period of FMLA leave and the two leaves, as well as any right to workers’ compensation or disability leave, will run concurrently.

#### **SS. INSTITUTE HEALTH AND WELFARE BENEFITS**

Health and Welfare Benefits are offered to benefits-eligible employees via a Section 125 Cafeteria Plan. Such a plan allows employees to select certain benefit options and make contributions to the costs of those selections on a pre-tax basis.

The current programs and eligibility requirements are described below. You will be provided with a copy of each plan document upon enrollment, and all benefits are subject to the terms and conditions of the underlying insurance policies and plan documents. The terms of the insurance policies control all decisions concerning eligibility and coverage. If any questions arise regarding the interpretation or operation of these plans, the answers will be determined by reference to the legal/formal plan documents rather than the summaries in this Handbook.

The Institute periodically reviews its benefit programs and reserves the right to amend or terminate any of these programs or change employee premium contributions toward any benefits at its discretion. If you have any questions about the benefit programs or if you need a copy of the plan documents, please contact Human Resources.

#### **4. Health and Dental Insurance**

The Institute offers health insurance through Harvard Pilgrim Health Care and dental insurance through Northeast Delta Dental for each eligible regular full-time employee and eligible dependents. Regular full-time employees are eligible for these benefits on the first day of the month coincidental with or the following month of employment whichever is sooner. A portion of the monthly premium is be paid by the participating full-time employee and deducted automatically from payroll. Also, the Institute offers for eligible employees who choose the offered “low-option” health insurance plan a Health Reimbursement Account (HRA) to indemnify employees (and their dependants) covered under the “low option” plan the difference between the high plan deductible and the low plan deductible by the use of a Third Party Administrator (TPA) {the covered employee will be responsible for ensuring the timely processing and submission of all necessary documentation to the TPA to complete this process}

#### **5. Flexible Spending Accounts**

Regular full-time employees are eligible to participate in the Institute’s Flexible Spending Account (“FSA”) program. Establishing a Flexible Spending Account allows for pre-tax salary/wage earnings to be set aside for certain unreimbursed medical and related expenses, per a specified list, and up to an Institute-defined annual limit (currently \$5,000). A separate FSA is also available for Dependent Care expenses (e.g., childcare, eldercare). Additional information may be obtained from Human Resources.

#### **6. Tax Deferred Annuity and Defined Contribution Plan 403(b)**

Because the Institute is a non-profit organization, the IRS allows employees to place a portion of their pay in a Tax Deferred Annuity (TDA) Plan without paying current federal income taxes on the amount contributed. Employees may choose to contribute a percentage of their pay on a pretax basis, up to IRS limitations. Eligible full-time employees, and part-time employees greater than 50% time (1000 hours per year) may, based on plan requirements, participate on the first of the month following their hire date. (Adjunct and part-time faculty generally do not exceed the 50% minimum basis for eligibility.) The Institute also funds a Defined Contribution (DC) retirement plan for employees who qualify (1000 hours per year minimum, 6 months of continuous service, and age 18 or older) and currently contributes five (5)% of employees’ gross earnings per pay once plan requirements are met. Students are not eligible to participate in either the TDA Plan or the DC Plan. For additional information on eligibility requirements and

plan details, please refer to the SPDs on our web or see the Human Resources department.

**7. Life Insurance and Accidental Death & Dismemberment**

All full-time regular employees are eligible to receive life insurance coverage equal to two times their annualized base salary, up to the maximum prescribed by the plan (currently \$195,000) on the first of the month after hire date. The same amount of coverage is provided for Accidental Death & Dismemberment. Please see Human Resources additional plan details.

**8. Long-Term Disability**

Institute employees are eligible for a long-term disability income plan on the first of the month after hire date. The long-term disability plan is an income protection plan for eligible employees and does not guarantee a job, or any particular job, following an absence. Full-time employees who are unable to work as the result of an accident or illness may be eligible for a maximum of sixty (60)% of their regular salary, when integrated with other benefits. You will remain eligible for benefits for as long as you are disabled, up to age sixty-five (65). This plan has a thirteen-week qualification period, which may be covered by the Institute's optional short-term disability income plan, if selected and paid for by the employee.

Please see Human Resources for additional plan details.

**9. Optional Coverages: Short Term Disability and Supplemental Life Insurance**

These optional coverages are available to regular full-time employees who pay the full cost of the insurance premium. Currently, the employee may apply for and purchase supplemental life insurance up to \$100,000 for the employee and up to \$50,000 for the spouse. Additional information may be obtained from Human Resources.

**TT. TUITION WAIVER AND NON-NHIA DEGREE BENEFIT PROGRAM**

Full-time employees, part-time employees and adjunct faculty, and their spouses and dependents are eligible to enroll in classes and receive credit at the Institute and in the Continuing Education program. Employees will be responsible to pay for course-related fees. Waivers apply to tuition costs and registration fee only. Dependents are defined as spouses or children up to age twenty-five (25), who can legally be claimed on the employee's annual tax filings with the IRS.

**For Full-time Faculty and Staff:**

BFA and Continuing Education class tuitions waived for employee, spouse and children, up to full-time enrollment, and subject to the provisions below.

**Adjunct & Part-time Faculty and Part-time Staff:**

One (1) BFA class tuition waived per term, and up to two (2) continuing education classes per term for employee, spouse and children, or any combination thereof.

**The following provisions apply for all tuition waivers:**

- Employee must seek and receive supervisor's written approval on any class that meets during employee's working hours.
- If not a matriculating BFA student, class registration will occur on a *space-available basis only*, with enrollment confirmation from the Registrar one week prior to the first class.
- If not a matriculating BFA student, employee, spouse or student must seek and receive approval to enroll in a *BFA* class from the class's instructor.
- A faculty member in good standing who teaches in the current or previous term qualifies for the benefit in the current term.
- Termination of employment immediately terminates the benefit.

The New Hampshire Institute of Art also encourages the pursuit of bachelor, master and doctoral degrees for its faculty and staff. In addition to the current NHIA Tuition Waiver benefit which exists for enrollment in the Institute's own academic programs, the Institute has established the Non-NHIA Degree Benefit Program to support our employees in the pursuit of a first bachelor degree or first advanced degree at an accredited institution.

The benefit consists of a financial award according to the following schedule:  
For full time employees @ 25% of the annual tuition only, up to \$2,500 per year  
For part-time employees @ 25% of the annual tuition only, up to \$1,250 per year

Participation in the benefit requires the approval of the individual's supervisor, the supervising Senior Manager, and the Director of Human Resources. Applications are evaluated on applicability to and impact on the individual's Institute employment.

The benefit is payable following receipt by Human Resources of a valid transcript showing academic achievement at a grade level of "C-" (or 2.5 on a 4.0 scale) or better in all courses. The benefit will be reduced on a pro-rata basis for course grades below "C-" including Withdrawals. All payments will be subject to budget constraints and paid on a "first-come" submission approval basis.

An application form for participation in this program is available on our web site or directly from Human Resources.

**UU. ADDITIONAL BENEFITS**

**10. Social Security**

All employees of the Institute are covered under the current federal Social Security regulations.

## **11. Workers' Compensation**

The Institute carries Workers' Compensation insurance that extends to any employee injured in the course of his or her employment. Workers' Compensation insurance provides for payment of medical expenses and partial salary continuation in the event of a work-related accident or illness. This insurance does not extend to independent contractors (e.g., models).

An employee who is injured or becomes ill on the job, no matter how minor the injury or illness, must immediately report such injury or illness to the employee's supervisor and a written report must be filed with the Office of Finance and Administration within 3 days. Additional information on Workers' Compensation may be obtained from Human Resources.

## **12. Unemployment Insurance Program**

The Institute participates in the New Hampshire State unemployment insurance programs.

## **VV. COBRA – CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT**

In accordance with COBRA, the Institute allows employees and certain beneficiaries with health coverage under the Institute's group plans, to continue such coverage (at the individual's expense) when the group coverage terminates due to a "qualifying event." Qualifying events for employees include: termination of employment for any reason other than gross misconduct and reduced working hours under which the employee is no longer permitted to participate in the group health plan. Qualifying events for a spouse of an employee include: employee's death, employee's termination of employment for any reason other than misconduct, employee's reduced working hours, employee becomes entitled to Medicare benefits (under Part A, Part B, or both), employee's divorce, or legal separation. Qualifying events for a dependent child include: reasons stated for a spouse of an employee and if the child stops becoming eligible for coverage under the plan as a "dependent child." The most common qualifying event is termination of employment, whether voluntary or not. Upon termination from the Institute you are automatically notified in writing of your option to continued coverage.

Those who elect continuation coverage are required to pay 102% of the cost of the insurance premium and may, so long as they remain eligible, continue coverage for a period of up to eighteen months.

Note: You must notify Human Resources if you become divorced or legally separated from a spouse who is covered under the Institute's group plans or a dependent child's losing eligibility for coverage as a dependent child within 60 days after the qualifying event occurs so that they can be notified of their rights under COBRA.

Complete information regarding COBRA eligibility is available from Human Resources.

**WW. INSTITUTE PRIVILEGES & DISCOUNTS**

All regular full-time and regular part-time employees are eligible for the following privileges and discounts:

1. A 10% discount on art supplies (excluding books) at the Institute Shop
2. Invitations to certain Institute events

**XX. DOMESTIC PARTNERSHIP BENEFITS**

Domestic partners are defined by the Institute as two people of the opposite or same sex who live together in a long-term relationship, but are not legally married. The partners must be able to prove that they share financial obligations and be jointly responsible for each other's welfare. Domestic partners receive the same benefits as qualified married employees. Domestic partner verification forms may be required to enroll in certain benefits. Additional information may be obtained from Human Resources.

**ACKNOWLEDGEMENT OF DIRECTIONS TO ACCESS THE EMPLOYEE  
HANDBOOK AND RECEIPT OF**

I have received a copy of the directions to access the Employee Handbook (reverse side of this document).

The Employee Handbook describes important information about the New Hampshire Institute of Art (NHIA), and I understand that I should consult the President or designees (V. P. of Finance or the Human Resources Director) regarding any questions not answered in the handbook. I have entered into my employment relationship with the NHIA voluntarily and acknowledge that, unless I am employed pursuant to a written contract or for a specific period of time, there is no specified length of employment, and my employment may be terminated by myself or the Institute at any time with or without cause regardless of the length of my employment or the granting of benefits of any kind.

I understand and agree that, other than the President or another of the specifically designated representatives named above of NHIA, no employee of the Institute has any authority to enter into any agreement for employment other than at-will or to amend an existing employment contract; only the President and those specifically designated have the authority to make any such agreement and then only in writing.

This handbook and the policies and procedures contained herein supersede any and all prior policies or practices regarding the terms and conditions of your employment with the New Hampshire Institute of Art. By distributing access to this Handbook, NHIA expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment at-will status, any and all policies and practices may be changed at any time by the New Hampshire Institute of Art. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the President has the ability to adopt any revisions to the policies in this handbook.

I acknowledge that this Handbook is neither a contract of employment nor a legal document. I have received the directions to access the Handbook, and I understand that it is my responsibility to read, understand and comply with the policies contained in this handbook and any revisions made to it.

Employee Name (Print): \_\_\_\_\_ Date: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

## New Hampshire Institute of Art EMPLOYEE HANDBOOK

In response to numerous requests for the capability to access this handbook on-line and to also be in keeping with other institutions of higher learning who provide access to their handbooks this way we are providing access to our Employee Handbook and our Faculty Handbook to all Employees and Faculty (both part-time and full time) through our web connections. This allows up-to-the minute access for those employees who may have questions regarding policies and procedures. It also allows us to increase our ability to be environmentally friendly (or “green”) in this important way.

Any employee who does not have access to the web may request to have a hard copy of this handbook provided by contacting their supervisor or the Human Resources Department for that purpose.

### For Employee Access:

Go to the New Hampshire Institute of Art’s main web page

<http://www.nhia.edu/>

This brings up our New Hampshire Institute of Art *Home Page*.

On the left side of that page you will see a tab labeled “Faculty and Staff” which you should click on. That brings you to a new page where you should click the icon “Human Resources” pictured below.



This opens the Human Resources page where you should navigate by clicking on the tab marked “Current Employees” on the left just under the heading Human Resources.

This will bring you to another page where you can access common forms for employees and where you should click the link to the Employee Handbook to open the entire handbook for you to view, reference and read.

There are a number of forms, payroll dates etc. for your convenience but most importantly here you have access to our Handbooks in an easy and convenient manor allowing you to be able to “look the policy up” any time you wish to reference it. If anyone has any problems accessing this they should contact the IT department, their supervisor or Human Resources for resolution.