



HOBART AND WILLIAM SMITH COLLEGES

*BENEFITS*

*AND OTHER INFORMATION*

*FOR*

*ADMINISTRATIVE HOURLY*

*EMPLOYEES*

2023

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## INTRODUCTION

### Purpose

The purpose of this publication is to give you an overview of Hobart and William Smith Colleges' benefit policies and plans and other valuable employment information. Please read and retain it for future reference.

The benefit policies and plans summarized in this publication are guidelines only. This publication is not a contract, expressed or implied, guaranteeing any employment rights or obligations. The Colleges retain the right to supplement, modify, amend or eliminate the policies and plans. Every effort has been made to make these descriptions as brief, accurate and easy to understand as possible. Therefore, all details may not be described here. If there is a difference between the information in this publication and the official plan documents, the official plan documents will govern. For more specific information, please contact the Office of Human Resources.

### Eligibility

All *full-time administrative hourly employees* in regular 10-, 11- and 12-month positions who regularly work at least 20 hours per week or 1000 hours in any calendar year are eligible to participate in the Colleges' benefits programs during their term of employment. Participation in some benefit programs may be limited due to the number of hours worked per week. During any unpaid leaves of absence, administrative hourly employees are responsible to pay in full for any benefits they request to be continued for the term of unpaid leaves.

All employees who are employed in a *grant-funded position* are also eligible to participate in the Colleges' benefits programs, with limitations, only during their term of employment if the assignment term meets the required hours of work.

*Other administrative hourly employees.* Certain legally mandated and other benefits will apply to administrative hourly employees who are otherwise ineligible for the full benefit package described here. Contact the Office of Human Resources for additional information.

### Certifying Spouses, Domestic Partners, and Eligible Dependents Policy

In order for spouses, domestic partners, and dependents to participate (to the extent described above) in the health insurance, FMLA, NYSPFL, tuition, and bereavement benefits, the administrative hourly employee must certify as to who are the family members.

The following definitions and criteria are used to determine eligible spouses, domestic partners, and dependents:

A **Spouse** is a person to whom the administrative hourly employee is currently married as recognized under New York State or other applicable law. A **Domestic Partner** is a same sex or opposite sex partner to whom the administrative hourly employee is not married. There must exist between the administrative hourly employee and his or her domestic partner a responsibility for each other's financial and general welfare equivalent to that established for married couples within the statutes of the State of New York or the state whose law otherwise applies. Neither partner may be under the age of 18. Each of the partners must be mentally competent to enter into a legally binding contract. The administrative hourly employee and his or her domestic partner may not be related by blood closer than would bar marriage in the State of New York, or the state whose law otherwise applies.

An employee may not certify more than one spouse or domestic partner at any one time.

**Eligible dependents** are those dependents who either meet the IRS definition of dependency under Section 125 of the Internal Revenue Code or, for purposes of determining eligibility for health insurance only, are court-mandated dependents. Documentation of dependency may be required by the Colleges at any time. Acceptable documentation includes a current tax return or a copy of the relevant court order of support.

Documentation of marriage or domestic partnership may be required by the Colleges at any time. Acceptable documentation includes:

- A valid copy of the marriage certificate, or
- Copies of at least three of the following
  - A valid copy of the registration of the domestic partnership with a municipal registry accepted by the Colleges
  - Evidence of joint residence. Appropriate documentation would include any of the following:
    - Evidence of joint purchase of a home
    - A copy of a lease for a residence identifying both parties as responsible for payment of rent
    - Other evidence of joint residence such as
      - The addresses on drivers' licenses
      - The addresses on voters' registrations
      - The addresses on passports
  - Evidence of a joint checking account
  - A title for a car showing joint ownership
  - Evidence of joint liability for credit cards
  - Evidence that the spouse/domestic partner is the primary beneficiary of the administrative hourly employee's 403(b) retirement account and life insurance
  - Evidence of durable powers of attorney for property or health
  - Wills specifying the spouse/domestic partner as the major recipient of the administrative hourly employee's financial assets or the administrator of the assets if the dependents, certified above, are the major recipients

If appropriate documentation, as specified above, is not provided by the administrative hourly employee within 30 days of a request for documentation by the Colleges, the spouse/domestic partner will be immediately ineligible for health insurance and other benefits.

## **LEGAL CONDITIONS RELATING TO EMPLOYMENT**

### **Employment Eligibility Verification (Form I-9)**

In accordance with the Immigration and Nationality Act (INA), the Colleges will only hire and continue to employ U.S. citizens, nationals, and aliens authorized to work for the Colleges. The INA provides that all employers, regardless of size, must verify both employment eligibility and the identity of all individuals hired after November 6, 1986.

Form I-9 (Employment Eligibility Verification Form) has been designated by the Immigration and Naturalization Service (INS) as the form to be used by employers to document compliance with the INA's verification requirements. The Colleges must ensure that a Form I-9 is properly completed for every employee hired after November 6, 1986. Section 1 of Form I-9 must be completed on the date of hire. Section 2 of Form I-9 must be completed within three business days inclusive of the date of hire. Only original documents will be accepted for verification purposes. Such documents must be provided to a member of the Human Resources staff or to an individual authorized in writing by the Director of Human Resources. Please contact the Office of Human Resources for a list of approved documents.

The Colleges will not request more or different documents than are required in order to complete the Form I-9. The Colleges will honor documents tendered that on their face reasonably appear to be genuine, relate to the employee, and that are acceptable for meeting Form I-9 requirements.

The Colleges do not discriminate against aliens authorized to work for the Colleges when making hiring and discharge decisions on account of a protected individual's citizenship status or an individual's national origin. The Colleges will not intimidate or retaliate against any individual because that individual, in relation to the INA nondiscrimination provisions described above, (1) intends to or has filed a complaint or (2) assists with an investigation or hearing.

Hiring department chairs and/or managers should work with the Director of Human Resources to obtain appropriate visa status in cases where the candidate is a non-U.S. citizen.

## **BENEFIT PLANS**

### **Plans Available**

The Colleges have established a variety of employee benefit programs designed to assist you and your eligible dependent(s) in meeting the financial burdens that can result from illness, disability, and death; to help you plan for retirement, and to deal with job-related or personal issues. Effective date of coverage for these plans in most cases is the first of the month following date of hire.

We offer group medical, dental, vision, basic life and accidental death and dismemberment, short- and long-term disability insurances and retirement programs which are described more fully in the Summary Plan Description (SPD) which can be found on the Human Resources webpage at <https://www.hws.edu/offices/hr/benefits.aspx>. The exact terms and interpretation of these benefits are determined by the actual plan documents rather than by the summaries contained in this handbook.

We provide basic group term life and accidental death and dismemberment, worker's compensation, short- and long-term disability insurances and retirement programs which are described more fully in Summary Plan Description (SPD) which can be found on the Human Resources webpage at <https://www.hws.edu/offices/hr/benefits.aspx>. Voluntary programs such as medical, dental, vision, flexible spending accounts, and supplemental life insurance are also available for purchase at the time of hire or during the annual open enrollment period for benefits. The exact terms and interpretation of these benefits and programs are determined by the actual plan documents rather than by the summaries contained in this publication.

### **Pre-Tax Payment of Certain Premium Contributions**

The Colleges has established the pre-tax payment of medical, dental and vision insurance premium contributions as a tax-saving benefit feature for its administrative hourly employees. Payment of premiums on a pre-tax basis prohibits enrollees from reducing coverage at different times (*see below*).

Administrative hourly employees' premium contributions will be automatically withheld from pay as "pre-tax money", which means the premium amount is not subject to income, Social Security, or Medicare taxes. Premiums are collected on a pre-tax basis automatically, unless the administrative hourly employee elects to waive this treatment.

Opportunity to waive this treatment and pay premium contributions with "after-tax money" is at time of employment, Open Enrollment, or if there is a change in Family Status (*see Changing Coverage* below). This will mean that the administrative hourly employee will give up the tax savings of paying with pre-tax money.

**Please note:** Administrative hourly employees who elect to cover a domestic partner under the group medical, dental plans and/or vision plans are not eligible for the pre-tax premium option.

### **Important Information Regarding Enrollment in Medical, Dental and Vision Insurance Plans**

A new administrative hourly employee must enroll in medical, dental and vision insurance coverage via [https://www.hws.edu/itservices/ps\\_portal.aspx](https://www.hws.edu/itservices/ps_portal.aspx) [https://www.hws.edu/itservices/ps\\_portal.aspx](https://www.hws.edu/itservices/ps_portal.aspx) ***within 30 days*** of the effective date in order to receive health coverage on the first of the month following the date of hire. If this deadline is missed the new employee must wait until the next benefits open enrollment period to enroll in health coverage. This 30 day requirement also applies to a change in family status (see “Changing Coverage” below).

### **Open Enrollment**

An *open enrollment period* is held once each year, usually early in the fall semester, during which administrative hourly employees may enroll in or change coverage(s) with no restrictions. The effective date of the change is January 1st of the next calendar year.

### **Changing Coverage**

When the employee’s premium contributions are withheld on a pre-tax basis, certain Internal Revenue Service (IRS) guidelines affect the employee’s ability to change coverage mid-year. Employees may elect to reduce their coverage (i.e. change from Family to Single coverage) only during open enrollment or if there is a change in *Life Qualifying Event*.

*Life Qualifying Event* changes include marriage, divorce, death of a spouse or dependent, birth or adoption of a child, a change in the employment status of the employee or his/her spouse or domestic partner (including changes between part-time and full-time status), an unpaid leave of absence for the employee or his/her spouse or domestic partner, or a change in the health insurance coverage for the employee or his/her spouse or domestic partner attributable to the spouse’s employment. If there is a change in family status that entitles the employee to change his/her election, he/she may not reduce the elected amount for medical expense reimbursement below the amount of reimbursement already paid to the employee during the plan year.

### **Medical Opt-Out Program**

The Colleges has established a benefit option that permits all benefits-eligible employees to decline coverage in the Colleges' medical insurance programs through Excellus and to instead receive a **non-benefits-eligible** taxable stipend. The current value of the stipend amount is \$1000 and distributed to employees based on their enrollment soon after the benefit year starts. If you opt out of the Colleges' health insurance plan at the time of hire, a prorated stipend will be paid to you at that time.

Employees who waive health care coverage through the medical opt-out program will not be eligible for COBRA coverage at the time of separation from the Colleges

### **Medical Insurance Plans**

The Colleges current medical plan is with Excellus Blue PPO Insurance. This plan features co-pays for in-network preventative services and a combined co-pay and co-insurance for in-network inpatient/outpatient services. A co-insurance applies for out of network services after a deductible is met.

Telemedicine services are also available to employees and their benefits eligible dependents at a \$0 co-pay. Telemedicine is a convenient way to treat non-urgent medical conditions 24 hours/day. This convenient service allows patients to connect to a doctor in real time using a smartphone, tablet, or computer. A valuable option if you or your dependent are away on travel, away at college or unable to visit the doctor's office **and** with a significantly lower co-pay compared to an in-person visit.

- The current co-pay structure is \$25 for a doctor’s visit, \$40 for a specialist visit, \$275/\$825 deductible with 10% coinsurance for inpatient/outpatient services in hospital setting after deductible is met and \$0 for telemedicine.

Employees can also participate in the health **Flexible Spending Account (FSA)** when enrolled in the Excellus Blue PPO plan. The health FSA enables you to save money on a pre-tax basis for any IRS allowed health expense not covered by your health care benefit. For example, the FSA can be used towards reimbursements of any medical and prescription co-pays and out of pocket medical/dental/vision expenses.

### **Prescription Drug Plans**

Prescription drug coverage for Excellus Blue PPO plan is provided by OptumRx. When you enroll in the PPO medical plan then you are automatically enrolled in the OptumRx prescription drug plan and you will receive a separate ID card for prescription purchases.

OptumRx specialty pharmacy provides the resources and personalized, condition-specific support you need to help you better manage your condition. Specialty medication is defined as an injectable, oral or inhaled medication that may require ongoing clinical oversight and additional education for best management; has unique storage or shipping requirements and/or may not be available at retail pharmacies.

- The current co-pay structure of \$10/\$30/\$50/\$100 (4<sup>th</sup> tier is specialty) for retail and \$20/\$60/\$100 for mail order.

### **Dental Insurance**

The Colleges offers a dental plan through Guardian Dental. The plan encourages preventative care and early treatment. There is an annual deductible of \$50 per individual/\$150 per family (maximum) for both the Low and High plans. Both plans provide a calendar year benefit of \$1,500 per covered individual.

Out-of-Network services require claims submission for reimbursement and savings are reduced when seeing an Out-of-Network provider.

### **Vision Insurance**

The Colleges currently offer a vision plan through Guardian with two options - Davis Vision Network and VSP Network. Significant out-of-pocket savings are available with your full feature plan by visiting one of Davis Vision's network locations including retail centers such as Empire Vision, Wal-Mart, JCPenney, Sears, Target, Sam's Club and Pearle Vision Center. VSP Network provides benefits with services provided by private optometry practices. Both plans include an Out-of-Network option in the case your existing provider does not participate with the plan.

Out-of-Network services require claims submission for reimbursement and savings are reduced when seeing an Out-of-Network provider.

Employees must enroll in ***medical, dental and/or vision insurance within 30 days*** of the first day of work or a qualifying life event change. Once enrolled coverage is effective the first of the month following the date of hire or the qualifying event.

For further details of this plan, refer to the Summary Plan Descriptions or contact the Office of Human Resources.

### **Flexible Spending Account**

This program enables administrative hourly employees to lower state, federal and social security taxes by paying for certain kinds of expenses with money deducted from their pay on a pre-tax basis.

The program is comprised of three separate features:

- **Pre-tax Premium** - Any administrative hourly employee who contributes to the cost of a Colleges' sponsored health, dental and/or vision insurance plans will have their contribution deducted from their pay on a pre-tax basis, tax law permitting. These deductions will be automatic and begin upon enrollment or the date an administrative hourly employee contribution is required. Administrative hourly employees who wish to contribute on an after-tax basis must contact the Office of Human Resources and complete paperwork.

**Health Spending Account** – Up to an annual maximum of \$3,050 can be contributed to this account to reimburse eligible health care expenses not covered by other insurance policies sponsored by the Colleges. Expenses like optical care, dental care, routine physicals, plan deductible and co-payments are examples of items that may be reimbursed. Expenses which are not covered by a spouse's policy are also eligible to be covered by this account. The Health Spending Account requests an annual election during the open enrollment period.

- **Dependent Care Spending Account** - Up to an annual maximum of \$2,500 if single or \$5,000 if married or filing jointly, can be contributed to this account to reimburse eligible dependent care expenses. Expenses for dependent children (up to age 13) or for older, disabled dependents can be covered under this plan provided the dependent is claimed as a dependent for tax purposes and the expense is necessary for the administrative hourly employee or spouse to work. The Dependent Care Spending Account requires an annual election during the open enrollment period.

Participants are encouraged to exhaust spending account balances. Services or purchases should be rendered by December 31<sup>st</sup> of each year. In the event that a participant does not spend all FSA funds, there is a grace period of 75 days following the plan year to incur expenses (for medical FSA only). Claims for reimbursements for FSA accounts must be submitted to Flexible Benefit Systems by June 15<sup>th</sup> each year.

### **Income Protection**

The Colleges provide income protection benefits for administrative hourly employees through the New York State Short-Term Disability and Long-Term Disability Plans.

#### **New York State Paid Sick Leave**

As of January 1, 2021, all non-benefits eligible administrative hourly staff, as well as student employees are eligible for NYS paid sick leave. Sick leave may be taken in half-hour increments. Sick leave may be carried over year to year but any unused time will not be paid out upon separation of employment from the Colleges. Sick leave does not accrue during any time period not worked. The maximum number of paid sick leave available per calendar year is 56 hours.

More details on the NYS Paid Sick Leave can be found at <https://www.ny.gov/new-york-paid-sick-leave/new-york-paid-sick-leave>

### **Permitted Use of HWS & NYS Paid Sick Leave**

Sick Leave may be granted,

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care; or
- When the employee is incapacitated and unable to perform duties by sickness, injuries, or would jeopardize the health of others by his/her presence at work because of exposure to illness; or
- When the employee is required to give care and attendance to a member of their immediate family (as defined in the Benefits Handbook) who is sick or injured and in need of medical attention.



Sick leave may also be granted as a Safe Leave for the following reasons,

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
  - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
  - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
  - to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
  - to file a complaint or domestic incident report with law enforcement;
  - to meet with a district attorney's office;
  - to enroll children in a new school; or
  - to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

For the first five consecutive days of an extended, medically certified illness or injury, which is not work related, the administrative hourly employee's regular salary is covered in full. This is a *sick day benefit*. Sick days do not vest and are not paid out at the time of termination.

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

The Colleges provide short term disability coverage that is consistent with the requirements of New York State Disability Law (NYSDBL). Under NYSDBL, employees may be eligible for partial salary/wages if they cannot return to work after seven consecutive calendar days due to illness or non-work related injury, are under the care of a physician, and have been employed by the Colleges for at least four weeks.

Payment of benefits begins on the eighth calendar day of medically certified illness or injury and runs for up to a maximum of 26 weeks. The weekly benefit is equal to 50% of the employee's normal regular weekly earnings up to the maximum statutory weekly benefit of \$170. An individual may have multiple periods of disability in a 12-month period, subject to certain restrictions, though the sum total of the periods of disability may not exceed 26 weeks in any 12-month period.

As long as an hourly employee is receiving the above disability benefits, he or she shall:

- a) have the option of utilizing accrued sick leave to supplement those benefits, up to the employee's straight time weekly wages then earned by the employee. The total disability benefits and sick leave pay shall not exceed that straight time weekly wage;
- b) continue to accrue seniority, and
- c) the employee's benefits will also continue during this period.

In order to be eligible for any of the above benefits, an individual must file a disability claim with the Office of Human Resources *before* the scheduled procedure begins (where advance knowledge is reasonable) or as soon after the injury or onslaught of illness as possible. If claim forms are not received in a timely fashion, there may be a lag in time between the end of regular salary payments and the start of disability and salary continuance benefit payments. Further, some or all of the benefits described above may be forfeited if the claim form is delayed for too long.

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

Long-term disability coverage is effective on the first date of employment. The Colleges pay the full cost of this benefit premium, however, if the employee chooses to pay taxes on the LTD premium paid for by the Colleges, the income at the time of disability would not be taxable. Employees need to notify the Office of Human Resources within 30 days of hire or at open enrollment if they wish to pay taxes on the premium paid for by the Colleges.

Benefits start the first of the month following a six-month elimination period and continue while the administrative hourly employee is disabled, up to age 65, or, depending on age at inception of disability, until age 70. The elimination period is a period of continuous disability, though limited periods of work are allowable within the context of the definition of continuous disability. A period of trial return to work, of less than three months, is not considered a break in a period of continuous disability.

Once an administrative hourly employee is on long-term disability, the benefits available under the long-term disability policy are provided to the exclusions of any other compensation or other payments from the Colleges (unless the administrative hourly employee is due some compensation for working on a limited basis while receiving long-term disability benefits). See the **premium waiver** provision of the Colleges' life insurance program which provides for a continuation of insurance coverage during periods of long-term disability.

Partial coverage under long-term disability is provided if administrative hourly employees are able to return to the workforce on a part-time basis and are earning less than 80% of their regular salaries. If the employee is unable to return to work and Long Term Disability has been approved by the insurance carrier the employee will no longer be employed with Hobart and William Smith Colleges and is paid directly by the insurance carrier. The initial date for long term disability will be the last day of active employment status.

The benefit amount is 60% of monthly wages up to a maximum benefit of \$10,000 per month. Benefits are reduced by payments received from other sources.

Social Security, other Colleges' sponsored disability payments, workers' compensation). The monthly catastrophic disability benefit is 20% of your monthly earnings, but no more than \$5,000. Your benefit will not be reduced by deductible sources of income.

Because the Colleges pay the premiums for long-term disability, the benefits are taxable to the recipient (under the current tax code). However, social security benefits are not. The combination of the untaxed social security benefits and the after-tax disability benefits begins to approximate the after-tax salary before long-term disability. Employees should be aware that this tax information is illustrative only and may not reflect an administrative hourly employee's specific circumstances or the status of the tax code at the point in time that benefits are received. Person-specific tax advice needs to come from an appropriate professional and cannot come from the Colleges.

The Colleges provide this benefit through coverage under a group insurance policy. For further details of this coverage, refer to the Summary Plan Description or to the Office of Human Resources.

### **Retirement Plan**

The Colleges' retirement plan is administered through Transamerica. These are tax-deferred annuity plans authorized by Section 403(b) of the Internal Revenue Code. Administrative hourly employee participation in the Plan is strongly encouraged. Administrative hourly employee contributions can be made either on a before-tax or after-tax basis. Administrative hourly employees may change their contributions once each calendar quarter. This plan does allow in-service withdrawals (over age 59 ½) or loans.

***During the first two years of employment,*** the administrative hourly employee must enroll and contribute at least 5% of gross pay to the plan in order to receive a 5% matching contribution from the Colleges. Both the Colleges' and administrative hourly employees' contributions begin in the next paycheck following enrollment via [www.trsuretire.com](http://www.trsuretire.com) or by calling 800-797-2643. The individual can contribute additional monies beyond 5% to the extent allowed by law.

***After two years of continuous employment,*** beginning on the first of the month following the second anniversary, the Colleges will contribute 6% of gross pay on behalf of the administrative employee. Employees are encouraged to continue contributing toward their retirement after the second anniversary, however they are no longer required to contribute.

- **How much you can contribute to the plan(s)**

Each year, the IRS permits deferrals up to certain limited amounts. In 2023, the general deferral limit is \$22,500. In addition, the tax law provides a “catch-up” provision for those 50 years of age or older (2023=\$7,500), plus there is another “catch-up” provision within the plan for employees with 15 years or more of service of \$3,000.

For example, effective January 1, 2023, the maximum amount most people are permitted to defer into one or more 403(b) plans is \$22,500 per calendar year. If you are or become 50 years old in 2023, you are permitted to defer an additional \$7,500 per calendar year into your retirement account. Total possible maximum contribution in 2023 for an individual could be \$30,000.

### **Term Life Insurance**

Life insurance gives a person peace of mind, knowing that there is financial protection for one’s family or beneficiary after his or her death. The Colleges provide administrative hourly employees with the following group term life insurance programs. Term life insurance is basically death benefit coverage only for a specified period with no cash value, loan value, or other permanent benefit under the policy.

- ***Basic Life Insurance***

The Colleges provide group term life insurance in an amount equal to each administrative hourly employee's annual salary rounded to the next thousand up to a maximum coverage of \$200,000. The cost of this coverage is paid by the Colleges.

Coverage under the basic life insurance plan is effective on the date of hire, if the administrative hourly employee is actively at work. If not, then it is effective the first day the individual is actively at work. Administrative hourly employees must enroll to be covered.

- ***Supplemental Life Insurance***

The Colleges also provide a contributory supplemental life insurance plan. Participation in this plan is voluntary. Under this plan, administrative hourly employees may purchase additional life insurance equal to one, two, three or four times their annual salary. The overall maximum sum of the supplemental life policy is \$450,000.

At the time of hire, administrative hourly employees may choose to purchase additional supplemental life insurance coverage equal to one or two times their salary up to a maximum of \$200,000, without providing evidence of insurability. Administrative hourly employees may increase their insurance at any time if they provide acceptable evidence of insurability to the carrier. Participants may decrease their coverage as of the first of any month.

- ***Spousal and Dependent Life Insurance***

The administrative hourly employee may purchase from a selection of life insurance coverage levels for his or her spouse and/or dependents. Spousal life insurance is available at \$10,000, \$25,000 or 50% of the administrative hourly employee’s total basic and supplemental life coverage not to exceed \$100,000 (may be required to provide evidence of insurability). Premiums are based on the spouse’s age and the administrative hourly employee must be enrolled for supplemental life in order to purchase. Evidence of insurability may be required at time of hire or during open enrollment.

Dependent life insurance is available at a guaranteed level of \$4,000 for dependents age 14 days to 19 years of age (23 years if full time student). Premium is a family rated monthly premium of \$.60 regardless of the number of eligible dependents covered. Administrative hourly employees must be

enrolled with supplemental life in order to purchase. No evidence of insurability will be required at time of hire or during open enrollment.

- ***Premium Waiver Benefit***

While an administrative hourly employee is on full long-term disability, after receiving approval, the premiums for basic and supplemental life insurance are waived and coverage continues without additional payments by the Colleges or the administrative hourly employee.

### **Group Accidental Death and Dismemberment Coverage (AD&D)**

Accidental death and dismemberment insurance provides coverage for death resulting from accidental means. It does not provide benefits resulting from illness or natural causes. Dismemberment benefits generally cover permanent loss of a body part or function or loss of use of a body part or function.

- ***Basic AD&D***

The Colleges provide accidental death and dismemberment coverage for all administrative hourly employees enrolled in the basic life insurance plan. Coverage is equal to the total amount of basic life insurance coverage on the administrative hourly employee.

In the case of death due to an accident, the beneficiary receives an amount equal to the administrative hourly employee's basic life insurance coverage. This payment is in addition to payment under the life insurance policy. Payment to the administrative hourly employee for dismemberment varies based on the nature of the injury.

### **Met Life Critical Injury and Illness Voluntary Insurance**

- **Accident Insurance**

Accidents can happen at any time, and treatment can knock a household budget off course. The Accident Insurance payments are paid directly to you, not your health care provider, so you can use the money however you see fit. The plan covers over 150 kinds of injuries, including fractures, 1 second- and third-degree burns, skin grafts and a ruptured disc. It also covers an array of medical services such as emergency care and transportation.

- **Critical Illness Insurance**

Critical illnesses can happen when you least expect them—and they can be costly. Critical illness insurance helps safeguard your finances by providing you with one convenient lump-sum benefit payment upon verified diagnosis. The cash can help you focus on getting back on track. Critical conditions covered include cancer<sup>3</sup>, stroke<sup>4</sup>, heart attack<sup>5</sup>, Alzheimer's disease<sup>6</sup>, major organ transplants<sup>7</sup> and more.

### **Workers' Compensation Benefits**

Mandated by New York State, workers' compensation coverage is provided for all administrative hourly employees of the Colleges, both full- and part-time. Coverage is consistent with the scope of NYS Workers' Compensation Law generally applies to injuries and illness occurring at work and in the course of one's duties.

Individuals compensated under this policy are not eligible for New York State disability coverage for the duration of the workers' compensation claim.

In addition, the Colleges will make up the difference between the payment from workers' compensation and the regular salary for up to a maximum of 26 weeks in any rolling 12-month period. Administrative hourly employee's benefits will also continue during this period. Any medical expenses incurred as a result of the illness or injuries, including examinations mandated by the Colleges, are generally covered in full. The Colleges pay the full cost of the salary continuance benefit.

**All injuries that occur while working anywhere on or off campus, while in an official capacity must be reported immediately to the Office of Human Resources and to Campus Safety.**

### **Tuition Assistance Programs**

Tuition assistance is available to active, benefits-eligible administrative hourly staff members and, to a varying degree, their legal dependents to obtain one's first baccalaureate degree. This policy applies to administrative hourly staff. For further details on this benefit, contact the Office of Human Resources.

Spouses, domestic partners, and eligible dependents are defined as those certified by the administrative hourly employee except that dependents must, in addition to certification requirements, be unmarried and under the age of 25.

In all of the tuition programs the attainment of a first baccalaureate degree or the equivalent of four years of undergraduate study (whichever occurs first) will be the maximum benefit allowable under this policy. In all cases benefits will only be approved if the dependent, spouse or domestic partner does not already possess a baccalaureate degree. The Tuition Grant benefit will be limited to a combined total of three (3) dependent children per family for administrative hourly staff hired after January 1, 1997.

Applications for state and federal financial aid must be filed and proof of aid granted supplied before benefits will be paid under any of the following programs. Benefits paid under all programs will be offset by federal/state financial aid, scholarships, grants and other awards received by the dependent child, spouse or administrative employee. This provision does not include an offset for loan programs.

Approval from the Office of Human Resources must be obtained prior to the start of the period for which any kind of assistance is requested. Courses must be taken for credit in order to qualify for coverage under this policy.

- ***TUITION REMISSION:***

**Bachelor's Degree:** A spouse, domestic partner or dependent child who has been admitted as a student at Hobart and William Smith Colleges may have the full value of tuition only covered. A bachelor's degree or the equivalent of four years (eight semesters/twelve trimesters) of undergraduate study (whichever occurs first) will be the maximum coverage. Courses taken during winter or summer break would be counted as an additional semester. Administrative hourly employees who take courses at the Colleges towards their first bachelor's degree or where the course is deemed work related and who are eligible under this policy, may also have the value of tuition covered. Administrative hourly employees are limited to one full-credit course per term subject to approval of their supervisor. Time spent in class by staff during the normal work day must be made up in the same week as incurred or must be charged to vacation. Remission excludes fees for Teachers' Certification, off-campus programming and other course fees. Class enrollment limitations may apply.

**Master's Degree:** Administrative hourly employees who take courses at the Colleges towards their first master's degree or where the course is deemed work related, and who are eligible under this policy, may also have the value of tuition covered. Administrative hourly employees at the Colleges are eligible to enroll in one master's class per semester at HWS subject to the approval of their supervisor. Time spent in class by staff during the normal work day must be made up in the same week as incurred or must be charged to vacation. Remission excludes fees for Teachers' Certification, off-campus programming and other course fees. Class enrollment limitations may apply. Graduate-level tuition remission is subject to income tax withholding Under Internal Revenue Code (IRC) §127. Employees enrolled in graduate courses will be exempt from income tax withholding for the first \$5,250 of the graduate tuition remission benefit per calendar year. The value of the tuition in excess of \$5,250 in one calendar year is accounted for as a taxable benefit to employees.

To apply, use the following link:

For employee: [https://hws.formstack.com/workflows/employee\\_tuition\\_remission\\_eligibility](https://hws.formstack.com/workflows/employee_tuition_remission_eligibility)  
For dependent: [https://hws.formstack.com/workflows/dependent\\_tuition\\_remission](https://hws.formstack.com/workflows/dependent_tuition_remission)

- **TUITION EXCHANGE:** An eligible dependent child who attends an undergraduate institution which is a participating member of the Tuition Exchange Program and who does not possess an undergraduate degree, may have some or all the tuition costs covered under this plan.

Terms and conditions under this plan may vary significantly depending upon the specific institution and the number of spaces the Colleges has available for exchange. Tuition costs will be offset by any other grants, scholarships or awards received by the student.

The administrative hourly employee should contact Hobart and William Smith's Financial Aid Office or by visiting the website [www.tuitionexchange.org](http://www.tuitionexchange.org) for a current list of eligible Tuition Exchange schools.

To apply, use the following link:

[https://hws.formstack.com/workflows/dependent\\_tuition\\_exchange\\_eligibility](https://hws.formstack.com/workflows/dependent_tuition_exchange_eligibility)

#### **IMPORTANT NOTE REGARDING APPLICATION PROCESS:**

**The HWS administrative employee must submit a list of potential exchange schools at least one year in advance prior to the academic year that is to be considered to the Financial Aid Office to reserve a potential tuition exchange scholarship at the desired schools. Submission of this list is not a guarantee that an offer of tuition exchange will be extended. Please contact the Office of Human Resources upon your appointment to discuss this plan in detail especially if your dependent is already enrolled in another institution or is a senior in high school.**

**TUITION GRANT:** An eligible dependent child will be able to receive a maximum grant of up to 40% of the Colleges' current tuition to attend another institution. A bachelor's degree or the equivalent, or the equivalent of four years of undergraduate study (whichever occurs first) will be the maximum coverage.

**All applicants must apply to the College or University through Tuition Exchange first (above) before submitting the Tuition Grant application.** Proof of denied Tuition Exchange application must be presented when applying for Tuition Grant. The employee must submit the Tuition Grant form with the copy of the official invoice and **the initial** proof of Tuition Exchange denial to Human Resources for payment each semester (you do not need to re-apply for Tuition Exchange every year if the initial submission was denied).

Payment will be a percentage of the maximum grant amount based on years of benefits-eligible service as shown in the table below. Grants are awarded on a pro-rata basis across the yearly academic calendar (1/2 maximum eligible amount per semester, 1/3 per term, or 1/4 per quarter). Courses taken during winter or summer break would be counted as an additional semester. The grant may not exceed the tuition charge of the institution attended. Tuition grant benefits may also apply to tuition costs associated with other educational programs sponsored or approved by the Colleges but may not be used for room, board, books and other non-tuition charges.

20%	Beginning of third year of service*
40%	Beginning of fourth year of service
60%	Beginning of fifth year of service
80%	Beginning of sixth year of service
100%	Beginning of seventh year of service and continuing thereafter

In cases where both parents are administrative employees of the Colleges only one grant will be given per dependent child per year. The percentage calculation will be based on the parent with the longest benefits-eligible service under this policy. Tuition grants will be offset by any scholarships, grants, or other awards (excluding loans) received by the student.

To apply, use the following link:

[https://hws.formstack.com/forms/dependent\\_tuition\\_grant\\_payment\\_request\\_form](https://hws.formstack.com/forms/dependent_tuition_grant_payment_request_form)

**Administrative hourly employees are required to submit to Human Resources their dependent's tuition billing invoice(s) at the beginning of each semester or term for payment. Payments are not automatic.**

- **TUITION REIMBURSEMENT:** An administrative hourly employee who takes an undergraduate course or courses for credit through any other accredited institution is eligible for reimbursement of tuition costs. The Colleges will reimburse the tuition costs for any course or courses required to complete a first undergraduate degree. Individual courses that are not required as part of a degree program may be taken but they must be *job-related*\*\* in order to qualify for reimbursement. Other limitations may apply in accordance with section 127 of the Internal Revenue Code. Documentation of successful completion of the course(s) and tuition costs must be provided before payment will be made. Administrative employees taking courses on a reimbursement basis must get approval from the Office of Human Resources prior to registering for the course(s).

\*\* **Job-related** – *courses that maintain or improve the administrative employee's skills required for one's present position.*

To apply, use the following link:

[https://hws.formstack.com/forms/employee\\_reimbursement\\_form](https://hws.formstack.com/forms/employee_reimbursement_form)

#### **TERMINATION OF TUITION BENEFITS**

If the administrative hourly employee is no longer actively employed or loses benefits eligibility, benefits under any and all of the above programs will be continued as follows:

- **Death of the administrative hourly employee** - tuition remission benefits for eligible dependents of administrative hourly employees with more than 15 years of service will continue after the death of the administrative hourly employee until the eligible dependent reaches age 25. Eligibility will be determined according to the policies above except that dependent status will be understood as dependent status as of the time of the death of the administrative hourly employee, not the time of the request for Tuition Remission. All other eligibility requirements described above (for example, as appropriate: age, number of eligible dependents per family, marital status, educational achievement) are unchanged and are evaluated as of the time of application for tuition benefits. For dependents of administrative hourly employees with 15 or fewer years of service at the time of death, tuition remission benefits for dependents will cease as of the end of the approved tuition period (academic year, term semester, course) in which death occurs. Tuition grant and tuition exchange benefits for dependents of all administrative hourly employees cease as of the end of the approved tuition period. For spouses and domestic partners of deceased administrative hourly employees, all tuition benefits stop as of the end of the approved tuition period.
- **Voluntary termination or discharge for misconduct** - benefits will stop as of the date of termination of employment. In the case of grant or exchange benefits already paid to other institutions, the administrative hourly employee will be responsible for repaying the benefits provided from the date of termination through the end of the approved tuition period.
- **Involuntary termination or loss of benefits eligibility** - benefits will stop as of the end of the approved tuition period unless specified under a separate agreement with the Colleges.

## **Employee Assistance Program (EAP)**

The Colleges provide confidential referral services to benefits eligible administrative hourly employees and their eligible dependents through NexGen EAP, a service provided by ENI. The first three visits by an administrative hourly employee or his or her eligible dependents are covered in full by the Colleges. Thereafter, fees are based on a sliding scale or may be covered by the health insurance plan. Participants' right to privacy is fully protected by law and the Colleges' EAP policy. Administrative hourly employees may contact the EAP @ 1.800.327.2255, or the Office of Human Resources for related literature.

## **Your Rights Under ERISA**

As a participant in any of the Colleges' benefit plans described in this publication, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants shall be entitled to:

- Receive information about your plan and benefits.
- Examine, without charge, at the plan administrator's office, and at other specified worksites, all plan documents — including pertinent insurance contracts, trust agreements, collective bargaining agreements, annual reports, and other documents filed with the Internal Revenue Service or the U.S. Department of Labor, and available at the Public Disclosure Room of the Pension and Welfare Benefit Administration.
- Obtain copies of all plan documents and other plan information, including insurance contracts and collective bargaining agreements, and copies of the latest annual report, and updated summary plan description, by writing to the plan administrator. The plan administrator may make a reasonable charge for copies.

Receive a summary annual report of the plan's financial activities. The plan administrator is required by law to furnish each participant with a copy of this summary annual report. Prudent Actions by Plan Fiduciaries

In addition to creating rights for plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your plan, called "fiduciaries" of the plan, have a duty to do so prudently and in the interest of you and other plan participants, and beneficiaries. No one, including your employer, or any other person, may fire you, or otherwise discriminate against you in any way to prevent you from obtaining a plan benefit or exercising your rights under ERISA.

### Enforce Your Rights

If your claim for a plan benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the plan, and do not receive them within 30 days, you may file suit in a federal court. In such a case, the court may require the plan administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the plan administrator.

If you have a claim for benefits, which is denied or ignored, in whole or in part, you may file suit in a state or federal court. In addition, if you disagree with the plan's decision or lack thereof concerning the qualified status of a domestic relations order or a medical child support order, you may file suit in federal court. If it should happen that plan fiduciaries misuse the plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a federal court. The court will decide who should pay court costs and legal fees. If you are



successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

### Assistance With Your Questions

If you have any questions about your plan, you should contact the plan administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the plan administrator, you should contact the nearest office of the Pension and Welfare Benefits Administration, U. S. Department of Labor, listed in your telephone directory, or the Division of Technical Assistance and Inquiries, Pension and Welfare Benefits Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Pension and Welfare Benefits Administration.

### **Benefits Continuation – for Health, Dental and Vision Insurances and Flexible Spending Accounts**

#### **HOBART AND WILLIAM SMITH COLLEGES - NOTICE OF CONTINUATION COVERAGE RIGHTS**

Under the Federal Consolidated Omnibus Budget Act of 1986 (COBRA), most employers sponsoring group health plans are required to offer persons covered under the plans the opportunity for a temporary extension of health coverage (called “continuation coverage”) at group rates in certain instances where coverage would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the law. You, your spouse and your dependents should take the time to read this notice carefully.

If you are covered by the Hobart and William Smith Colleges’ Medical, Dental and Vision Plan (the “Plan”) because you provide services to Hobart and William Smith Colleges, you have a right to choose continuation coverage if your coverage ends because of a reduction in your hours of service or termination of your service (for reasons other than gross misconduct on your part).

If you are the spouse of a person providing services to Hobart and William Smith Colleges and you are covered by the Plan, you have the right to continuation coverage for yourself if you lose regular coverage for any of the following four reasons:

- (1) the death of your spouse;
- (2) a termination of your spouse’s service (for reasons other than gross misconduct) or reduction in your spouse’s hours of service;
- (3) divorce or legal separation from your spouse; or
- (4) your spouse becomes entitled to Medicare benefits.

If you are the dependent child of a person providing services to Hobart and William Smith Colleges and you are covered by the Plan, you have the right to continuation coverage for yourself if you lose regular coverage for any of the following five reasons:

- (1) the death of your parent;
- (2) the termination of your parent’s service (for reasons other than gross misconduct) or reduction in your parent’s hours of service;
- (3) your parents’ divorce or legal separation;
- (4) your parent becomes entitled to Medicare benefits; or
- (5) you cease to be a “dependent child” under the Plan.

If Hobart and William Smith Colleges is the subject of bankruptcy proceedings and you are a retiree of Hobart and William Smith Colleges, or a spouse or dependent child of a retiree covered under the Plan, you also have the right to continuation coverage.

Under the law, a person providing services to Hobart and William Smith Colleges and family employees have the responsibility to inform Hobart and William Smith Colleges of a divorce, legal separation, or loss of dependent status under the Plan within 60 days after the event. When Hobart and William Smith Colleges are notified that one of these events has happened, or when one of the other events listed above occurs (e.g., the administrative hourly employee's death, termination, reduction in hours of employment, or Medicare entitlement), Hobart and William Smith Colleges will in turn notify you of your right to choose continuation coverage. Under the law, you then have at least 60 days to inform Hobart and William Smith Colleges that you want continuation coverage.

If you do not choose continuation coverage on a timely basis, your group health insurance coverage will end.

If you choose continuation coverage, Hobart and William Smith Colleges are required to give you coverage, which is identical to the coverage provided under the Plan to similarly situated administrative hourly employees or family employees. The law requires that you be afforded the opportunity to maintain continuation coverage for three years, except in the case of the bankruptcy of Hobart and William Smith Colleges and when regular coverage is lost because of termination of service or reduction in hours.

In the case of bankruptcy, a retiree must be offered continuation coverage for life if that retiree has lost his/her coverage within one year before or after the date of commencement of the bankruptcy proceeding. The spouse and dependent child of a retiree must be offered continuation coverage through the date three years after the retiree's death.

In the case of termination of service or reduction in hours, continuation coverage must be offered for a period of 18 months (three years for dependents) unless you (or another Qualified Beneficiary) are determined to be disabled under the Social Security Act as of the date your continuation coverage begins or within the first 60 days thereafter, in which case continuation coverage must be offered for up to 29 months if you notify Hobart and William Smith Colleges of the determination of disability within the first 18 months of continuation coverage and within 60 days after the determination. (After 18 months your continuation coverage can end if you (or another Qualified Beneficiary) are no longer disabled.) In addition, if during this period of continuation coverage, another event occurs which would have entitled you to three years of continuation coverage (such as death, divorce, legal separation, or Medicare entitlement), then you will be afforded the opportunity to maintain continuation coverage for up to a total of three years after the original termination of service or reduction in hours.

The law also provides that your continuation coverage may be cut short for any of the following reasons:

- (1) Hobart and William Smith Colleges no longer provides group health coverage to any of its administrative hourly employees;
- (2) the cost of your continuation coverage is not timely paid;
- (3) you become covered under another group health plan (as an administrative hourly employee or otherwise) with no exclusions or limitations for pre-existing medical conditions which apply to you; or
- (4) you become entitled to Medicare (unless you are a retiree, or spouse or dependent of a retiree, entitled to coverage because of bankruptcy).

You do not have to provide evidence that you are in good health to choose continuation coverage. However, under the law, you will have to pay the cost of your continuation coverage. Further, under certain circumstances when coverage ends, you may be allowed to enroll in individual health coverage for an increased premium. Before coverage ends, you should contact your plan administrator or insurance carrier to ascertain if you are eligible for such coverage.

If you are the covered administrative hourly employee and you have a dependent child born to you or placed for adoption with you while you are receiving continuation coverage, you may expand the coverage to include the dependent child by notifying Hobart and William Smith Colleges and paying whatever additional premium may be required.

Please note that continuation coverage is provided subject to your eligibility for coverage. Hobart and William Smith Colleges reserves the right to terminate your continuation coverage retroactively if you are determined to be ineligible.

If you have any questions about the law, please contact Hobart and William Smith Colleges at the Office of Human Resources, 337 Pulteney Street, Geneva, New York 14456. Also, if you have changed marital status, or if your address or your spouse's address has changed or changes sometime in the future, please notify Hobart and William Smith Colleges.

## **PAID AND UNPAID LEAVE**

### **Bereavement Leave**

Time off due to the death of a close family member may be granted by your supervisor. A close family member is defined as parent, spouse, domestic partner, child, brother, sister, grandchild, grandparent, grandparent-in-law, current mother/father/sister/brother-in-law, current daughter/son-in-law, and step or foster children/parents. Up to three days with pay will be given for the above situations. Requests for additional time will be addressed on an individual basis with the Office of Human Resources.

### **Holidays**

All benefits-eligible employees are granted 10 paid holidays during the calendar year. They are:

- Memorial Day
- Independence Day
- Day before Thanksgiving Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- One day in conjunction with Christmas Day
- New Year's Day
- One half day in conjunction with New Year's Day
- Two Floating Holidays (which must be used by December 31<sup>st</sup> each year)

Typically, the Colleges do not completely close for holidays during academic terms. If an office, service, or program must remain open on a holiday, employees who are scheduled to work a holiday will be entitled to schedule a substitute day off during the same academic year. Scheduling is subject to the supervisor's approval. Such substitute days are not eligible to be carried over from academic year to year or paid upon termination of employment.

Certain offices, such as the Library, The College Store, Print Services and the Department of Campus Safety may have a different holiday schedule or holiday obligations. Employees in these areas will receive information regarding holiday schedules from their supervisors.

### **Leaves of Absence Without Pay**

An employee may request unpaid leave for reasons other than what may be considered a qualifying leave under FMLA (see employee Handbook). The employee must submit a request to his/her supervisor for approval and subsequently to HR for final approval. A supervisor shall grant the request for leave without pay only where the serious needs of the employee are sufficient to offset the costs and administrative inconvenience to the Colleges. A denial of a request for a leave without pay cannot be the subject of the Employee Complaint/Problem Resolution Policy. Benefits may be continued during an unpaid leave of absence as long as the employee pays 100% of the cost to the Colleges. If possible and depending on the length and timing of the leave, upon his/her return the employee will be reinstated to their former position and department. Persons who do not return from an approved leave of absence by the end of the stipulated leave period will have been determined to have voluntarily resigned their

position at the Colleges. Requests for extension to initial leave periods may be approved by the sole discretion of the Colleges.

### **Personal Days**

All full-time benefits-eligible employees are granted two (2) personal leave days per year to be taken any time with permission of their supervisor. These are granted annually on July 1. Personal days are not eligible to be carried from year to year and are not paid out at termination.

During the first year of employment, employees hired between July 1 and December 31 will be granted two personal leave days to be used prior to the next June 30. Employees hired between January 1 and May 31 will be granted one personal leave day to be used prior to June 30. Thereafter two days will be granted on each July 1 for the next academic year.

### **Sick Leave**

Sick leave is to be used by administrative employees who are absent due to personal illness including medical or dental appointments. The use of sick leave must be approved by the employee's supervisor.

**Administrative hourly** employees earn sick leave beginning on the first day of employment on each hour worked including holiday, vacation, personal and sick time used up to 40 hours per week at an accrual rate of .047 hour of sick time for each hour paid. Typically, sick leave may not be used during an employee's Probationary Period. The maximum accrual limit of sick time is 715 hours. Sick time may be taken in half-hour increments. Administrative hourly employees may also use sick leave in conjunction to New York State disability or workers' compensation.

#### **Use of Sick Leave**

If you have been out of work for more than a period of five (5) consecutive work days due to an illness or injury, a physician's statement will be required before permitting you to return to work. Or in cases of personal illness or injury, you may be eligible to apply for New York State disability.

Any unused sick leave is not paid out at the time of termination. Sick leave does not accrue during an unpaid leave of absence.

### **Permitted Use of HWS & NYS Paid Sick Leave**

Sick Leave may be granted,

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care; or
- When the employee is incapacitated and unable to perform duties by sickness, injuries, or would jeopardize the health of others by his/her presence at work because of exposure to illness; or
- When the employee is required to give care and attendance to a member of their immediate family (as defined in the Benefits Handbook) who is sick or injured and in need of medical attention.

Sick leave may also be granted as a Safe Leave for the following reasons,

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:

- to obtain services from a domestic violence shelter, rape crisis center, or other services program;
- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

If you have been out of work for more than a period of five (5) consecutive work days due to an illness or injury, a physician's statement will be required before permitting you to return to work. Or in cases of personal illness or injury, you may be eligible to apply for New York State disability.

**Vacation**

Vacation leave is accrued on an hourly basis beginning with the employee's first day of employee and may be taken in half-hour increments after the employee 90-day introductory period. Use of vacation leave must be approved in advance by your Supervisor and taken at times that will not interfere with the operational needs of the department. Pay in lieu of vacation is prohibited.

The College provides paid vacation leave to full-time, 37.5 hours per week administrative hourly employees as follows:

Year of Service	Hourly Accrual Rate	Annual Amount Based on 1950 Hours	Maximum Accrual Possible
0 to 3 years	.041	79.95 hours (or 10.5 days)	114 hours
3 to 10 years	.061	118.95 hours (or 15.5 days)	170 hours
10 years of more	.081	157.95 hours (or 21 days)	226 hours

The College provides paid vacation leave to full-time, 40 hours per week administrative hourly employees as follows:

Year of Service	Hourly Accrual Rate	Annual Amount Based on 2080 Hours	Maximum Accrual Possible
0 to 3 years	.039	81.12 hours (or 10.5 days)	122 hours
3 to 10 years	.058	120.64 hours (or 15.days)	181 hours
10 years of more	.077	160.16 hours (or 20 days)	240 hours

Upon separation from the Colleges, employees are eligible to be paid unused accrued vacation that has been documented and approved by his/her supervisor. This balance of vacation will be paid at the employee's prevailing rate of pay on the last day of work. If the employee should leave before the end of the employment introductory period, accrued vacation is not payable to the employee. In the case of death, the accrued unused balance shall be paid to the employee's estate.

**Paid Family Leave**

New York's Paid Family Leave (PFL) program provides job protected leave and wage replacement to eligible Hobart and William Smith Colleges' employees when qualifying conditions require a leave of absence.

HWS staff who regularly work 20 or more hours per week and be employed for at least 26 consecutive workweeks preceding the first full day PFL is taken; or regularly work less than 20 hours per week and be employed for at least 175 days preceding the first full day PFL is taken.

#### Qualifying Leave

There are three different types of qualifying paid family leaves. The first is a Serious Health Condition - to participate in providing care, including physical or psychological care, for a staff member's spouse, child, parent, grandchild, grandparent, or domestic partner with a serious health condition.

The second is Bonding - to bond with a new child during the first 12 months after the child's birth, adoption or foster care placement with the staff member, their spouse, or their domestic partner.

The third is a Qualifying Exigency - due to a qualifying exigency for the staff member's spouse, domestic partner, child, or parent who is on active military duty or has been notified of an impending call to active duty.

Employees can refer to the NYS Paid family leave website to access more specific information and to access an application to apply.

<https://www.ny.gov/new-york-state-paid-family-leave/paid-family-leave-information-employees>

## OTHER INFORMATION

### Athletic Facilities

All administrative hourly staff members may use the athletic facilities of the Colleges without charge provided that the use does not interfere with physical education classes, intramural and intercollegiate sports and other scheduled student athletic activities. The Bristol Field House provides an inside track, basketball and tennis courts, squash and racquetball courts, a fitness center and locker room facilities. A swimming pool is located in the Bristol Gymnasium.

A College I.D. card will be required to prove use eligibility at the time of entry. Family members who wish to use the Bristol Field House and/or Gymnasium should contact the Director of the Sport and Recreation Center for fee information.

### College Bookstore Discount

All administrative hourly employees receive a 10 percent discount on purchases, excluding sale items, at the College Store.

### Liberty Mutual Insurance Discount Programs

Liberty Mutual offers discounts for eligible employees on home and auto insurances. You pay the full costs and these costs may be payroll deducted.

### Lost and Found

Items found on the campus should be turned in promptly to the Campus Safety Department.

### New York State's 529 College Savings Program

New York's 529 College Savings Program *Direct Plan* provides a flexible, convenient, and low-cost way to save for college. The Program features a wide range of investment choices, tax-free withdrawals when used for qualified higher-education expenses\*, and contributions that are tax-deductible (up to certain limits\*\*) for New York State residents.

You can save for a child, grandchild, friend -- or even yourself. And the Program includes a valuable opportunity to accelerate your college savings through *Upromise* rewards -- a free service that returns a percentage of your spending at hundreds of America's leading companies and can transfer that money directly to your Program account.

### **Verizon, Sprint and AT&T Employee Discounts**

Verizon Wireless offers discounts to Hobart and William Smith employees ranging from 19% off eligible plans and 25% off all accessories and great savings on phones.

AT&T and Sprint offers discounts to Hobart and William Smith employees ranging from 20% off on qualified charges and exclusive savings on new devices.

## **SEPARATION FROM EMPLOYMENT**

Administrative hourly employees may be separated from employment by retirement, voluntary resignation, or termination. All Colleges' property (library books, computer lap tops, keys, corporate credit cards and other equipment), in the administrative hourly employee's possession must be returned to your supervisor upon separation from employment.

### **Benefits at Time of Separation**

Upon resignation, retirement or termination, the supervisor will notify Human Resources of the administrative hourly employee's departure. Relph Benefit Advisors on behalf of the Office of Human Resources will mail an informational packet shortly after the employee's last day of work, concerning continuation of benefits as required by the Consolidated Omnibus Budget Act of 1986 (COBRA) - see *Benefits Continuation* on page 16. Administrative hourly employees and their eligible dependents will have the option of continuing their group medical, dental and vision insurance coverages and their health and/or dependent care spending account(s) for a period of time following their event/termination date provided that they pay the full monthly premium plus administration fees to the insurance carrier. Short and long term disability insurance coverages do not provide continuation privileges.

The administrative hourly employee's basic group term life insurance policy and voluntary supplemental life insurance programs provide portability and conversion privileges but election to continue these coverages must be made within 30 days from the separation date – this is not a COBRA continuation option.

*The purpose of this publication is to give you an overview of Hobart and William Smith Colleges' benefit policies and plans and other valuable employment information in effect as of January 1, 2018 or as otherwise indicated. Please read and retain it for future reference.*

*The benefit policies and plans summarized in this publication are guidelines only. This publication is not a contract, expressed or implied, guaranteeing any employment rights or obligations. The Colleges retain the right to supplement, modify, amend or eliminate the policies and plans. Every effort has been made to make these descriptions as brief, accurate and easy to understand as possible. Therefore, all details may not be described here. If there is a difference between the information in this publication and the official plan documents, the official plan documents will govern. For more specific information, please contact the Office of Human Resources.*

